

**BARRETT TOWNSHIP  
MONROE COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 169**

**AN ORDINANCE OF THE TOWNSHIP OF BARRETT, COUNTY OF MONROE, AND COMMONWEALTH OF PENNSYLVANIA, AMENDING BARRETT TOWNSHIP ORDINANCE NO. 68 TO AMEND THE FRANCHISE FEE PAID TO THE TOWNSHIP AND TO EXTEND THE FRANCHISE FOR BLUE RIDGE CABLE TECHNOLOGIES, INC. FOR AN ADDITIONAL TERM OF FIVE (5) YEARS.**

**WHEREAS**, the Board of Supervisors of Barrett Township (the "Board") enacted Barrett Township Ordinance 68 on March 14, 1973, which among other things granted a cable franchise to Blue Ridge Cable Television, Inc. (now Blue Ridge Cable Technologies, Inc.) for an initial fifteen year term and established a franchise fee of 2%;

**WHEREAS**, the term of the original franchise granted in Ordinance 68 has been extended for additional terms, most recently for a five year term from March 14, 2006 through March 13, 2011 pursuant to Ordinance No. 144;

**WHEREAS**, the franchise fee has not been changed since it was established in 1973;

**WHEREAS**, the Board deems it to be in the best interests, and for the general welfare, of the citizens and residents of Barrett Township ("Township") to extend the term of Blue Ridge Cable Technologies, Inc.'s franchise for another five years and to change the franchise fee.

**NOW, THEREFORE BE IT ORDAINED AND ENACTED** by the Board of Supervisors of Barrett Township, Monroe County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same, to wit:

**SECTION 1: Short Title.** This Ordinance shall be known and may be cited as the "Barrett Township Cable Franchise Extension Ordinance."

**SECTION 2: Revision to Section 15 of Ordinance Nos. 68 and 144.** Section 15 of Ordinance No. 68, as amended most recently by Ordinance No. 144, is hereby replaced in its entirety by the following new Section 15:

The franchise and rights herein granted shall commence March 14, 2011, subject to the filing of a written acceptance of the terms of the franchise by the Company with the Secretary of the Township, and shall continue in full force for a term of five (5) years through March 13, 2016, except as herein otherwise provided. At the option of either party, with the concurrence of the other party, the franchise may be extended for additional terms of any agreed-upon length by resolution of the Township's governing body. At no charge to the Municipality, Blue Ridge

Cable Technologies, Inc. shall provide, within three (3) months of the effective date hereof and continuing during the term hereof, high speed Internet service via cable modem to one currently cabled Municipality building to be designated by the Municipality.

**SECTION 3. Revisions to Section 7 of Ordinance No. 68.** In Section 7 of Ordinance No. 68, the franchise fee paid to the Township shall be changed from 2% to 5%. Except as modified herein, the remaining provisions of Section 7 shall be in full force and effect.

**SECTION 4: Provisions Unaffected.** Ordinance No. 68 shall remain in full force and effect, except as amended by subsequent Township ordinances, including but not limited to Ordinance Nos. 133, 144, and this ordinance.

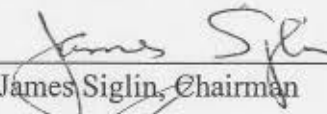
**SECTION 5: Severability.** The provisions of this Ordinance shall be severable, and if any of the provisions hereof shall be found to be invalid or unenforceable, the remaining provisions of this Ordinance shall remain in effect.

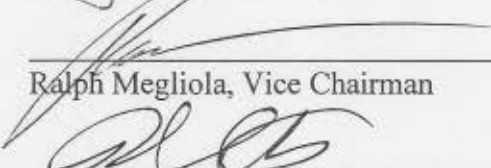
**SECTION 6. Repealer.** All ordinances or parts of ordinances or resolutions conflicting or inconsistent with any of the provisions of this Ordinance are hereby repealed but only insofar as same are in direct conflict or directly inconsistent with this Ordinance.


**SECTION 7. Effective Date.** This Ordinance shall take effect five (5) days after the date of its enactment.

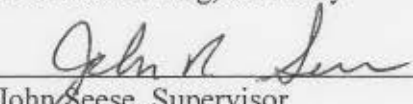
**ORDAINED AND ENACTED** into an Ordinance at a regular meeting of the Board of Supervisors of Barrett Township, Monroe County, Pennsylvania, this 22<sup>nd</sup> day of February, 2011.


**BOARD OF SUPERVISORS OF  
BARRETT TOWNSHIP**

  
James Siglin, Chairman

  
Ralph Megliola, Vice Chairman

  
Paul Stotsenburg, Secretary

  
John Seese, Supervisor

  
Michael J. Stirr, Supervisor

(Township Seal)