

ORDINANCE NO. 6.17

AN ORDINANCE GRANTING A FRANCHISE TO COMCAST OF COLORADO X, LLC, TO CONSTRUCT, OPERATE, AND MAINTAIN A CABLE TELEVISION SYSTEM IN THE TOWN OF LARKSPUR, COLORADO AND SETTING FORTH THE CONDITIONS ACCOMPANYING THE GRANT OF THIS FRANCHISE

WHEREAS, Comcast of Colorado X, LLC, is the current operator of a cable television system that could be extended and constructed in order to provide service in the Town of Larkspur, and

WHEREAS, the Town has determined that the financial, legal, and technical ability of Comcast X, LLC is reasonably sufficient to provide services, facilities, and equipment necessary to meet the future cable-related needs of the community, and,

WHEREAS, having afforded the public adequate notice and opportunity for comment, the Town desires to enter into a franchise with Comcast of Colorado X, LLC for the construction and operation of a cable system on the terms set forth herein.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Larkspur, of the State of Colorado that:

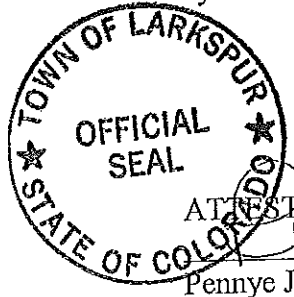
Section 1. Cable Franchise Agreement. Subject to all terms and conditions and obligations contained therein, the Town Council hereby authorizes the Mayor and the Deputy Town Clerk to execute the Cable Franchise Agreement with Comcast of Colorado X, LLC that is incorporated herein by this reference.

Section 2. This Ordinance and the Cable Franchise Agreement shall both take effect on the 7th day of December , 2006, subject to the Cable Franchise Agreement being fully executed by both the Town and Comcast of Colorado X, LLC, including the acceptance of franchise by Comcast of Colorado X, LLC, and the publication of this Ordinance as required by law.

Section 3. Severability. All sections of this Ordinance and the Cable Franchise Agreement incorporated herein shall be severable, and if any section, portion or provision of this Ordinance or the Cable Franchise Agreement is declared or ruled illegal, invalid, or unconstitutional by any court of competent jurisdiction or by any state or federal regulatory authority having jurisdiction thereof, such determination shall have no effect on the validity of any other section, portion, or provision of this Ordinance or the Cable Franchise Agreement shall remain in full force and effect. The Town Council hereby declares that it would have passed this Ordinance and approved the Cable Franchise Agreement and each part thereof irrespective of the fact that any one part be declared unconstitutional illegal, or invalid.

Section 4. Repeal. All other ordinances or portions thereof inconsistent or conflicting with this Ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

INTRODUCED, READ, AND PASSED this 7 day of December, 2006
by the Town Council of the Town of Larkspur, Colorado.



TOWN OF LARKSPUR, COLORADO

By *Shellyn K. West*
Shellyn K. West, Mayor

Pennye J. Henson
Pennye J. Henson, Deputy Town Clerk