

ORDINANCE NO. D-80-20

WHEREAS, the City of Conway, Arkansas through its agent, the Conway Corporation, is constructing a Cable Television System to serve the citizens of Conway; and

WHEREAS, said Cable Television System will be located upon lands and/or rights of way owned by the City; and

WHEREAS, all poles located upon the lands and rights of way of the City are so located at the pleasure of the City; and

WHEREAS, duplicating poles to support the Cable Television System would be unsightly, ungainly and unnecessary; and

WHEREAS, all poles located on City lands and/or rights of way are presently amicably used by all utilities serving the citizens of Conway on a cooperative basis; and

WHEREAS, the immediate construction of the Cable Television System is in the best interest of the City of Conway and its citizens;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS;

SECTION 1. The Cable Television System (CTV) owned by the City of Conway (City), operated by its agent, the Conway Corporation (Corp), may attach its cables, wires, guy wires and all other appurtenances necessary for the operation of the Cable Television System to any and all poles located upon the lands and/or rights of way owned by the City as the CTV may deem necessary to provide good and safe CTV service to the citizens of the City.

SECTION 2. The Corporation may enter into an agreement with the owner of said poles to pay an attachment and occupancy fee; provided, however, said fee shall in no instance exceed that fee recommended and allowed by the F. C. C.

The Corporation may make reasonable payment to the owners of said poles for "make ready work" or adjustment to existing

systems on said pole to provide for safe operation of all utility systems in the City.

SECTION 3. The Corporation shall be required to carry insurance as it, in its sole judgment, deems necessary, in accordance with Arkansas law and to properly protect itself and the citizens of the City.

SECTION 4. This ordinance, being necessary for the protection of the public health, safety and welfare, an emergency is hereby declared to exist and the same shall be in full force and effect from and after its passage and publication.

PASSED: August 12, 1980.

APPROVED:

Bill Wingo  
Mayor

ATTEST:

Arcus D. Duman  
Clerk-Treasurer