

**YOE BOROUGH  
RESOLUTION NO.  
2022-03**

**RESOLUTION OF THE BOROUGH OF YOE AUTHORIZING EXECUTION OF  
A CABLE FRANCHISE AGREEMENT BETWEEN THE BOROUGH AND  
SHENANDOAH CABLE TELEVISION, LLC**

**WHEREAS**, pursuant to the Cable Communications Policy Act of 1984, the Cable Television Consumer Protection and Competition Act of 1992, and the Telecommunications Act of 1996, the regulations of the Federal Communications Commission and Pennsylvania law, the Borough of Yoe (hereinafter the “Borough”) is authorized to grant franchises to construct, operate and maintain a cable system utilizing public rights-of-way and properties within the Borough’s jurisdiction; and

**WHEREAS**, pursuant to Title VI of the Communications Act, the regulations of the Federal Communications Commission (hereinafter referred to as the “FCC”) and Pennsylvania law, the Borough is authorized to grant and renew franchises to construct, operate and maintain a Cable System utilizing Public Rights-of-Way and properties within the Borough’s jurisdiction; and

**WHEREAS**, Grantee has requested that the Borough grant Grantee a franchise to maintain, construct, operate, and maintain its Cable System over, under and along the aforesaid rights-of-ways for use by the Borough’s residents; and

**WHEREAS**, the aforesaid Public Rights-of-Way used by Grantee are public properties acquired and maintained by the Borough on behalf of the citizens of the Borough, and the right to use said rights-of-way is a valuable property right; and

**WHEREAS**, the Borough desires to protect and manage the aforesaid rights-of-way, establish standards of Subscriber service, maintain a technologically advanced Cable System, receive Franchise Fees for Grantee’s use of the Borough’s public rights-of-ways as provided by federal law, obtain the use of an educational and governmental channel, establish certain reporting requirements, obtain certain complimentary services, provide legal protections for the Borough, and meet the current and future cable-related needs of its residents; and

**WHEREAS**, the Borough has determined that this Agreement and the process for consideration of this Agreement complies with all applicable federal, state and local laws and regulations; and

**WHEREAS**, the Borough has determined that the public interest would be served by granting Grantee a franchise according to the terms and conditions contained herein;

**NOW THEREFORE, BE IT RESOLVED** that the Borough Council does hereby approve the cable franchise agreement negotiated with Grantee, including all of the terms and conditions contained therein, and does hereby authorize the execution of such agreement.

**RESOLVED** this 3<sup>rd</sup> day of January, 2022

ATTEST:

Diana Durak

BOROUGH OF YOE

Sal C. Spier  
President, Borough Council