

CHAPTER 114

CABLE TELEVISION FRANCHISE

114.01 Grant of Franchise

114.02 Assignment or Transfer

114.01 GRANT OF FRANCHISE. A nonexclusive right is hereby granted to Heritage Cablevision, Inc. (hereinafter referred to as “Heritage”), its successors and assigns, to establish, construct, operate, maintain, repair, replace, renew, reconstruct and remove a cable television system across public property in the City limits for a term of twenty-five (25) years[†], in accordance with the laws and regulations of the United States of America and the State of Iowa and the ordinances and regulations of the City, including the nonexclusive right, privilege and authority:

1. To sell and supply audio and video communication service to persons within the City;
2. To use public property within the City;
3. To engage in such further activities within the City as may now or hereafter be consistent with the generally accepted principles applicable to the operation of a cable television system.

114.02 ASSIGNMENT OR TRANSFER. Heritage shall not assign or transfer any right granted under the franchise to any other person, company or corporation without prior consent of the Council, which consent shall not be unreasonably withheld, provided that Heritage shall have the right to assign the franchise to a corporation wholly owned by Heritage or to a limited partnership of which Heritage or other wholly owned subsidiary of Heritage Communications, Inc. is a general partner without prior consent of the City.

[†] **EDITOR’S NOTE:** Ordinance No. 81-117, adopting a cable television franchise for the City, was passed and adopted on July 13, 1981.