

**BOARD OF SUPERVISORS
TOWNSHIP OF WILLIAMS
NORTHAMPTON COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2004-__

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF WILLIAMS TOWNSHIP, NORTHAMPTON COUNTY, PENNSYLVANIA, (1) BY REQUIRING DEVELOPER NOTICES TO LICENSED CABLE OPERATORS OF THE OPPORTUNITY TO SERVE NEW SUBDIVISIONS AND LAND DEVELOPMENTS; (2) ADDING PROVISIONS PERTAINING TO RELOCATING, MOVING AND LOWERING CABLE FACILITIES; (3) AND CONTAINING CLAUSES FOR SEVERABILITY, REPEAL AND EFFECTIVE DATE.

NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE Board of Supervisors of Williams Township, Northampton County, Pennsylvania, as follows:

SECTION 1.

- A. In extending lines to new subdivisions and/or land developments within the Township, each cable operator shall accept from the developer only those easements which provide non-exclusive rights to operate a cable system within such subdivision and/or land development. No such easement shall prevent any other cable operator authorized to operate within the Township, then or in the future, from using such easement to extend other and further lines to such subdivision and/or land development. In each new subdivision and each new land development, the developer shall, upon notifying public utilities of the opportunity to serve such subdivision or land development, also notify all cable operators licensed to operate a cable system in the Township, of the

opportunity to install cable facilities to serve the subdivision or land development. Each owner of a separate tract of land of record in such subdivision or land development and all persons within the Township shall have the right to freely choose any cable operator permitted in the Township to serve such person with such cable operator's cable system.

- B. Changes Required by Public Improvements. The cable operator shall, upon reasonable notice, and at its reasonable expense, temporarily disconnect, relocate or remove from the street or other public place any of its property when required by the Township by reason of traffic conditions, public safety, street vacation, street construction, installation of sewers, drains, water pipes, or any other type of structure or improvements by public agencies.
- C. Request for Removal or Change. The cable operator shall, on the request of any person holding a building moving permit, temporarily raise or lower its wires to permit the moving of said building. The expense of such temporary removal, raising or lowering of wires shall be paid by the person requesting the same, and the cable operator shall have the authority to require such payment in advance. The cable operator shall be given not less than fifteen (15) days advance written notice of any move contemplated to arrange for temporary wire changes.

SECTION 2. All Ordinances and Resolutions or parts thereof inconsistent herewith, be and the same are hereby repealed. Furthermore, nothing herein shall be construed to grant any cable operator who has accepted from the Board of Supervisors a grant of authority to operator a cable system within Township, any legal benefit other than the temporary, revocable privilege as provided by Ordinance and/or law.

SECTION 3. Should any article, section, subsection, paragraph, clause, phrase or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such judgment shall not affect the validity of this

Ordinance as a whole or any part or provision thereof, other than the part so decided to be invalid or unconstitutional.

SECTION 4. This Ordinance shall take effect immediately.

ENACTED AND ORDAINED into law by the Township of Williams, Northampton County, Pennsylvania, this ____ day of _____, 2004.

ATTEST:

TOWNSHIP OF WILLIAMS

Dawn Barket, Secretary/Treasurer

(SEAL)

BY: _____
John Cusick, Chairman of the Board
of Supervisors

BY: _____
Robert Doerr, Vice-Chairman of the
Board of Supervisors

BY: _____
Robert Helm, Roadmaster of the Board
of the Board of Supervisors