

ORDINANCE No. 2998

Repealed 0-3008

AN ORDINANCE OF THE CITY OF KIRKLAND APPROVING THE TRANSFER OF THE CATV FRANCHISE GRANTED BY ORDINANCE NO. 2490 FROM TELE-VUE SYSTEMS, INC. D/B/A/ VIACOM CABLEVISION, A WHOLLY OWNED SUBSIDIARY OF VIACOM INTERNATIONAL, INC. TO VIACOM CABLEVISION OF PACIFIC NORTHWEST, INC., A WHOLLY OWNED SUBSIDIARY OF VIACOM INTERNATIONAL, INC. AND AMENDING ORDINANCE 2490.

Whereas, Tele-Vue Systems, Inc. and its parent Viacom International, Inc. have in writing requested transfer of the CATV franchise granted to Tele-Vue Systems, Inc. by Ordinance 2490 to a new wholly owned subsidiary of Viacom International, Inc., to-wit: Viacom Cablevision of Pacific Northwest, Inc.; and

Whereas, Section 7.60.110 of the Kirkland Municipal Code requires approval of the Kirkland City Council to such franchise transfer

"only after public hearing and under the same terms and conditions as an original application. Said application shall not be refused unless the Council finds that the public interest will not be served by the proposed transfer.";

and

Whereas, such public hearing on the request of Tele-Vue Systems, Inc. was held by the Kirkland City Council during its regular meeting of December 15, 1986; and

Whereas, the proposed transferee of said franchise, Viacom Cablevision of Pacific Northwest, Inc. has agreed in writing to assume and be bound by all of the applicable cable television franchise terms and conditions in the City of Kirkland; now, therefore,

BE IT ORDAINED by the City Council of the City of Kirkland as follows:

Section 1. There is hereby added to Ordinance 2490 a new section to read as follows:

Section 1.1 Approval of Franchise Transfer. The City of Kirkland hereby consents to the transfer of the franchise granted by Section 1 Ordinance 2490 from the franchisee named therein (Tele-View Systems, Inc. d/b/a Viacom Cablevision, a wholly owned subsidiary of Viacom International, Inc.) to Viacom Cablevision of Pacific Northwest, Inc., a wholly owned subsidiary of Viacom International, Inc., subject to all of the rights, privileges, conditions, regulations and responsibilities of the CATV franchisee, as set forth in Ordinance 2490, together with Chapter 7.60 of the Kirkland Municipal Code; all provided that such transfer shall not be effective until the transferee has filed with the Clerk of the City of Kirkland:

1. A written instrument of transfer between the transferor and the transferee meeting the requirements of Section 7.60.110 Kirkland Municipal Code.
2. The written undertaking of the transferee, Viacom Cablevision of Pacific Northwest, Inc., a wholly owned subsidiary of Viacom International, Inc. to be bound by the conditions, provision, responsibilities and obligations of the franchise, transfer of which is hereby authorized.
3. Performance bonds and certificates of insurance meeting the requirements of Section 7.60.130 Kirkland Municipal Code.
4. The publication of this Ordinance as required by 35A.47.040 Revised Code of Washington and Chapter 1.08 Kirkland Municipal Code.

Section 2. This Ordinance shall be in force and effect five days from and after its passage by the City Council and publication as required by law.

Introduced and first read at regular open meeting of the Kirkland City Council on the 8th day of December, 1986.

Considered with opportunity for public comment to be made during hearing hereon in regular open meeting of the Kirkland City Council on the 15th day of December, 1986.

Passed by majority vote of the Kirkland City Council in regular open meeting on the 15th day of December, 1986.

Signed in authentication thereof this 15th day of December, 1986.

Lois Cooper
MAYOR

ATTEST:

Janice Perry DEPUTY
CLERK
Director of Administration & Finance
(ex officio City Clerk)

APPROVED AS TO FORM:

Frank E. [Signature]
City Attorney