

**ORDINANCE NO. 2024 - 03**

**ORDINANCE OF THE BOROUGH OF FREEBURG, SNYDER COUNTY,  
PENNSYLVANIA, AUTHORIZING EXECUTION OF A CABLE FRANCHISE  
AGREEMENT BETWEEN THE BOROUGH AND SERVICE ELECTRIC  
CABLEVISION, INC.**

The Council of the Borough of Freeburg, Snyder County, Pennsylvania, enacts and ordains as follows:

**WHEREAS**, pursuant to the Cable Communications Policy Act of 1984, the Cable Television Consumer Protection Act of 1992, the Telecommunications Act of 1996, and any future amendments thereto (hereinafter collectively referred to as the "Cable 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**, Service Electric Cablevision, Inc. ("Service Electric"), currently holds a cable franchise from the Borough issued pursuant to Ordinance No. 2024-03 dated 10-16, 2024, which franchise expires on \_\_\_\_\_, \_\_\_\_\_, and

**WHEREAS**, Service Electric has requested that the Borough renew Service Electric's franchise to maintain, construct, operate, and upgrade its cable system over, under, and along the aforesaid rights-of-way for use by the Borough's residents; and

**WHEREAS**, the aforesaid rights-of-way used by Service Electric are public properties acquired and maintained by the Borough on behalf of the residents of the Borough, and the right to use said rights-of-way is a valuable property rights; and

**WHEREAS**, the Borough desires to protect and manage the aforesaid rights-of-way, establish standards of customer service, maintain a technologically advanced cable system, receive franchise fees for Service Electric's use of the Borough's rights-of-way as provided by federal law, obtain the use of an educational and governmental channel, establish certain reporting requirements, obtain certain complimentary services and provide for the current and future cable-related needs of its residents; and

**WHEREAS**, the Borough held a public hearing on the subject of cable franchise renewal, including reviewing the cable operator's past performance and identifying the Borough's future cable-related community needs; and

**WHEREAS**, the Borough has determined that Service Electric has the financial, legal, and technical ability to provide cable services to subscribers located within the Borough; and

**WHEREAS**, the Borough, after affording the public notice and opportunity for comment, has determined that the public interest would be served by renewing a franchise with Service Electric according to the terms and conditions contained in the Cable Franchise Agreement (“Agreement”), and that the process for consideration of these documents complies with all applicable federal, state and local laws and regulations; and

**NOW, THEREFORE**, intending for the foregoing paragraphs to be a part hereof, be it enacted and ordained that:

#### **SECTION I: Grant Of Franchise**

The Council of Freeburg Borough does hereby approve the Agreement negotiated with Service Electric, including all of the terms and conditions contained therein, and does hereby authorize the President of Borough Council and the Borough Secretary to execute such Agreement for and on behalf of the Borough. A copy of the Agreement, marked Exhibit A, is attached hereto and incorporated herein by this reference.

#### **SECTION II: Repealer**

All ordinances inconsistent with the attached Agreement by and between the Borough of Freeburg and Service Electric are hereby repealed.

#### **SECTION III. Severability**

If any section, subsection, sentence, clause, phrase, or word of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not render this Ordinance invalid.

#### **SECTION IV. Effective Date**

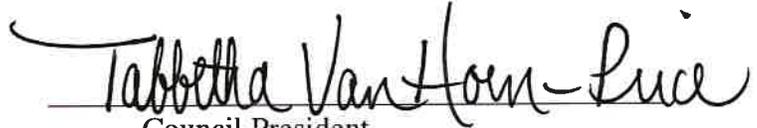
This Ordinance shall become effective upon the date of its enactment.

ENACTED AND ORDAINED this 16 day of October, 2024.

ATTEST:

BOROUGH OF FREEBURG,  
SNYDER COUNTY,  
PENNSYLVANIA

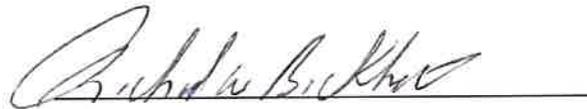
  
Secretary

  
Council President

*(Borough Seal)*

**Mayor's Approval**

Approved the foregoing Ordinance this 16 day of October, 2024.

  
Mayor

**CERTIFICATION**

I, Wanda Kantz, as the duly appointed Secretary of the Borough of Freeburg, Snyder County, Pennsylvania, hereby certify that the foregoing Ordinance No. 2024 - 03 was duly enacted and ordained at the public meeting of the Freeburg Borough Council held of October 16, 2024.

  
\_\_\_\_\_  
Freeburg Borough Secretary

(Freeburg Borough Seal)

**NOTICE**

NOTICE is hereby given that the Council of Freeburg Borough, Snyder County, Pennsylvania, intends to consider and enact an ordinance entitled as follows:

**ORDINANCE NO. 2024 - 03**

**ORDINANCE OF THE BOROUGH OF FREEBURG, SNYDER COUNTY, PENNSYLVANIA, AUTHORIZING EXECUTION OF A CABLE FRANCHISE AGREEMENT BETWEEN THE BOROUGH AND SERVICE ELECTRIC CABLEVISION, INC.**

The purposes of the proposed ordinance are to protect and manage the public rights-of-way, establish standards of customer service, maintain a technologically advanced cable system, receive franchise fees for the use of the Borough's rights-of-way as provided by federal law, obtain the use of an educational and governmental channel, establish certain reporting requirements, obtain certain complimentary services and provide for the current and future cable-related needs of its residents and thereby promote and protect the health and safety of the residents of the Borough. The proposed ordinance also authorizes the Borough Council to enter into a Cable Franchise Agreement with Service Electric Cablevision, Inc. The Borough Council shall consider and enact the proposed Ordinance at its regular meeting held in the Freeburg/Washington Township Community Building, Freeburg Road and Church Street, Freeburg, Snyder County, Pennsylvania, on Wednesday, October 16, 2024, at 7:00 P.M., or as soon thereafter as it may be considered. The proposed Ordinance may be inspected at the Freeburg/Washington Borough Community Building of Freeburg Road and Church Street, Freeburg, Pennsylvania, or at Cravitz Law Office, LLC, Borough Solicitor, of 503 North Market Street, Selinsgrove, Pennsylvania, during regular business hours.

Robert M. Cravitz, Solicitor  
Freeburg Borough

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Please publish the proposed Ordinance in the legal section of your publication on September 27, 2024, and send the bills and proof of publication to Wanda Kantz, Freeburg Borough Secretary, Freeburg Road and Church Street, PA 17870. Thank you.