

**ORDINANCE NO. 2024 - 13**

**FIBER INTERNET FRANCHISE ORDINANCE**

**FOR THE**

**CITY OF CULLMAN, ALABAMA**

**AND**

**CROWN CASTLE FIBER, LLC**

**ORDINANCE NO. 2024 – 13**

AN ORDINANCE GRANTING A FRANCHISE TO CROWN CASTLE FIBER, LLC TO CONSTRUCT, OPERATE, AND MAINTAIN A FIBER INTERNET SYSTEM IN THE CITY OF CULLMAN, ALABAMA SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF THE FRANCHISE; PROVIDING FOR REGULATION AND USE OF THE SYSTEM AND THE PUBLIC RIGHTS-OF-WAY AND PRESCRIBING PENALTIES FOR THE VIOLATION OF THE PROVISIONS HEREIN

The City Council of the City of Cullman Alabama ordains:

**STATEMENT OF INTENT AND PURPOSE**

City intends, by the adoption of this Franchise, to bring about the further development of a Fiber Internet System, and the continued operation of it. Such development can contribute significantly to the communication needs and desires of the residents and citizens of City and the public generally. Further, City may achieve better utilization and improvement of public services and enhanced economic development with the development and operation of a Fiber Internet System. Adoption of this Franchise is, in the judgment of the City Council, in the best interests of City and its residents.

**FINDINGS**

In the review of the request by the Grantee and negotiations related thereto the City Council makes the following findings:

1. Grantee has substantially complied with the material terms of the current Franchise under applicable laws;
2. Grantee’s technical ability, financial condition, legal qualifications, and character were considered and approved in a full public proceeding after due notice and a reasonable opportunity to be heard;
3. Grantee’s plans for operating the Fiber Internet System were considered and found adequate and feasible in a full public proceeding after due notice and a reasonable opportunity to be heard;
4. The Franchise granted to Grantee by City complies with the existing applicable state statutes, federal laws and regulations; and
5. The Franchise granted to Grantee is nonexclusive.
6. The terms and conditions of the Franchise Agreement are attached as Exhibit A.

ADOPTED BY THE CITY COUNCIL this the 4<sup>th</sup> day of January, 2024.

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President of the City Council

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED BY THE MAYOR this the 4<sup>th</sup> day of January, 2024.

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Mayor