PERRY CITY
ORDINANCE 2025-T

FRANCHISE AGREEMENT – COMCAST

AN ORDINANCE OF PERRY CITY, UTAH, ADOPTING A FRANCHISE AGREEMENT WITH COMCAST FOR CERTAIN USE OF THE PUBLIC RIGHT-OF-WAY; SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Perry City ("City") is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, Comcast ("Franchisee") is a corporation that provides cable and telecommunication services as defined under Federal and State Law;

WHEREAS, *Utah Code Annotated* §10-8-84 and 10-8-60 allow municipalities in the State of Utah to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improving community well-being, peace and good order for the inhabitants of the City;

WHEREAS, *Utah Code Annotated* §10-8-11 authorizes the City to regulate the use of streets, alleys, avenues, sidewalks, crosswalks, parks and public grounds, prevent and remove obstructions and encroachments thereon;

WHEREAS, the Franchisee desires to install, maintain, and operate certain cable and telecommunication facilities within the public right-of-way within the City in accordance with the attached Franchise Agreement;

WHEREAS, the City has regulations governing excavation and standards for construction in the public right-of-way;

WHEREAS, the public interest is served by the Franchise Agreement adopted and incorporated herein;

NOW, THEREFORE, be it ordained by the City Council of Perry City, Utah, as follows:

Section 1: **Adoption.** The Mayor is authorized to finalize and execute the Franchise Agreement incorporated herein by this reference as set forth in Exhibit "A" attached hereto.

Section 2: **Severability**. If a Court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which remainder shall continue in full force and effect.

Section 3: **Effective date.** This Ordinance will take effect immediately upon mayoral approval and posting.

PASSED AND ADOPTED by the City Council on this 9th day of October, 2025.

_____
Mayor

VOTING:

Tueller	Yea X Nay ___
Wright	Yea X Nay ___
Ostler	ABSENT
Walker	Yea X Nay ___
Young	ABSENT

ATTEST:

_____
City Recorder

RECORDED this ___ day of _____, 2025.
PUBLISHED OR POSTED this ___ day of _____, 2025.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with Utah Code Annotated '10-3-713, 1953 as amended, I, the City Recorder of Perry City, hereby certify that foregoing Ordinance was duly passed and adopted, published, and/or posted as provided by State Law.

_____ DATE:_____
City Recorder