

ORDINANCE NO. 724

AN ORDINANCE REPEALING SECTION 12 OF ORDINANCE NO. 668 GRANTING FRANCHISE TO CANBY TELEPHONE ASSOCIATION; AND PROVIDING AN EFFECTIVE DATE.

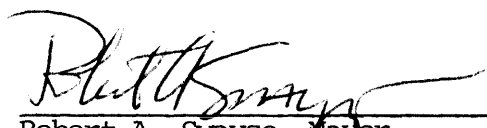
THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1: Section 12 of Canby City Ordinance No. 668 enacted November 7, 1979, is hereby repealed effective immediately upon the final reading and passage of this ordinance. Ordinance No. 668 grants a franchise to the Canby Telephone Association to maintain and operate a telephone communications system in the City of Canby and Section 12 of such ordinance grants the Canby Telephone Association a right of first refusal to operate and maintain a Community Antenna and Television System (CATV) in the City during the term of said franchise. The repeal of Section 12 of said ordinance is now in the best interest of the City of Canby and the inhabitants thereof and the Board of Directors of the Canby Telephone Association concurs in this statement of that fact and consents to the relinquishment of its right of first refusal in regards to the Community Antenna and Television System as evidenced by the letter of its president on behalf of its board, addressed to the City of Canby, dated June 29, 1982, and a copy of which is attached to this ordinance and by this reference and its attachment is expressly made a part of this ordinance.

Submitted to the Canby City Council and read the first time at a regular meeting thereof on the 21st day of July, 1982; ordered posted as provided by the Canby City Charter and scheduled for second reading and action of the Canby City Council at a regular meeting thereof on the 18th day of August, 1982, at the Council Chambers at the Canby City Hall.

  
Marilyn K. Perkett, City Recorder Pro Tem

Passed on final reading of the Canby City Council this 18 day of August  
1982, by the following vote: YEAS 4 NAYS 1

  
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Robert A. Swayze, Mayor

ATTEST:  
  
\_\_\_\_\_  
Marilyn K. Perkett, City Recorder Pro Tem



**CANBY TELEPHONE ASSOCIATION**

184 N. GRANT STREET - P.O. BOX 780 - CANBY, OREGON 97013

TELEPHONE 503-266-8111

June 29, 1982

EUGENE COLE, MANAGER

City of Canby  
182 N Holly  
Canby, OR 97013

Attn: Mr. Bob Rapp

SUBJECT: (CATV) Community Antenna and Television System

Dear Bob:

The Canby Telephone Association's Board of Directors at the last regular meeting, voted unanimously to relinquish our first right of refusal in regards to (CATV) Community Antenna and Television System as shown in Section 12 of Ordinance No. 668 dated Nov. 7, 1979.

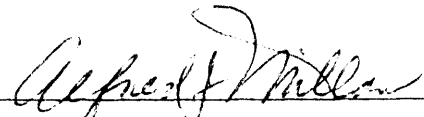
We therefore request that Section 12 of Ordinance No. 668 as shown below be removed in its entirety.

Section 12: If the City decides to grant a franchise or other type of permit to any person, firm or corporation to operate and maintain a Community Antenna and Television System (CATV) in the City during the term of this franchise agreement, it shall first offer such CATV franchise or permit to this Grantee upon the same acceptable terms and conditions which may have been offered by such other person, firm or corporation. The Grantee shall be notified within fifteen (15) days of such acceptable offer and shall have fifteen (15) days from receipt of such notice to accept such offer. Notice by the City of an acceptable offer for a CATV franchise or permit shall be in writing and delivered to the manager of the Grantee at its main office in Canby, Oregon, and acceptance of the offer by the Grantee shall also be made in writing and delivered to the Canby City Recorder at the Canby City Hall.

Thanking you in advance for your consideration in this very important matter.

Sincerely,

CANBY TELEPHONE ASSOCIATION

  
\_\_\_\_\_  
Alfred Millar  
President