

- (a) "City" shall mean the City of Lebanon, Indiana.
- (b) "Council" shall mean the governing body of the City.
- (c) "Company" shall mean the grantee of rights under this ordinance.
- (d) "Person" shall mean any person, firm, partnership, association, corporation, company or organization of any kind.
- (e) "Franchise area" shall mean that area within the corporate limits of the City.
- (f) "Street" shall mean the surface of and the space above and below any public street, right of way, road, highway, freeway, bridge, lane, path, alley, court, sidewalk, parkway, drive, communications or utility easement, now or hereafter existing as such within the franchise area.
- (g) "Property of company" shall mean all property owned, installed or used by the Company in the conduct of a CATV business in the city.
- (h) "CATV" shall mean a cable television system as hereinafter defined.
- (i) "Cable Television System" shall mean a system composed of, without limitation, antenna, cables, wires, lines, towers, wave guides, or any other conductors, converters, equipment or facilities, designed, constructed or wired for the purpose of producing, receiving, amplifying and distributing by coaxial cable audio and/or visual radio, television, electronic or electrical signals to and from persons, subscribers and locations in the franchise area.
- (j) "Basic CATV Service" shall mean the distribution of broadcast television signals by the Company.
- (k) "Subscriber" shall mean any person or entity receiving basic CATV service.
- (l) "Gross Annual Basic Subscriber Revenues" shall mean any and all compensation and other consideration received directly by the Company from subscribers in payment for regularly furnished basic CATV service. Gross annual basic subscriber revenue shall not include any taxes on services furnished by the Company imposed directly on any subscriber or user by any city, state, or other governmental unit and collected by the Company for such governmental unit.

Section 2. GRANT OF AUTHORITY. Whereas the City has previously granted a franchise to the company and has approved the legal, character, financial, technical and other qualifications of the Company and the adequacy and feasibility of the Company's construction arrangements as part of a full public proceeding affording due process, including specific notice to members of the public of the line extension provisions of Section 7 hereof, there is hereby granted by the City to the Company the right and privilege to continue to engage in the business of operating and providing a CATV system in the City, and for that purpose to continue to erect, install, construct, repair, replace, reconstruct, maintain and retain in, on, over, under, upon, across and along any public street, public way and public place, now laid out or dedicated and all extensions thereof and additions thereto in the franchise area such poles, wires, cable, conductors, ducts, conduit, vaults, manholes, amplifiers, appliances, attachments, and other property as may be necessary and appurtenant to the CATV system; and in addition, so to use, operate, and provide similar facilities or properties rented or leased from other persons, firms or corporations including but not limited to any public utility or other grantee franchised or permitted to do business in the City.

Section 3. NON-EXCLUSIVE GRANT. The right to use and occupy said street, and other public ways for the purpose herein set forth, shall not be exclusive, and the City reserves the right to grant a similar use in said streets to any other person.

Section 4. TERM OF FRANCHISE. The franchise and rights herein granted shall take effect and be in force 30 days from and after the final passage hereof and upon filing acceptance by the company and shall continue in force and effect for a term of 15 years after the effective date of this franchise. The franchise may be renewed for a term to be set by the council following a full public hearing affording due process.

With the granting of this franchise any previous ordinance granting CATV franchises to the company are repealed and superseded and such previous franchises are terminated and become null and void.