

1 limits of the City of Little Rock, Arkansas. The provider of Long Distance
2 Telecommunication Services shall be responsible for assuring that this fee is paid to the
3 City. This fee is levied as a Franchise Fee and shall be collected by the provider of Long
4 Distance Telecommunication Services in accordance with Arkansas State Law.

5 **Section 2.** Payments to the City by companies providing Long Distance Telecommunication Services
6 in accordance with the franchise fee imposed herein shall be made monthly within thirty (30) days of the
7 end of each month commencing January 1, 2018.

8 **Section 3.** The City reserves the right to perform any necessary public works or make any necessary
9 public improvements to the City's rights-of-way or airways (to the extent airways are related to facilities
10 attached to or between poles) during the term of this Agreement. If, as a result of any action by the City,
11 or by any action authorized by the City for the benefit of the public good, relocation of any of the Company's
12 conduit or other facilities is required, such relocation shall be accomplished at the sole expense of the
13 Company. Nothing in this Franchise shall be deemed a waiver of the City's right to require the Company
14 to comply with all applicable zoning and other applicable regulatory ordinances or to pay any reasonable
15 permit fees or to seek appropriate authorizations from the Company to perform any work in connection
16 with the Franchise. Should the City close, eliminate, or discontinue use of any public street during the term
17 of this Franchise, or any renewal term, this Franchise shall cease with respect to such streets upon the date
18 of final action by the City with respect to the closure, elimination or discontinuance of such streets.

19 **Section 4.** All ordinances and parts of ordinances that conflict herewith are hereby repealed; provided,
20 however, only to the extent that the same are in direct conflict herewith. Except as provided, nothing herein
21 shall be construed to alter or change the terms or conditions of the present franchise under which the
22 providers of Long Distance Telecommunication Services are operating, pursuant to Ordinance No. 15,706
23 (July 5, 19889) and Ordinance No. 15,729 (August 1, 1989).

24 **Section 8. *Effective Date.*** Because an ordinance of this nature remains in effect until abandoned, and
25 in light of the language of the current Section 1 of this ordinance, it is noted that the Franchise Fees set
26 forth in Section 1 of this ordinance shall be in full force and on January 1, 2018.

27 **PASSED: December 12, 2017**

28 **ATTEST:**

APPROVED:

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30 _____
31 **Susan Langley, City Clerk**

_____ **Mark Stodola, Mayor**

32 **APPROVED AS TO LEGAL FORM:**

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35 **Thomas M. Carpenter, City Attorney**