

Ordinance

3-1007

AN ORDINANCE GRANTING A NONEXCLUSIVE FRANCHISE FOR THE INSTALLATION OF COMMUNICATIONS EQUIPMENT BY PTA-FLA, INC., (D.B.A. CLEAR TALK WIRELESS) ON THE TOWN OF EASTOVER WATER TANK LOCATED AT 110 ANDERSON STREET, EASTOVER, S.C., 29044, FOR THE PURPOSE OF PROVIDING TELECOMMUNICATIONS AND RELATED SERVICES TO THE RESIDENTS OF THE TOWN OF EASTOVER.

Ordinance No. 6-0000

WHEREAS, Town Council is vested by the Telecommunications Act of 1999, the S.C. Constitution, and the laws of South Carolina with the authority to grant a nonexclusive franchise to telecommunications companies, and

WHEREAS, Town Council has determined that it is in the best interest of the residents of the Town of Eastover to have access to telecommunication and related services at competitive prices, and

WHEREAS, PTA-FLA, Inc., d.b.a, Cleartalk Wireless has requested that the Town of Eastover enter into a lease agreement granting unto it a nonexclusive right to install communications equipment on the Town's water tank located at 110 Anderson Street, Eastover S.C., for the purpose of providing telecommunication and related services to the residents of the town of Eastover;

NOW THEREFORE BE IT RESOLVED in meeting duly assembled:

1. That the Mayor is authorized to negotiate and enter into a lease agreement with PTA-FLA, Inc., d.b.a. Cleartalk Wireless (hereinafter the LESSEE) for the purpose of granting LESSEE the right to install communication equipment on the Town's water tank located at 110 Anderson Street, Eastover, S.C.; provided that prior to signing said lease agreement, the Mayor shall present the final lease agreement to Town Council for approval and ratification; and
2. That after Town Council's ratification, once the lease agreement is signed by the Mayor, this ordinance shall have the effect of granting consent to the LESSEE to use the public right-of-way to serve Eastover customers under the terms of the lease agreement; and
3. That a copy of the properly executed lease agreement shall be attached to this ordinance as evidence of the agreement between the parties.

Done in Council Meeting this 26 day of October, 2011.

Mayor: _____

Town Clerk: _____

First Reading: October 3, 2011

Final Reading: October 26, 2011

Form approved by Attorney: _____