

ORDINANCE NO. 5152

AN ORDINANCE AMENDING MCMINNVILLE MUNICIPAL CODE SECTION 3.18.530 TO CLARIFY APPLICABILITY OF TELECOMMUNICATIONS INFRASTRUCTURE REQUIREMENTS TO CABLE OPERATORS.

RECITALS:

WHEREAS, in 2000, the City of McMinnville adopted Chapter 3.18 of the McMinnville Municipal Code related to Telecommunications Infrastructure; and

WHEREAS, section 3.18.530 of that Chapter required all telecommunications carriers providing cable service to meet cable franchise requirements of Ordinance No. 4110; and

WHEREAS, the City now clarifies that any cable operator shall meet all requirements related to construction and location of facilities in the City's right-of-way, regardless of such operator's definition as a telecommunications carrier; and

WHEREAS, the City further clarifies that telecommunications carriers shall meet federal Cable Act franchise standards, rather than the local standards of Ordinance No. 4110;

NOW, THEREFORE, THE COMMON COUNCIL FOR THE CITY OF MCMINNVILLE ORDAINS AS FOLLOWS:

1. McMinnville Municipal Code Section 8.36.010 is amended as follows: *[underlined language is new, strikethrough language is to be repealed]*.

3.18.530 Cable franchise.

~~Telecommunications carriers providing cable service shall be subject to the cable franchise requirements in ordinance no. 4110 or as it may be amended from time to time. A telecommunications carrier providing cable service must obtain a cable franchise consistent with the Cable Act. Unless otherwise provided in a cable franchise, cable operators shall comply with all provisions of this Chapter related to construction and location of facilities in the rights-of-way, including but not limited to MMC 3.18.200-.325.~~

2. This Ordinance will take effect 30 days after passage by the City Council.

Passed by the McMinnville City Council this 12th day of November, 2024 by the following votes:

Ayes: Peralta, Menke, Garvin, Geary, Chenoweth

Nays: _____

ADL

MAYOR

Approved as to form:

[Signature]

City Attorney

Attest:

Claudia Csneros

City Recorder