

LEGAL NOTICE TELECOMMUNICATIONS FRANCHISE

Notice is hereby given, pursuant to Sections 163 and 164 of the Kentucky Constitution that the City of Newport, Kentucky (“City”), will consider offering telecommunications systems franchises as permitted by Ordinance No. O-2019-008, (the “Ordinance”) adopted by the Board of Commissioners on May 20, 2019. The Franchise shall be non-exclusive (the “Franchise”) and shall allow the Franchisee to construct, operate, and maintain on or within the City rights-of-way, cellular antenna towers, small cell towers, transmission equipment, fiber optic cables and/or other such related devices or equipment facilities (the “systems”) for the transmission, distribution and sale of telecommunication services and other related purposes. The Franchise shall be granted only after the Franchisee makes initial application with the City Code Enforcement Department and receives approval thereof as being in compliance with the provisions of the Official Zoning Code (the “Code”) of the City and for which the Franchisee shall then be issued the requisite permit for the same.

The Franchises shall be granted for an initial period of ten (ten) years with two (2) two automatic five (5) year renewals and shall be effective sixty (60) days after the award of the Franchise. As compensation for the grant of the Franchise, the Franchisee shall be required to pay the City a Franchise Fee equating to three percent (3%) of the Gross Receipts from the sale of Franchisee’s services within the City, payable on an annual basis within thirty (30) days of the end of the City’s fiscal year (being June 30th.) In addition, the Franchisee shall be required to pay a Rights-of-Way Usage Fee as set forth in the Code and Franchise.

Any person desiring to submit a bid for the Franchise may do so at any time by submitting a written Notice of their intent to do so and making application with the City of Newport Code Enforcement Department, 998 Monmouth Street, Newport, KY 41071.

The submission of any bid shall require compliance with all City laws, ordinances, rules, regulations, and procedures.

The City reserves the right to accept any bid or to reject the same for non-compliance and to waive any irregularities in awarding the Franchise.

Published www.newportky.gov February 7, 2020.