

**ORDINANCE NO. 89  
CITY OF LIBERTY LAKE  
SPOKANE COUNTY, WASHINGTON**

**AN ORDINANCE OF THE CITY OF LIBERTY LAKE, WASHINGTON, GRANTING  
THE RIGHT OF FRANCHISE TO AT&T CORPORATION FOR OPERATION OF A  
PUBLIC SERVICE BUSINESS IN THE CITY OF LIBERTY LAKE.**

WHEREAS, the City of Liberty Lake is a duly incorporated code City of the State of Washington;

WHEREAS, RCW 35.02.160 provides that any franchise or permit heretofore granted to any person, firm or corporation by the state or county, authorizing or otherwise permitting the operation of a public service business or facility is automatically cancelled upon incorporation, but that upon incorporation the City must grant such business a franchise or permit to continue such business within the City for a term of not less than the remaining term of the original franchise or permit, or seven years, whichever is the shorter;

WHEREAS, a franchise has been granted by Spokane County to Cox Cable of Spokane incorporated through Resolution 91-1247, and subsequently transferred to TCI American Cable Holdings, L.P., through Resolutions 96-1226 and 97-0165;

WHEREAS, Spokane County Resolution 99 0043 consented to the merger of TCI and AT&T Corporation with a transfer of the franchise agreement to AT&T; and

WHEREAS, the City of Liberty Lake intends to allow AT&T to continue operation under the same terms and conditions as the pre-existing franchise with Spokane County for the remaining term of the original franchise or seven years, whichever is the shorter period;

NOW, THEREFORE, the City Council of the City of Liberty Lake, Washington, do ordain as follows:

**Section 1.** The City of Liberty Lake hereby grants unto AT&T a Franchise under the same terms and conditions as set forth in the above referenced Spokane County Resolutions. This Franchise shall expire September 15, 2006. Unless the context requires otherwise, references to Spokane County shall be construed as references to the City of Liberty Lake and references to the Board of County Commissioners shall refer to the Liberty Lake City Council. Further, all work done in the public right of way shall be pursuant to Spokane County standards unless there is a superseding City of Liberty Lake standard.

**Section 2.** A true and correct copy of this Franchise is attached hereto and identified as Exhibit "A".

**Section 3.** **Official Bonds.** The Franchisee shall take all necessary steps to transfer any bonds, certificates of insurance or other security currently held by Spokane County to the City of Liberty Lake with the franchise rights granted herein not effective until such transfers are made.

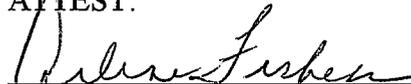
**Section 4.** Severability. If any section, sentence, clause or phrase of this ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

**Section 5.** Effective Date. This Ordinance shall be in full force and effect five (5) days after publication of this Ordinance or an Ordinance Summary in the official newspaper of the City.

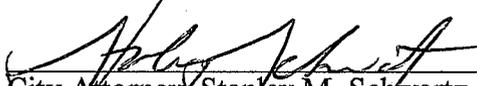
PASSED by the City Council this 7<sup>th</sup> day of May, 2002.

  
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Mayor, Steve Peterson

ATTEST:

  
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City Clerk/Treasurer, Arlene Fisher

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney, Stanley M. Schwartz  
Date of Publication: 5/23/02  
Effective Date: Date of Incorporation