

CHAPTER 10. - FRANCHISES^[9]

Section 10.01. - Franchises required.

Except as otherwise provided by law, no person, firm, or corporation shall place or maintain any permanent or semi-permanent fixtures in, over, upon, or under any street or public place for the purpose of operating a public utility or for any other purpose, without a franchise therefor from the City. A franchise shall be granted only by ordinance, which shall not be an emergency ordinance. The grantee shall bear the costs of publication of the franchise ordinance and shall make a sufficient deposit with the city administrator to guarantee publication before the ordinance is passed.

(Ord. No. 2011-20, § 1, 2-14-12)

Section 10.02. - Term.

No franchise for a term exceeding twenty years shall be effective until approved by a majority of the voters in the City.

(Ord. No. 2011-20, § 1, 2-14-12)

Section 10.03. - Public hearing.

Before any franchise ordinance is adopted, the council shall hold a public hearing on the matter. Notice of such hearing shall be published at least once in the official newspaper not less than ten days prior to the date of the hearing.

(Ord. No. 2011-20, § 1, 2-14-12)

Section 10.04. - Power of regulation reserved.

Subject to any applicable law, the council may by ordinance, or otherwise, reasonably regulate and control the exercise of any franchise, including the maximum rates, fares, or prices to be charged by the grantee. No franchise value shall be included in the valuation of the grantee's property in regulating utility rates, fares, or prices under any applicable law, ordinance, or regulation or in proceedings for municipal acquisition of the grantee's property by purchase or eminent domain.

(Ord. No. 2011-20, § 1, 2-14-12)

Section 10.05. - Renewals or extensions.

Every renewal or modification of a franchise, including an existing franchise, shall be subject to the same limitations and shall be granted in the same manner as a new franchise.