

## ORDINANCE NO. 1035

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON EXTENDING THE FRANCHISE GRANTED BY ORDINANCE NO. 710 FOR A NON-EXCLUSIVE FRANCHISE TO ASTOUND BROADBAND LLC TO CONSTRUCT, MAINTAIN, OPERATE, AND REPAIR A TELECOMMUNICATION SYSTEM IN, ON, ACROSS, OVER, ALONG, UNDER, UPON, THROUGH, AND BELOW PUBLIC RIGHTS-OF-WAY OF THE CITY OF SHORELINE, WASHINGTON.**

WHEREAS, on April 13, 2015, pursuant to RCW 35A.11.020, RCW 35A.47.040, and Chapter 12.25 SMC, the Shoreline City Council passed Ordinance No. 710 granting a ten-year non-exclusive franchise for a telecommunication system within the public-rights-of-way of the City of Shoreline to Astound Broadband LLC; and

WHEREAS, the franchise granted by Ordinance No. 710 will expire on April 21, 2025; and

WHEREAS, Astound Broadband LLC would like to extend its franchise but, the City has determined that time is needed to engage in negotiations that benefit the residents of the City and align with the needs of the City when constructing capital improvements; and

WHEREAS, at its regular meeting on April 14, 2025, the City Council considered the extension; and

WHEREAS, the City Council finds that it is in the best interests of the health, safety, and welfare of the residents of the City of Shoreline to grant a one-year non-exclusive franchise to Astound Broadband LLC for a telecommunication system within the City rights-of-way to allow for productive negotiations to occur;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE DO ORDAIN AS FOLLOWS:**

**Section 1. Amendment - Extension.** Section 3 Franchise Term of Ordinance No. 710 is hereby amended to provide for a one (1) year extension of the current 10-year term. The franchise granted by Ordinance No. 710 shall terminate at 11:59 pm Pacific Time on April 21, 2026, if accepted as provided in Section 3 below.

**Section 2. Terms and Conditions of Non-Exclusive Franchise Granted by Ordinance No. 710 Remain the Same.** Except as specifically provided in this Ordinance, the terms and conditions of the non-exclusive franchise granted to Astound Broadband LLC by Ordinance No. 710 continue in full force and effect.

**Section 3. Directions to City Clerk.** The City Clerk is hereby authorized and directed to forward certified copies of this Ordinance to Astound Broadband LLC. No later than 11:59 p.m. Pacific Time on April 21, 2025, Astound Broadband LLC shall accept in writing the extension authorized by this Ordinance and the continuation of the non-exclusive franchise granted by Ordinance No. 710. If Astound Broadband LLC fails to provide written acceptance, this Ordinance

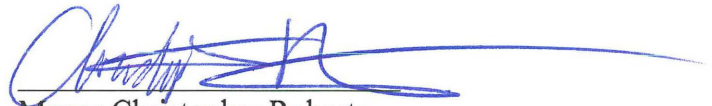
shall become null and void and the franchise granted by Ordinance No. 710 shall expire on April 21, 2025.

**Section 4. Corrections by City Clerk or Code Reviser.** Upon approval of the City Attorney, the City Clerk and/or the Code Reviser are authorized to make necessary corrections to this Ordinance, including the corrections of scrivener or clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering and references.

**Section 5. Severability.** Should any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance or its application to any person or situation be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to any person or situation.

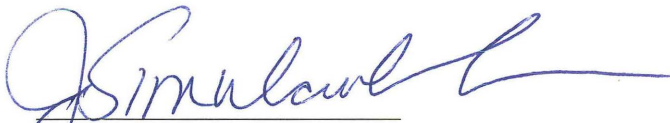
**Section 6. Publication and Effective Date.** In accordance with state law, a summary of this Ordinance shall be published in the official newspaper. The cost of such publication shall be borne by Astound Broadband LLC. If accepted by Astound Broadband LLC as provided in Section 3 above, this Ordinance shall take effect at 12:01 am Pacific Time on April 22, 2025. Otherwise, this Ordinance and the franchise granted by Ordinance No. 710 shall become null and void as of 11:59 pm Pacific Time on April 21, 2025.


**PASSED BY THE CITY COUNCIL ON APRIL 14, 2025.**

  
Mayor Christopher Roberts

ATTEST:

APPROVED AS TO FORM:

  
Jessica Simulcik-Smith  
City Clerk

  
Margaret King  
City Attorney

Date of Publication: April 17, 2025  
Effective Date: April 22, 2025

Section 3 Acceptance Date: *April 16*, 2025