

1 **BILL NO. 2018-37**

2 **ORDINANCE NO. \_\_\_\_\_**

3 ORDINANCE GRANTING TO MCIMETRO ACCESS TRANSMISSION SERVICES CORP., A  
4 CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF  
5 DELAWARE AND AUTHORIZED TO DO BUSINESS IN NEVADA, A NON-EXCLUSIVE  
6 FRANCHISE FOR A TELECOMMUNICATIONS SERVICE WITHIN THE CORPORATE LIMITS OF  
7 THE CITY OF LAS VEGAS, SUBJECT TO AND IN ACCORDANCE WITH THAT CERTAIN  
8 FRANCHISE AGREEMENT ENTERED INTO BETWEEN THE CITY OF LAS VEGAS AND  
9 MCIMETRO ACCESS TRANSMISSION SERVICES CORP.; AND PROVIDING FOR OTHER  
10 RELATED MATTERS.

11 Proposed by: Jorge Cervantes, Chief Operations  
12 and Development Officer

13 Summary: Grants to MCImetro Access  
14 Transmission Services Corp. a non-exclusive  
15 franchise for the purpose of installing, operating  
16 and maintaining a telecommunications service  
17 within the City, subject to and in accordance with  
18 the terms and conditions of the Franchise  
19 Agreement incorporated by reference into this  
20 Ordinance.

21 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS  
22 FOLLOWS:

23 SECTION 1: The City of Las Vegas, Nevada, hereby grants to MCIMETRO ACCESS  
24 TRANSMISSION SERVICES CORP. the non-exclusive right, privilege, authority and permission to install,  
25 operate and maintain a telecommunications service system in, upon, along, across, above, over and under all  
26 present and future public ways (excluding railroad rights-of-way), highways, streets, avenues and alleys  
within the incorporated boundaries of the City of Las Vegas, subject to and in accordance with the terms and  
conditions of that certain document entitled Franchise Agreement between the City of Las Vegas and  
MCImetro Access Transmission Services Corp., a copy of which Franchise Agreement is on file with the  
Clerk of the City of Las Vegas and by this reference incorporated herein. For the purposes of this Section  
the term "telecommunications service" has the same meaning as that term is defined in the United States  
Code 47 U.S.C. 153 (46).

SECTION 2: If any section, subsection, subdivision, paragraph, sentence, clause or phrase  
in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by

1 any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the  
2 remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby  
3 declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase  
4 thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs,  
5 sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

6 SECTION 3: All ordinances or parts of ordinances or sections, subsections, phrases,  
7 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983  
8 Edition, in conflict herewith are hereby repealed.

9 PASSED, ADOPTED and APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2018.

10 APPROVED:

11  
12 By \_\_\_\_\_  
CAROLYN G. GOODMAN, Mayor

13 ATTEST:

14 \_\_\_\_\_  
15 LUANN D. HOLMES, MMC  
City Clerk

16 APPROVED AS TO FORM:  
17 Val Steed 3-1-18  
18 Val Steed, Date  
Deputy City Attorney

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1 The above and foregoing ordinance was first proposed and read by title to the City Council on the \_\_\_\_ day  
2 of \_\_\_\_\_, 2018, and referred to a committee for recommendation, the committee being  
3 composed of the following members \_\_\_\_\_;  
4 thereafter the said committee reported favorably on said ordinance on the \_\_\_\_ day of  
5 \_\_\_\_\_, 2018, which was a \_\_\_\_\_ meeting of said Council; that at said  
6 \_\_\_\_\_ meeting, the proposed ordinance was read by title to the City Council as first  
7 introduced and adopted by the following vote:

8 VOTING "AYE": \_\_\_\_\_

9 VOTING "NAY": \_\_\_\_\_

10 ABSENT: \_\_\_\_\_

11 APPROVED:

12  
13 By \_\_\_\_\_  
CAROLYN G. GOODMAN, Mayor

14 ATTEST:  
15 \_\_\_\_\_  
16 LUANN D. HOLMES, MMC  
City Clerk

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