

CHAPTER 6 - CABLE COMMUNICATION SYSTEMS

Sec. 6-84. Construction bond.

(a) Within thirty (30) days after the award or renewal of a License, a Licensee shall obtain and maintain throughout the period of system construction, at its cost and expense, and file with the City Clerk, a corporate surety bond issued by a company authorized to do business in the State of Arizona, and found acceptable by the City Attorney, in an amount established in a License agreement solely for the purpose of guaranteeing the timely construction and/or reconstruction of the Cable System and the safeguarding of private property during construction and/or reconstruction. The bond shall provide, but not be limited to, the following condition: There shall be recoverable by the City, jointly and severally from the principal and surety, any and all damages, losses or costs suffered by the City resulting from the failure of a Licensee to satisfactorily complete construction and/or reconstruction of its Cable System throughout the License area pursuant to the terms and conditions of this Chapter and such Licensee's License.

(b) Any extension of the prescribed construction or reconstruction time limit must be authorized by the City. The construction bond shall be available throughout any such extension period.

(c) The construction bond shall be terminated only after the City Council finds that a Licensee has satisfactorily completed initial construction and activation or reconstruction of its Cable System pursuant to the terms and conditions of this Chapter and such Licensee's License.

(d) The rights reserved to the City with respect to the construction bond are in addition to all other rights of the City, whether reserved by this Chapter or authorized by law, and no action, proceeding or exercise of a right with respect to such construction bond shall affect any other rights the City may have.

(e) The construction bond shall contain the following endorsement:
It is hereby understood and agreed that this bond may not be canceled by the surety nor the intention not to renew be stated by the surety until sixty (60) days after receipt by the City, by registered mail, or written notice of such intent to cancel or not to renew.
(Ord. No. 95-13, 3/7/95, Enacted)