

**TOWN OF FAYAL
ST. LOUIS COUNTY, MINNESOTA
ORDINANCE NO. 25-1**

**AN ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 18-1,
GRANTING CABLE COMMUNICATIONS SYSTEM EXTENSION PERMIT TO
MEDIACOM MINNESOTA LLC**

THE TOWN BOARD OF TOWN OF FAYAL HEREBY ORDAINS:

SECTION 1. GRANT OF AUTHORITY

That there be, and hereby is granted to Mediacom Minnesota LLC, its successors and assigns ("Company"), a cable communications system extension permit. The extension permit hereby grants the non-exclusive right and privilege of erecting, enlarging, operating, repairing and maintaining in, on, under, across and along public streets, alleys, rights-of-way and public grounds of the Town of Fayal ("Town"), including subsequent additions thereto, transmission lines or cables, including all necessary, usual or convenient poles, pole lines, wires, and all other fixtures and appurtenances, usual and convenient for use in connection therewith, in the operation of a system for the purpose of receiving, transmitting and distribution and furnishing television for public and private use in and to said Town.

SECTION 2. STIPULATION

The Company and Town herein agree, to the extent applicable, to abide by those terms of the cable communications franchise ordinance of the City of Eveleth as it may be amended, which pertain to system wide channel capacity, access channels, equipment for production and reproduction or playback of programming, two-way communications capability, standards for system installation, maintenance and operation, indemnification of franchisor, liability insurance, abandonment of service, removal of equipment and termination or cancellation of franchise. Nothing herein shall be construed to obligate Mediacom to extend cable service to areas which it deems economically unfeasible to serve or to provide programming and/or playback equipment in the Town.

SECTION 3. SUBSCRIBER RATES

The Company shall give courteous and efficient service. The Company's service rates shall be the same as those charged in the City of Eveleth for comparable service. The Company is hereby authorized to collect from its subscribers any governmentally imposed tax, copyright fee, or royalty. A schedule of rates currently in effect is attached and included as part of this extension permit. Prior to implementing any increase in rates for cable programming service, the Company shall provide written notice to the Town.

SECTION 4. TERM

The expiration date of the extension permit herein shall be coincident with that of Eveleth, provided that any change in the expiration date of Eveleth by way of renewal or amendment of said franchise, shall automatically apply to the extension permit herein. Any sale or transfer of control of Eveleth shall automatically apply to the extension permit herein.

SECTION 5. MODIFICATION

The terms and conditions of this Ordinance shall not be changed without the mutual written consent of the Company and the Town.

SECTION 6. OTHER ORDINANCES

All ordinances and parts of ordinances in conflict herewith are hereby pre-empted.

SECTION 7. EFFECTIVE DATE

The Ordinance shall be effective upon its passage and publication in accordance with law.

Supervisor Chad moved the adoption of the foregoing Ordinance, supported by Supervisor Branville and was adopted this 21st day of January, 2025 by the following vote:

Ayes: A. Tammaro, L. Branville, M. Chad, M. Erjavec

Nays: None

Absent: R. Sather


Anthony L. Tammaro, Chairman


Heidi M. Coldagelli, Clerk

Published in the Mesabi Tribune on the 29th day of January, 2025.



AFFIDAVIT OF PUBLICATION
[FORM Rev. 6/15]

Anya Mattison

STATE OF MINNESOTA)

) ss.

COUNTY OF ST. LOUIS)

being first duly sworn, on oath states as follows:

1. I am the publisher of the *Mesabi Tribune*, or the publisher's designated agent. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant to Minnesota Statutes §331A.07.

2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.

3. The dates of the month and the year and day of the week upon which the public notice attached/copied below was published in the newspaper are as follows:
Wednesday, January 29, 2025

4. The publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to § 331A.06, is as follows: \$11.60 per column inch for the first publication; \$8.70 per column inch for any subsequent publications.

5. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspaper's known office of issue is located in St. Louis County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

FURTHER YOUR AFFIANT SAITH NOT.

Anya Mattison

Subscribed and sworn to before me on this 29th day of January, 2025.

Stephanie Stern
Notary Public

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Mesabi Tribune: 1-29-2025

