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**DRAFT ORDINANCE GRANTING A NON- EXCLUSIVE FRANCHISE TO OPERATE
AND MAINTAIN A CABLE SYSTEM IN TUGUEGARAO CITY TO RBC CABLE
MASTER SYSTEM**

WHEREAS, Section 458(a)(3) of Republic Act No. 7160, otherwise known as The Local Government Code of 1991, empowers the Sangguniang Panlungsod to enact ordinances granting franchises, upon such conditions and for such purposes intended to promote the general welfare of the inhabitants of the City;

WHEREAS, Section 458(a)(3)(vii) of Republic Act No. 7160, otherwise known as The Local Government Code of 1991, further empowers the Sangguniang Panlungsod, upon approval by a majority vote of all its members, to grant a franchise to any person, partnership, corporation, or cooperative to do business within the city;

WHEREAS, the RBC Cable Master System is the primary provider of cable television network in the city since the grant of their Municipal Franchise in 1994;

WHEREAS, the franchise of the RBC Cable Master System has expired in 2019;

WHEREAS, the RBC Cable Master System has expressed their intention to renew their franchise so they can continue to operate and maintain their cable system in the City;

NOW, THEREFORE, be it **ORDAINED** by the Sangguniang Panlungsod, in session assembled, to enact:

Section 1. TITLE. This Ordinance shall be known as “**AN ORDINANCE GRANTING FRANCHISE TO RBC CABLE MASTER SYSTEM**”.

Section 2. SCOPE. The franchise granted by the Sangguniang Panlungsod shall cover the operation and maintenance of a cable system within Tuguegarao City.

Section 3. FRANCHISE GRANT. The Ninth City Council of Tuguegarao City hereby grants to RBC Cable Master System a franchise for the operation and maintenance of a cable system within the City of Tuguegarao.

Section 4. DURATION. Unless sooner revoked or cancelled by the issuing authority upon valid and lawful grounds, the franchise shall have a duration of five (5) years, renewable after every five (5) years. The said franchise shall be renewed six (6) months prior to its expiration.

Section 5. FRANCHISE FEE. Aside from the taxes and fees imposed by the City Government pursuant to City Ordinance No. 07-2011, or the Revenue Code of Tuguegarao City, the RBC Cable Master System shall pay a franchise fee amounting to FIFTY THOUSAND PESOS (P50,000.00). The payment will be done in five (5) yearly equal installment and to be paid not later than January 20 of each year.

Section 6. OBLIGATION OF THE RBC CABLE MASTER SYSTEM. It is the obligation of the RBC Cable System to apply and secure the required business permit to operate and other requirements required by the City Government.

Section 7. PROHIBITION ON SALE, LEASE AND TRANSFER OF FRANCHISE. RBC Cable Master System shall be prohibited from selling, leasing and transferring their franchise to other individuals or entities.

Section 8. CONDITIONS. Non- payment of franchise fee shall be a ground for revocation of their franchise.

Section 9. SEPARABILITY CLAUSE. In case any provision of this ordinance is declared null and void by competent court, such shall not affect the remaining provisions.

Section 10. REPEALING CLAUSE. Any and all resolutions or ordinances or parts thereof not consistent with the provisions of this ordinance are hereby repealed.

Section 11. EFFECTIVITY CLAUSE. This Ordinance shall take effect ten (10) days after a copy thereof is posted within the vicinity of the City Government and on conspicuous places.