

AN ORDINANCE  
BY



01-0 -0339

**AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A FRANCHISE AGREEMENT WITH ICG TELECOM GROUP, INC, A GEORGIA CORPORATION, FOR THE PROVISION OF TELECOMMUNICATIONS SERVICES USING PUBLIC RIGHT-OF-WAY; AND FOR OTHER PURPOSES**

**WHEREAS**, ICG Telecom Group, Inc., has entered into a franchise to provide telecommunications services on, under, over and through the public right-of-way of the City; and

**WHEREAS**, ICG Telecom Group, Inc., has negotiated a franchise agreement with the City which provides such access and preserves the rights of the City until such time as a comprehensive ordinance is enacted;

**NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF ATLANTA GEORGIA HEREBY ORDAINS:**

**SECTION 1:** That the Mayor be and is hereby authorized to execute a franchise agreement with ICG Telecom Group, Inc., for use of the public right-of-way for telecommunications purposes.

**SECTION 2:** That such franchise agreement shall expire and terminate on March 31, 2003.

**SECTION 3:** That ICG Telecom Group, Inc., shall pay **3% of gross revenues**.

**SECTION 4:** That the City Attorney shall prepare a franchise agreement document, which shall be approved by the city Attorney as to form.

**SECTION 5:** That said franchise agreement shall not be binding on the City until approved by the Mayor and delivered to ICG Telecom Group, Inc.

OMC – Amendment Incorporated by tcp 3/28/01

A true copy,

*Rhonda Daughin Johnson*  
Municipal Clerk, CMC

ADOPTED as amended by the Council  
APPROVED by the Mayor

MAR 19, 2001  
MAR 27, 2001

RCS# 2738  
3/19/01  
4:50 PM

Atlanta City Council

Regular Session

MULTIPLE

Telecommunications Services Franchise  
Agreements; Items 1 thru 20  
ADOPT AS AMEND

01-0-0322  
01-0-0323  
01-0-0324  
01-0-0325  
01-0-0326  
01-0-0327  
01-0-0328  
01-0-0329  
01-0-0331  
01-0-0332  
01-0-0333  
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01-0-0335  
01-0-0336

01-0-0337  
01-0-0338  
01-0-0339  
01-0-0340  
01-0-0341  
01-0-0342

YEAS: 11  
NAYS: 2  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 1

Y McCarty  
N Starnes  
Y Bond  
Y Winslow

Y Dorsey  
Y Woolard  
N Morris  
Y Muller

NV Moore  
Y Martin  
Y Maddox  
Y Boazman

Y Thomas  
Y Emmons  
B Alexander  
NV Pitts

MULTIPLE

01-0-0339

(Do Not Write Above This Line)

AN ORDINANCE

BY *[Signature]*  
AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A FRANCHISE AGREEMENT WITH ICG TELECOM GROUP, INC., A GEORGIA CORPORATION, FOR THE PROVISION OF TELECOMMUNICATIONS SERVICES USING PUBLIC RIGHT-OF-WAY; AND FOR OTHER PURPOSES.

1st Adoption  
*i. referred*  
Final Adoption

ADOPTED BY

MAR 19 2001

COUNCIL

As Amended

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred 2/19/01

Referred To: City Utilities

Date Referred 3/5/01

Referred To: City Utilities

Date Referred

Referred To:

First Reading

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred to \_\_\_\_\_

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION  
 2nd  1st & 2nd  3rd  
Readings  
 Consent  V Vote  RC Vote

CERTIFIED

CERTIFIED  
MAR 19 2001  
ATLANTA CITY CLERK OF COURSE

Atlanta City Clerk of Course

CERTIFIED  
MAR 19 2001  
ATLANTA CITY CLERK OF COURSE

MAYOR'S ACTION

APPROVED

MAR 27 2001

MAYOR

*[Signature]*