

R- XX-XX

**A RESOLUTION APPROVING A FRANCHISE AGREEMENT
WITH **COMPANY NAME** FOR INSTALLATION OF FIBER OPTIC CABLE IN CITY OF
WOOD DALE, ILLINOIS, RIGHTS-OF-WAY**

WHEREAS, the City of Wood Dale (“City”) is a body politic and corporate, organized and existing to the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*; and

WHEREAS, the City is authorized and empowered under the Illinois Municipal Code, and its Ordinances adopted pursuant thereto, to enter into franchise agreements for the use of its real property; and

WHEREAS, the City possesses the authority, pursuant to the Illinois Municipal Code 65 ILCS 5/1-1-1 *et seq.*, to adopt ordinances pertaining to public health, safety and welfare; and

WHEREAS, the City Council of the City (hereinafter referred to as the “City Council”) is the corporate authority for the City and is authorized by law to exercise all powers and to control the affairs of the City; and

WHEREAS, the City Council possesses full power and authority to approve and pass all necessary ordinances, resolutions, rules and regulations and agreements necessary for carrying into effect the objects for which the City was formed, in accordance with the Illinois Municipal Code; and

WHEREAS, **COMPANY NAME** (“XXXX”) is a company that installs fiber optic cable to support small wireless facilities (“Cable”); and

WHEREAS, **XXXX** desires to install, operate, maintain, and remove Cable within the City’s public right-of-way (collectively, “Installation”); and

WHEREAS, the City and **XXXX** desire to enter into a franchise agreement to allow the Installation of Cable by **XXXX** within the City’s rights-of-way, subject to a license fee and certain conditions and restrictions; and

WHEREAS, the Mayor and the City Council have determined that it is in the best interest of the City and the public to approve the Agreement between the City and **XXXX** (the “Agreement”), incorporated herein by reference as Exhibit A.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF
WOOD DALE, DUPAGE COUNTY, ILLINOIS, AS FOLLOWS:**

SECTION ONE: The recitals set forth above are incorporated herein and made a part hereof.

SECTION TWO: That the Agreement, in substantially the same form as attached to this Resolution as Exhibit A and incorporated herein by reference, is approved, and accepted by the City.

SECTION THREE: The Mayor is authorized to execute said Agreement on behalf of the City of Wood Dale, which signature shall be attested by the City Clerk.

SECTION FOUR: The City Manager, staff and/or the City Attorney shall take the steps necessary to put the terms and conditions of the Agreement into effect.

SECTION FIVE: That all ordinances and resolutions, or parts thereof in conflict with the provisions of this Resolution are, to the extent of such conflict, hereby repealed.

SECTION SIX: That this Resolution shall be in full force and effect from and after its adoption, approval and publication in pamphlet form as provided by law.

PASSED this ____ day of _____, _____

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ____ day of _____, _____.

SIGNED: _____
Mayor

ATTEST: _____
City Clerk

EXHIBIT A
City of Wood Dale and XXX Franchise Agreement