

**238.39 LEGAL AUTHORITY.**

Every pole, duct, and conduit agreement must contain a provision that the cable communications system shall submit to the public utility company evidence of the cable communications system's lawful authority to place, maintain, and operate its facilities within public streets, highways, and other thoroughfares and shall secure the legally necessary permits and consents from federal, state, county, and municipal authorities to construct, maintain, and operate facilities at the locations of poles or conduit systems of the public utility company that it uses. The parties to the agreement shall at all times observe and comply with, and the provisions of a pole, duct, and conduit agreement are subject to, the laws, ordinances, and rules that in any manner affect the rights and obligations of the parties to the agreement, so long as the laws, ordinances, or rules remain in effect.

**History:** *1985 c 285 s 39; 2004 c 261 art 7 s 25*