

ORDINANCE NO. B- 394

AN ORDINANCE FIXING AND IMPOSING THE AGGREGATE AMOUNT OF FEES, CHARGES AND SPECIAL TAXES TO BE PAID THE CITY OF ARKADELPHIA, ARKANSAS BY THE ARKADELPHIA CABLE TV COMPANY; PRESCRIBING THE METHOD OF PAYMENT THEREOF; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES.

WHEREAS, Arkadelphia Cable Television (hereinafter referred to as "Cable TV Company") is duly authorized by franchise agreement to construct, to operate, maintain and extend a cable television system and to sell, furnish, transmit and distribute television signals in the City of Arkadelphia, Arkansas (hereinafter referred to as "City"), to the City of Arkadelphia and to the citizens residing therein; and

WHEREAS, the Cable TV Company is now providing service to the City and its inhabitants and occupying the streets, alleys and other public property of the City of Arkadelphia pursuant to said franchise agreement, which provides for certain payments to the City thereunder; and

WHEREAS, The City recognizes the results of the decisions of the Federal Communications Commission establishing the franchise fee of three percent (3%) of annual gross revenues as the maximum franchise fee to be imposed on the Cable TV Company by the City;

NOW THEREFORE, BE IT ORDAINED BY THE CITY BOARD OF DIRECTORS OF THE CITY OF ARKADELPHIA, ARKANSAS, THAT:

Section 1. The importing, furnishing, transmission and distribution of television signals by the Cable TV Company within the City is hereby declared to be a special privilege and for such privilege and franchise the Cable TV Company shall pay to the City a special tax, charge or imposition, as follows:

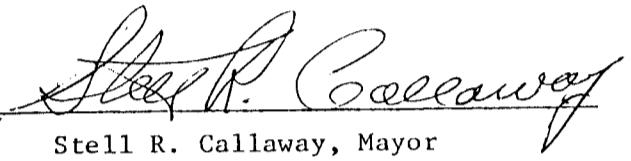
For the year 1980, the Cable TV Company shall pay the sum of \$4,617.35, payable in one annual payment and due prior to March 31, 1981.

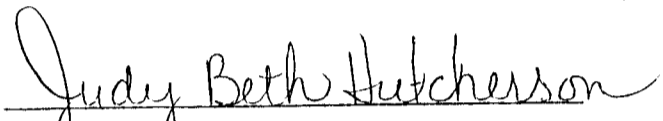
Section 2. Nothing herein contained shall be construed as altering or amending any of the rights or obligations of either the City or the Cable TV Company as provided in the existing franchise agreement between the City of Arkadelphia and the Cable TV Company except the payment of the franchise fee.

Section 3. All other ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. It is hereby found by the City Board of Directors that there is a need for additional revenues for the City. Therefore an emergency is declared to exist; and this ordinance being necessary for the preservation and advancement of the public peace, health and safety, shall be in full force and effect from and after the date of its approval.

APPROVED this 5th day of February, 1981.


Stell R. Callaway, Mayor


Judy Beth Hutcherson, Clerk-Treasurer