

AN ORDINANCE AMENDING THE URBANA CATV FRANCHISE ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF URBANA, ILLINOIS,

that:

Section 1. In Section 6 (1), in the first sentence, between the words "Grantee" and "and", insert the words "except those receipts from the University of Illinois".

Section 2. All of Section 17 (1D) shall be repealed, and in place thereof, the following language shall be enacted:

"Fails to have service available to one hundred percent (100%) of the residential structures, which are within the City as of the date of acceptance of this Ordinance, within four years after receipt of authorization from all required governmental agencies and acceptable pole attachment agreements have been obtained by the Grantee, and on areas annexed to the City after acceptance of this Ordinance, fails to have service available within a reasonable time to 100% of the residential structures in all areas of the City where there are at least 35 residential units per line mile; provided that said four year period may be extended by the City if the Grantee is diligently pursuing construction and the delay is not caused by any fault of the Grantee or strikes, natural disaster or other occurrences over which Grantee would have no control."

Section 3. Added to Section 17 (1) a new subparagraph (e), which shall read as follows:

"(e) Fails to sign a CATV contract with the University of Illinois by July 1, 1973. If the franchise is revoked for this reason the \$3,334 acceptance fee shall be returned to the Grantee."

Section 4. All of Section 26 (1) is hereby repealed, and in place thereof is enacted the following language:

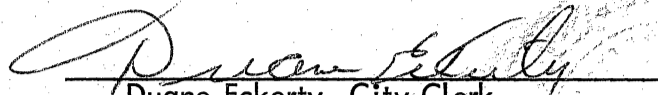
"If after receipt of written notice by the registered agent of the Grantee, from the City, the Grantee fails or refuses within a reasonable time to correct any violation of this Ordinance or to perform any duty or obligation imposed upon it by this Ordinance, the City may recover from the Grantee for such violation, failure or refusal to perform, a penalty of not less than \$100.00 nor more than \$500.00 in a civil action instituted in the Circuit Court. The amount of penalty shall be determined by the Court. Each day's violation, after a reasonable time for correction, shall constitute a separate offense."

This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Section 1 - 2 - 4 of the Illinois Municipal Code.


This Ordinance is hereby passed by the affirmative vote, the "ayes"

and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 19th day of March, 1973.

PASSED by the City Council this 19<sup>th</sup> day of March, 1973.

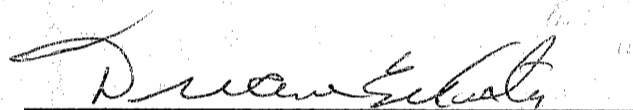
  
Duane Eckerty, City Clerk

APPROVED by the Mayor this 22<sup>nd</sup> day of March, 1973.

  
Charles M. Zippert, Mayor

CERTIFICATE OF PUBLICATION

I, Duane Eckerty, City Clerk, City of Urbana, Illinois, do herewith certify that I caused the above Ordinance to be duly published in the Courier on the 27 day of March, 1973, and a Certificate of Publication is attached hereto.

  
Duane Eckerty, City Clerk

3746

## COPY OF ADVERTISEMENT

ORDINANCE NO. 7273-77  
AN ORDINANCE AMENDING THE  
URBANA CATV FRANCHISE  
ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF URBANA, ILLINOIS, that: Section 1. In Section 6 (1), in the first sentence, between the words "Grant-tee" and "and", insert the words "These receipts from the University of Illinois".

Section 2. All of Section 17 (1D) shall be repealed, and in place thereof, the following language shall be enacted:

"Fails to have service available to one hundred percent (100%) of the residential structures, which are within the City as of the date of acceptance of this Ordinance, within four years after receipt of authorization from all required governmental agencies and acceptable pole attachment agreements have been obtained by the Grantee, and on areas annexed to the City after acceptance of this Ordinance, fails to have service available within a reasonable time to 100% of the residential structures in all areas of the City where there are at least 35 residential units per line mile; provided that said four year period may be extended by the City if the Grantee is diligently pursuing construction and the delay is not caused by any fault of the Grantee or strikes, natural disaster or other occurrences over which Grantee would have no control."

Section 3. Add to Section 17 (1) a new subparagraph (e), which shall read as follows:

"(e) Fails to sign a CATV contract with the University of Illinois by July 1, 1973. If the franchise is revoked for this reason the \$3,334 acceptance fee shall be returned to the Grantee."

Section 4. All of Section 26 (1) is hereby repealed, and in place thereof is enacted the following language:

"If after receipt of written notice by the registered agent of the Grantee, from the City, the Grantee fails or refuses within a reasonable time to correct any violation of this Ordinance or to perform any duty or obligation imposed upon it by this Ordinance, the City may recover from the Grantee for such violation, failure or refusal to perform, a penalty of not less than \$100.00 nor more than \$500.00 in a civil action instituted in the Circuit Court. The amount of penalty shall be determined by the Court. Each day's violation, after a reasonable time for correction, shall constitute a separate offense."

This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Section 1 - 2 - 4 of the Illinois Municipal Code.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 27th day of March, 1973.

## Certificate of Publication

STATE OF ILLINOIS }  
Champaign County } ss.

CHAMPAIGN-URBANA COURIER, Inc., a corporation, does hereby certify that it is the publisher of The Courier, a daily secular newspaper of general circulation in said County, printed and published in the city of Urbana, in said County and State, and that said newspaper is a newspaper as defined in "An Act to revise the law in relation to notices," approved February 13, 1874, as amended, and that the advertisement or notice hereunto annexed and made a part of this certificate, has been published in said newspaper at least once each week for the space of three successive weeks, and that the first publication thereof

was in the regular edition of said newspaper published on March 27, 1973, and that the second publication thereof was in the regular edition of said newspaper published

on \_\_\_\_\_, and that the third and last publication thereof

was in the regular edition of said newspaper published on \_\_\_\_\_, and that said newspaper has been regularly and continuously published for more than one

year last past; and that Darlene L. Marshall by resolution by the board of directors has authority to make this certificate.

IN TESTIMONY WHEREOF, the said Darlene L. Marshall has hereunto

affixed the name of said company, this 27th day of March,

A.D. 1973.

Fee . . . \$ 11.90

THE COURIER

Received \$ \_\_\_\_\_

\_\_\_\_\_ 19 \_\_\_\_\_

By \_\_\_\_\_

CHAMPAIGN-URBANA COURIER, Inc.  
*Darlene L. Marshall*

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**CERTIFICATE OF PUBLICATION**

in

**THE COURIER  
URBANA, ILLINOIS**

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In the Matter of

Ordinance 72-73-77

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Solicitors or  
Attorneys

City Clerk  
Duane Eckerty

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the Cargun property for the  
ment of a street leading to the  
Sturgell land at the south edge  
of the city.