

ORDINANCE NO. 7879-101

AN ORDINANCE AMENDING THE CATV FRANCHISE ORDINANCE NO. 7273-68, AN ORDINANCE ESTABLISHING THE CONDITIONS FOR AWARDED, TO CHAMPAIGN-URBANA COMMUNICATIONS, INC., A FIFTEEN (15) YEAR NON-EXCLUSIVE FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN A COMMUNITY ANTENNA TELEVISION SYSTEM WITHIN THE CITY OF URBANA, ILLINOIS; SETTING FORTH CONDITIONS ACCOMPANYING THE GRANTING OF SAID FRANCHISE; PROVIDING FOR CITY REGULATION AND USE OF THE COMMUNITY ANTENNA TELEVISION SYSTEM; PRESCRIBING PENALTIES FOR VIOLATION OF THE PROVISIONS HEREOF; AND PROVIDING FOR PAYMENT TO THE CITY FOR THE PRIVILEGE OF SAID FRANCHISE

WHEREAS, in order to optimally promote the development of cable television in the Cities of Urbana, Illinois, and Champaign, Illinois, it is the desire of both cities to enact identical ordinances which grant Champaign-Urbana Communications, Inc. the franchise to construct, maintain and operate a CATV System to serve both cities. By enacting identical ordinances, both cities seek to ensure ease of oversight by their Joint Commission on CATV; and

WHEREAS, the Champaign-Urbana Joint CATV Commission has reviewed and analyzed various sections of Ordinance No. 7273-68, as amended, and has recommended to the Council amendments to Ordinance No. 7273-68, as amended; and

WHEREAS, the Council accepts and approves as in the best interest of the City the amendments recommended by the CATV Commission; and

WHEREAS, a public hearing was conducted pursuant to and in accordance with Section 27 of Ordinance No. 7273-68, as amended, on October 11, 1978.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

1. That Ordinance No. 7273-68, "An Ordinance Establishing the Conditions for Awarding, to Champaign-Urbana Communications, Inc., a Fifteen (15) Year Non-Exclusive Franchise to Construct, Operate and Maintain a Community Antenna Television System Within the City of Urbana, Illinois; Setting Forth Conditions Accompanying the Granting of Said Franchise; Providing for City Regulation and Use of the Community Antenna Television System; Prescribing Penalties for Violation of the Provisions Hereof; and Providing for Payment to the

City for the Privilege of Said Franchise", passed by the Council on February 19, 1973, and approved by the Mayor on February 27, 1973, as amended, be and is hereby further amended as follows:

(a) That subsections (14), (15), (16), and (17) of Section 12, entitled "Services to be Provided by Grantee", are hereby amended as follows:

"(14) Said cable system shall have a minimum channel capacity of twenty-seven (27) FM channels within the frequency range of 88-107 MHz. Such channel capacity must be designed into the cable system so that the implementation of additional channels will not require the rearrangement of existing channels. Said cable system shall carry the following radio stations:

- (a) All local FM radio stations licensed or transmitting from within the Cities of Urbana and Champaign.
- (b) All local AM radio stations licensed or transmitting from within the Cities of Urbana and Champaign.
- (c) A minimum of five (5) imported audio signals from the Chicagoland area, such audio signals to be used to provide FM and AM signals from Chicagoland radio stations.

All FM radio stations carried shall be offset from their original transmission frequency. The cable system shall carry these FM radio stations in stereo when said radio stations are broadcast in stereo.

The selection of the FM and AM radio stations as set forth above shall be determined by the Grantee, subject to the review of the Champaign-Urbana Joint CATV Commission, and the approval of the Champaign and Urbana City Councils."

"(15) Said cable system shall carry the following shortwave radio stations:

- (a) Voice of America
- (b) British Broadcasting Corporation (BBC)
- (c) Foreign language radio stations in as many foreign languages as possible, subject to availability and quality of broadcast. The selection of these foreign language radio stations shall be determined by the Grantee, subject to the review of the Champaign-Urbana Joint CATV Commission, and the approval of the Urbana and Champaign City Councils."

"(16) Said cable system shall carry all other radio stations which the Federal Communications Commission (FCC), or any other federal or state agency may require."

"(17) Said cable system shall carry all other radio stations which local interest desires, but not less than a minimum of twenty (20) radio stations. The selection of radio stations other than those defined by Sections 12 (14), 12 (15) and 12 (16) above shall be determined by the Grantee, subject to the review of the Champaign-Urbana Joint CATV Commission and the approval of the Urbana and Champaign City Councils."

2. That all ordinances or parts thereof in conflict or inconsistent with the provisions of this Ordinance be and they are hereby repealed.

3. That the City Clerk be and is hereby directed to provide a certified copy of this Ordinance to the Secretary of the Champaign-Urbana Joint CATV Commission.

4. That this Ordinance shall become effective ten (10) days after its passage and publication as required by law.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 21st day of May, 1979;

PASSED by the City Council this 21st day of May, 1979.

Ruth S. Brookens
Ruth S. Brookens, City Clerk

APPROVED by the Mayor this 1st day of June, 1979.

Jeffrey T. Markland
Jeffrey T. Markland, Mayor

CERTIFICATE OF PUBLICATION

I, Ruth S. Brookens, City Clerk, City of Urbana, Illinois, do herewith certify that I caused the above Ordinance to be duly published in the Champaign-Urbana News-Gazette on the 8th day of June, 1979, and a Certificate of Publication is attached hereto.

Ruth S. Brookens
Ruth S. Brookens, City Clerk

CERTIFICATE OF PUBLICATION

IN

CITY OF URBANA, ILL.

The News-Gazette

RECEIVED JUN 1 1 1979

The undersigned, **THE CHAMPAIGN NEWS-GAZETTE, INCORPORATED**, by M. S. Ovca, its controller, does hereby

certify that said Corporation is the publisher of The News-Gazette and that the same is a daily secular newspaper of general circulation published in Champaign, Champaign County, Illinois, and which said newspaper had been regularly published for more than six months prior to the first publication of the annexed notice; said publisher further certifies that the annexed notice was published once each week for _____ consecutive weeks in said newspaper, namely on the following dates:

June 8, A. D. 19 79

, A. D. 19

, A. D. 19

, A. D. 19

, A. D. 19

Said publisher further certifies that the date of the first paper containing the said notice was on the first date hereinabove set forth, and that the date of the last paper containing the said notice was on the last date hereinabove set forth.

The Champaign News-Gazette, Incorporated

By  Controller

PUBLISHER OF THE NEWS-GAZETTE

Publisher's fee \$ 61.20

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(c) A minimum of five (5) imported audio signals

No. _____

In the _____ Court
of Champaign County, Illinois.

CERTIFICATE OF PUBLICATION
IN
The News-Gazette

Attorneys.

FORM 51—1M—2-71

Invoice 6/8/79 \$144.00

City. She survives.
Also surviving are a son,