

ORDINANCE NO. 8687-4

AN ORDINANCE
AMENDING SECTION 6(1) OF
THE URBANA CATV FRANCHISE
ORDINANCE (NO. 7273-68, AS AMENDED)

WHEREAS, in order to optimally promote the development of cable television in the Cities of Champaign and Urbana, and so as to ensure ease of oversight by their Joint CATV Commission, 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; and

WHEREAS, the Champaign-Urbana Joint CATV Commission has reviewed and evaluated various provisions in the Champaign and Urbana CATV Franchise Ordinances (as amended), and has recommended that the Champaign and Urbana City Councils amend Section 6(1) in their respective CATV Franchise Ordinances (as amended); and

WHEREAS, the Urbana City Council accepts and approves as being in the best interest of the City of Urbana the amendment recommended by the Champaign-Urbana Joint CATV Commission; and

WHEREAS, as required by Section 27 (Amendment of the Ordinance) of the Urbana CATV Franchise Ordinance (as amended), a public hearing was conducted during the April 16, 1986, Joint CATV Commission meeting concerning this recommended amendment.

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

Section 1. That the Urbana CATV Franchise Ordinance (No. 7273-68) passed and approved on February 27, 1973, and amended by Ordinance Nos. 7273-73 on March 8, 1973; 7273-77 on March 22, 1973; 7475-45 on October 22, 1974; 7677-12 on August 3, 1976; 7778-26 on October 6, 1977; 7879-19 on August

21, 1978; 7879-38 on October 20, 1978; 7879-59 on December 19, 1978; 7879-101 on June 8, 1979; 7980-80 on March 13, 1980; 8081-95 on April 8, 1981; and 8283-21 on October 1, 1982; is hereby amended as follows:

a. That subsection (1) of Section 6, entitled "FRANCHISE PAYMENTS", is hereby amended to read as follows:

"(1) The Grantee shall pay to the City for the use of the streets and other facilities of the City in the operation of the CATV System, and for the municipal supervision thereof, a fee in the amount of three percent (3%) of the annual gross receipts of the Grantee in the City, as defined in subsection (8) of Section 3 (Definitions), during the full term of the Franchise granted by this Ordinance.

The Grantee shall file with the City within thirty (30) days after the expiration of each half year ending on December 31 and June 30, during the period this Franchise shall be in force, a Financial Statement prepared by the Grantee's Controller showing in detail the gross receipts of the Grantee in the City during the preceding semi-annual period. It shall be the duty of the Grantee to pay to the City at the time of filing such statement the franchise fee prescribed.

The Grantee shall also file within ninety (90) days following the conclusion of each fiscal year of the Grantee an Audited Gross Receipts Letter prepared by an independent certified public accountant, showing the yearly total gross receipts in the City and the franchise fee payments to the City, and any further relevant financial information in regard to the company as may be required by the Mayor or the Chairperson of the CATV Commission."

Section 2. That all ordinances or parts thereof in conflict or inconsistent with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

Section 3. That this Ordinance shall take effect after its passage and publication as provided by law.

Section 4. That the City Clerk is hereby directed to publish this Ordinance in pamphlet form to insure that it takes effect no later than June 30, 1986.

Section 5. That the City Clerk is hereby directed to provide a certified copy of this Ordinance to the Secretary of the Champaign-Urbana Joint

CATV Commission, who shall be responsible for forwarding said copy to Champaign-Urbana Communications, Inc., pursuant to and in accordance with the acceptance procedure set forth in Section 21 (Acceptance) of the Urbana CATV Franchise Ordinance (as amended).

PASSED by the City Council this 21st day of July, 1986.

Ruth S. Brookens
Ruth S. Brookens, City Clerk

APPROVED by the Mayor this 24th day of July, 1986.

Jeffrey T. Markland
Jeffrey T. Markland, Mayor

CERTIFICATION 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 pamphlet form on the 28th day of July, 1986.

Ruth S. Brookens
Ruth S. Brookens, City Clerk

Thomas C. Feige
Vice President
Eastern Operations

CITY OF URBANA, ILL.
RECEIVED
SEP 17 1986
CITY CLERK'S OFFICE



American Television &
Communications Corporation

A Time Inc. Company

National Division
116 Inverness Drive East
Englewood, Colorado 80112
(303) 799-9599

September 10, 1986
6044

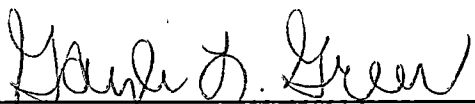
City Clerk
City of Urbana
400 South Vine Street
Urbana, Illinois 61820

Dear Clerk:

This letter will confirm the acceptance by Champaign-Urbana Communications, Inc. of Urbana Ordinance No. 8687-41 "An Ordinance Amending Section 6(1) of the Champaign CATV Franchise Ordinance (No. 7273-68 as amended)", as adopted by the Champaign City Council of the City of Urbana on July 21, 1986.

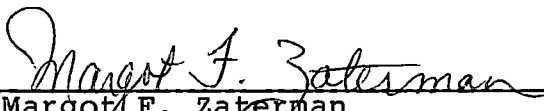
Sincerely,

CHAMPAIGN-URBANA COMMUNICATIONS, INC.



Gayle L. Greer
Vice President

ATTEST:



Margot F. Zakerman
Assistant Secretary

cc: John L. Bloomberg
CATV Commission