

ORDINANCE NO. 9697-121

AN ORDINANCE ESTABLISHING URBANA PUBLIC TELEVISION AND  
ESTABLISHING THE URBANA PUBLIC TELEVISION COMMISSION

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA,  
ILLINOIS, AS FOLLOWS:

SECTION ONE:

Sec. 24-100(c)(4) of the Urbana Code of Ordinances shall be amended as follows with the underlined text indicating language to be added:

- (4) Each Cable and Telecommunications Commission member shall be expected to attend all regular meetings of the Champaign-Urbana Cable and Telecommunications Commission. Any Cable and Telecommunications Commission member who fails to attend more than half of the scheduled meetings in any one (1) fiscal year (July 1 through June 30) may be asked to resign, or may have his or her name submitted to their respective mayor and city council with a recommendation for termination and replacement of such member.

In addition, the four (4) members appointed by the mayor of Urbana shall be expected to attend all regular meetings of the Urbana Public Television Commission. Any member appointed by the mayor of Urbana who fails to attend more than half of the scheduled meetings in any one (1) fiscal year (July 1 through June 30) may be asked to resign, or may have his or her name submitted to the mayor and city council with a recommendation for termination and replacement of such member.

Secs. 24-129 to 24-149 Reserved.

SECTION TWO:

Chapter 24 of the Code of Ordinances of the City of Urbana, Illinois is hereby amended to add the following:

ARTICLE VI. PUBLIC, EDUCATION, GOVERNMENT ACCESS CABLE TELEVISION

**Sec. 24-150. Urbana Public Television. Establishment.**

- (a) The City Council hereby establishes Urbana Public Television, which may be known as UPTV. UPTV shall operate as Public, Education, Government Access (PEG Access) on the channel or channels designated for the City of Urbana's use under its Cable Franchise Agreement.
- (b) The administration of the City of Urbana shall operate and administer UPTV in all respects, except as specifically reserved to the Urbana Public Television Commission by ordinance.

**Sec. 24-151. Commission.**

The Urbana Public Television Commission, which may be known as the UPTV Commission, is hereby established.

**Sec. 24-152. Composition.**

The UPTV Commission shall be composed of seven (7) commissioners. Four (4) commissioners shall be the same individuals who serve as the City of Urbana's four (4) members of the Champaign-Urbana Cable and Telecommunications Commission. One (1) commissioner shall be appointed by the Mayor with the approval of the Council and shall be chosen from among the members in good standing of Urbana Public Television. One (1) commissioner shall be appointed by the mayor with approval of the Council from nominees named by the Director of Parks and Recreation of the Urbana Park District or the Director's representative. One (1) commissioner shall be appointed by the mayor with approval of Council from nominees named by the Board of Urbana School District No. 116.

**Sec. 24-153. Terms, Initial Appointment, Vacancies, Removal of Members, Attendance.**

- (a) The appointment, terms, removal, vacancies and attendance requirements of the four (4) UPTV Commissioners who are also the City of Urbana's members of the Champaign-Urbana Cable and Telecommunications Commission shall be governed by the provisions of the Urbana Municipal Code, Section 24-100.
- (b) The provisions in this subsection (b) govern

the three UPTV Commissioners who are not also the City of Urbana's members of the Champaign-Urbana Cable and Telecommunications Commission.

(1) Each of these commissioners shall serve a term of three (3) years.

(2) The initial term of one commissioner shall expire on June 30, 1998. The initial terms of two commissioners shall expire on June 30, 1999. Within thirty (30) days following the expiration of the term of each of those commissioners, a successor shall be appointed by the mayor with the approval of the council, and the successor shall serve for a term of three (3) years.

(3) Should one of these commissioners resign or be removed from the commission, a successor shall be appointed by the mayor and shall serve for the unexpired period of the vacated term.

(4) These commission members shall be expected to attend all regular meetings of the UPTV Commission. If a member fails to attend more than half of the scheduled meetings in any one (1) fiscal year (July 1 through June 30), the member may be asked to resign, or may have his or her name submitted to the mayor and city council with a recommendation for termination and replacement of such member.

(4) These members of the commission may be removed by the mayor with the approval of a majority of council for good cause.

**Sec. 24-154. Chairperson.**

The mayor shall designate the chairperson of the commission.

**Sec. 24-155. Functions and duties generally.**

The functions and duties of the UPTV commission are limited to those specifically set forth in this article, and as specifically set forth in any other duly enacted ordinance. Nothing in this article shall be construed as vesting legislative discretion or power in the commission.

**Sec. 24-156. Specific duties.**

The UPTV Commission shall perform the following duties:

- (a) *Adoption of rules of procedure.* Within a reasonable time after the appointment of the commission, upon call of the chairperson of the commission, the commission shall meet and adopt rules of procedure for whatever regular and special meetings are deemed by the commission to be advisable and necessary to the fulfillment of the duties imposed upon it by this article.
- (b) *Policies.* The commission shall advise the City administration on the content of PEG Access Cable policies relating to Urbana Public Television and may suggest changes to policies.
- (c) *Hearing of Disputes.*
  1. The commission, upon the request of an aggrieved member adversely affected by a final decision of the administration, shall hear and make a final determination of disputes regarding:
    - (A) membership in UPTV;
    - (B) discipline of members of UPTV;
    - (C) restrictions imposed by the administration on cable-cast of specific programs on UPTV after complaints have been received by the administration about the programs' content.
  2. For purposes of this section (c), "aggrieved member" shall mean only the member or prospective member of UPTV whose membership or discipline is at issue or whose program has been subject to restriction.
  3. The decision of a majority of the appointed members of the UPTV

Commission shall constitute a final decision.

Review of that decision may be obtained in accordance with the Illinois Administrative Review Law (735 ILCS 5/3-101 et. seq.)

Secs. 24-157 to 24-175. Reserved.

**SECTION THREE:**

All ordinances, resolutions, motions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

**SECTION FOUR:**

This Ordinance shall be effective immediately upon passage and approval, and shall not be published by the City Clerk.

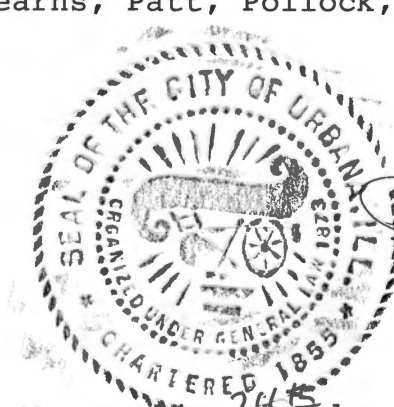
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council.

PASSED by the City Council this 21st day of April, 1997.

AYES: Hayes, Kearns, Patt, Pollock, Ryan, Taylor, Whelan

NAYS:

PRESENT:



Phyllis D. Clark  
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this 24<sup>th</sup> day of April, 1997.

Tod Satterthwaite  
Tod Satterthwaite, Mayor