

ORDINANCE NO. 87-2

AN ORDINANCE TO AMEND THE CABLE TELEVISION ORDINANCE

WHEREAS, Ordinance 79-2 entitled "An Ordinance Granting A Non-Exclusive Cable Television Franchise," passed and approved January 30, 1979, and known as the "Cable Television Ordinance" has been in effect since its passage and approval unchanged.

WHEREAS, the company initially awarded the franchise under said Ordinance was known as Consolidated Cable TV, Inc., which has since been succeeded by a company known as Cass Cable TV, Inc.

WHEREAS, among the requirements of the Cable Television Ordinance is Section 14 which reads as follows:

COMPLAINT INVESTIGATION AND RESOLUTION PROCEDURE.
The Company shall promptly, upon commencing operation, establish a procedure for the investigation and resolution of customer complaints. As a minimum, the procedure shall provide for a local office and agent for that purpose at all times during this franchise or any extension thereof, and designate by title the person responsible to the public.

WHEREAS, Section 26 of the Cable Television Ordinance permits amendment at any time with consent of both Village and Company.

WHEREAS, Cass Cable TV, Inc. has requested that the franchise be amended to delete the obligation of the Company to maintain an office in the Village of Chatham, and certain negotiations have followed regarding reciprocal benefits to be provided to the Village and its citizens for such modification, being: (1) the Company providing a toll free telephone number for Village residents to utilize in lieu of an office in the Village; (2) the Company providing the Village and its author-

ized designees the ability to broadcast emergency warnings or notifications to viewers of the Company in the area served pursuant to the Village franchise; and (3) an additional franchise fee to be paid by the Company to the Village only upon certain increased earnings over present earnings.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND THE TRUSTEES OF THE VILLAGE OF CHATHAM, ILLINOIS AS FOLLOWS:

Village Ordinance No. 79-2 entitled "An Ordinance Granting A Non-Exclusive Cable Television Franchise" shall be and is hereby amended as follows:

1. Section 14 is deleted and in place thereof the following provision is adopted as Section 14:

SECTION 14. COMPLAINT INVESTIGATION AND RESOLUTION PROCEDURE. The Company shall at all times maintain a procedure for the prompt investigation and resolution of customer complaints. At a minimum the procedure shall provide a toll free telephone number, a person designated by name and title to be responsible to the public, and the address of the office at which written or oral communications may be sent or conducted.

2. A new provision identified as Section 18A is adopted in the following words:

SECTION 18A. ADDITIONAL PAYMENT TO VILLAGE. In addition to the franchise fee of 3% of Company's total annual gross customer revenues from Basic Cable Service to be paid semi-annually as provided in ¶18, Company shall pay on or before February 15 each year beginning February 15, 1988, 1 1/2% of the amount by which the Company's total gross revenue from all services provided by the Company by means of the System in the next preceding calendar year exceeds \$393,865.11; except, nothing in this Section 18A shall require the Company to pay the Village more than 3% of the Company's total gross revenue from all services for any calendar year.

3. A new provision identified as Section 19A is adopted in the following words:

SECTION 19A. EMERGENCY WARNING AND NOTIFICATION CAPABILITY. The Company shall provide telephone access to the Company's transmitting facilities, permitting the broadcast of emergency warnings or notices pertaining to weather, natural disasters, extraordinary school closings, and other emergency situations, occurrences or phenomena, to all customers in the area served by the Chatham franchise. Authority to utilize such access for emergency messages shall be limited to the President of the Village or, in his absence, the Chief of Police; and also the Superintendent of Ball-Chatham Unit School District No. 5, for emergency messages which affect the entire Ball-Chatham School District, or an entire school facility within that district.

Prior to its passage and approval by the Trustees and President of the Village of Chatham this Ordinance has been presented in its final form to Cass Cable TV, Inc. and executed by that Company confirming its consent to the amendment of Ordinance 79-2 as provided herein. This Ordinance shall be in effect upon its passage and approval.

PASSED: March 10, 1987.

APPROVED: March 10, 1987.

VILLAGE OF CHATHAM

By W.E. Moore
Its President

ATTEST:

Barbara Anne Beckhaus
Its Village Clerk

Pursuant to Section 26 of Chatham Ordinance 79-2, the undersigned franchisee hereby consents to the foregoing amendment to Ordinance 79-2 and agrees to be bound thereby.

CASS CABLE TV, INC.

By Russell Decker
Its President
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Vice

ATTEST:

Carole A. Bedtka
Its Secretary
Assist.