

ORDINANCE NO. 2035

AN ORDINANCE amending Ordinance No. 1429, which granted Radiant TV, Inc., a franchise for the furnishing and transmission of cable television services, by extending the term of said franchise to November 1, 1996, by adding a new section adopting procedures for franchise renewal proceedings, and increasing the franchise fee from three percent to five (5) percent of the gross subscriber revenues.

Recitals

1. On or about April 27, 1981, the City of Camas adopted Ordinance No. 1429, which granted a non-exclusive franchise for the provision of cable television services to Radiant TV, Inc. Said franchise expires on April 27, 1996.

2. By Resolution No. 513, the City approved the transfer of the cable television franchise from Radiant TV, Inc., to Cox Cable Vancouver/Clark County.

3. By Resolutions No. 575 and 577, the City approved the transfer of the cable television franchise from Cox Cable Vancouver/Clark County to Columbia Cable of Washington.

4. Columbia Cable of Washington has requested certain modifications to the franchise as hereinafter set forth.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CAMAS DO ORDAIN AS FOLLOWS:

Section I

Section III of Ordinance No. 1429 is amended to provide as follows:

Term. The franchise and rights granted to the Grantee in this ordinance shall extend and endure until November 1, 1996, unless terminated sooner by the City as hereinafter provided.

Section II

Section XII of Ordinance No. 1429 is amended to provide as follows:

Franchise Fee. As compensation for the franchise granted by this ordinance, Grantee shall pay to the City an amount equal to five percent of the gross subscriber revenues collected by the Grantee from its customers for CATV services provided within the City. Said franchise fee shall be payable within ninety (90) days of the close of the calendar year for the services provided during the previous calendar year.

Grantee shall also pay all license fees and taxes which it may be required to pay by any ordinance now in effect or hereinafter enacted, including a business or occupation tax or public utility tax on persons engaged in the business carried on by Grantee.

Section III

There is hereby added to Ordinance No. 1429 a new section to provide as follows:

Section XX

Renewal. Renewal proceedings for the cable television franchise shall be conducted in accordance with the criteria and procedures set forth in Sections 626 of the Cable Communications Policy Act of 1984, as amended.

Section IV

As consideration for extension of the cable television franchise as provided for in this ordinance, Columbia Cable of Washington shall pay to the City of Camas \$10,000.00.

Section V

This ordinance shall take force and be in effect five days from and after its publication according to law.

Section VI

RATIFICATION

Except as expressly modified herein, the Council ratifies and incorporates herein all provisions of Ordinance No. 1429.

PASSED by the Council and APPROVED by the Mayor this 11th day of September, 1995.

SIGNED: [Signature]
Mayor

ATTEST: [Signature]
Clerk

APPROVED as to form:
[Signature]
City Attorney

Affidavit of Publication

STATE OF WASHINGTON)
COUNTY OF CLARK)

I, Michael Gallagher, being first duly sworn, depose and say that I am the owner, editor, publisher of The Post-Record, a weekly newspaper. That said newspaper is a legal newspaper and has been approved as a legal newspaper by order of the superior court in the county in which it is published and it is now and has been for more than six months prior to the date of the publication hereinafter to, published in the English language continuously as a weekly newspaper in Camas, Clark County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication

of said newspaper, that the ORDINANCE NO. 2035

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for one successive and consecutive weeks in the following issues;

Issue date Sept. 19, 1995

Issue date _____

Issue date _____

Issue date _____

Issue date _____

Issue date _____

The fee charged for the above publication was:

\$ 64.35

Michael J. Gallagher
Publisher

Subscribed and sworn to before me this _____

day of September, 19 95

Beverly J. Webster
Notary Public in and for the
State of Washington,
Residing at Camas, Washington

CITY OF CAMAS
OCT 9 1995
PAID

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Section VI
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Except as expressly modified herein, the Council ratifies and incorporates herein all provisions of Ordinance No. 1429.

PASSED by the Council and APPROVED by the Mayor this 11th day of September, 1995.

SIGNED: Dean Dossett, Mayor
ATTEST: /s/Joan M. Durgin, Clerk
APPROVED as to form:
/s/Roger D. Knapp, City Attorney
No. 3770—Sept. 19, 1995

PUBLICATION

THE FOLLOWING PUBLICATION:

ORDINANCE NO.
RESOLUTION NO.
NOTICE

2035

WAS RECEIVED BY THE POST RECORD ON

9-12-95

DATE

AT

10:56

TIME

FOR PUBLICATION

9-19-95

DATE

SIGNATURE OF PERSON RECEIVING PUBLICATION:

