

ORDINANCE NO. 81-106

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

OCT 30 1984

**AN ORDINANCE AMENDING CHAPTER 20 OF THE
SACRAMENTO CITY CODE RELATING TO CABLE TELEVISION**

Be it enacted by the City of Sacramento:

SECTION 1. Section 20.016 contained in Sub-Chapter 1 of Chapter 20 of the Sacramento City Code is hereby amended to read as follows:

20.016 GENERAL CHARACTERISTICS OF FRANCHISE ISSUED. Any franchise issued pursuant to the provisions of this Chapter, shall be deemed to:

- a. Authorize utilization of the Streets for the public or quasi-public purpose of installing cables, wires, lines, and other facilities in order to operate a Cable Television System;
- b. Be nonexclusive, and neither expressly nor impliedly be deemed to preclude the issuance of subsequent franchises to operate Cable Television Systems within the Sacramento Community; and
- c. Be for a term prescribed by the issuing authority which shall not extend beyond December 31, 2007.

Such a franchise shall not be deemed to authorize or either expressly or impliedly permit the Franchisee, except with the consent of the owners, to provide Cable Television System service to, or install antennae, cables, wires, lines, towers, waveguides, other conductors, converters, or any other equipment or facilities upon private property, including, but not limited to apartment complexes, condominiums, mobile home parks and residential subdivision developments with private roads. The purpose of this paragraph is to require owner consent for the provision of service. This paragraph shall not be construed to prohibit a Franchisee from entering or utilizing private property as an incident to its use of the Streets to the extent entry or use is expressly or impliedly authorized by the right conferred by this Section to occupy the Streets.

ORDINANCE No. 81-106

OCT 30 1984

SECTION 2. Section 20.414 contained in Sub-Chapter 4 of Chapter 20 of the Sacramento City Code is hereby amended to read as follows:

20.414 DUTY TO REPORT. Commencing at the third full calendar quarter following the filing of the certificate of acceptance of a franchise pursuant to the provisions of Section 20.220 in Sub-Chapter 3, and continuing every calendar quarter thereafter until the date Basic Service and other services identified pursuant to the provisions of Section 20.504 in Article 4-c, are made available to one hundred (100%) percent of the Dwelling Units within each Service Area, the Chief Executive Officer of the Franchisee shall file with the Clerk of the Board of Directors of the Cable Television Commission a written declaration identifying the number and percentage of dwelling units in each Service Area to which such services have been made available as of the last day of the quarter for which the declaration is filed, together with such other information concerning progress by the Franchisee in complying with both the sixty-three (63) month construction schedule prescribed by Section 20.410, above and any more stringent construction schedule proposed by the Franchisee and incorporated in the Franchise Documents. Said declaration shall certify Franchisee's compliance or non-compliance with said construction schedules. Upon request the Franchisee shall make available to the Commission such maps, documents and other data as were used by the Franchisee to compile the aforesaid declaration.

Said quarterly declarations shall be filed not later than the first day of the second calendar month following the end of the quarter for which the report is filed.

SECTION 3. Section 20.532 contained in Sub-Chapter 4 of Chapter 20 of the Sacramento City Code is hereby amended to read as follows:

20.532 REPORTING. During the term of any franchise issued pursuant to the provisions of this Chapter, each Franchisee shall, not less frequently than annually, file a written report with the Clerk of the Board of Directors of the Cable Television Commission. The report shall be filed not later than ninety (90) calendar days after the end of the Franchisee's fiscal year. The report shall include the following:

- a. A summary of the activities of the Franchisee during its previous fiscal year in the development and operation of the Cable Television System, including, but not limited to: a description of all services provided through the Cable Television System as of the conclusion of the fiscal year; a description of all

such services which were added or terminated during the fiscal year; a statement of the number of subscribers by category of services rendered as of the end of the fiscal year; and a summary of the facilities, channels and resources made available during the fiscal year for Community Use, including a list of the persons and organizations which have produced, sponsored and broadcast programming upon Community Use Channels, a description of the types of programming provided through such Channels, and any recommendations by the Franchisee for improvement in Community Use.

b. A specific and detailed description of all components, elements and extensions of the Cable Television System which have been installed during the Franchisee's previous fiscal year, showing the locations of all such installations, and including copies of plans, specifications and drawings showing the components, elements and extensions as installed;

c. A statement showing the Franchisee's investments in property within the Sacramento Community during the Franchisee's previous fiscal year, including an identification of all real property or interests therein within the Sacramento Community acquired or transferred by the Franchisee and the amounts which the Franchisee paid for the acquisition of said property or interests, a description of all buildings or other improvements which the Franchisee constructed upon or added to real property within the Sacramento Community together with the cost of such construction or additions, and an itemization by component category of all costs of components, elements and extensions of the Cable Television System;

d. An audited statement signed by a public or certified public accountant of all income received by the Franchisee during its previous fiscal year, including an itemization of all services provided through the Cable Television System, the unit or regular rates or charges for such services, and the amount of income received attributable to each service, and all other income from whatever sources, including an identification of each source and the amount of income attributable thereto; and

e. Audited financial statements for the Franchisee's previous fiscal year signed by a public or certified public accountant, including a balance sheet and profit and loss statement.

A Franchisee shall prepare and furnish to the Board of Directors of the Cable Television Commission, at the times and in the form prescribed by the Board, such other reports with respect to its operations, affairs, transactions, or property, as the

Board may deem necessary or appropriate to the performance of its functions.

PASSED FOR PUBLICATION: OCT 23 1984

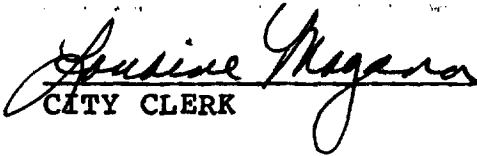
ENACTED: OCT 30 1984

EFFECTIVE: NOV 29 1984



MAYOR, CITY OF SACRAMENTO

ATTEST:



CITY CLERK

ORDINANCE No. 84-106

OCT 30 1984