

ORDINANCE NO. 9-24-1981

COMMUNITY ANTENNA TELEVISION SYSTEM ORDINANCE

AN ORDINANCE TO PROVIDE AUTHORIZATION OF CATV OPERATIONS
WITHIN THE VILLAGE.

THE VILLAGE OF NASHVILLE ORDAINS:

SECTION 1. AUTHORIZATION TO OPERATE:

No person shall install or operate a Community Antenna Television System within the Village of Nashville without having first obtained a formally executed Consent Agreement between the proposed installer or operator and the Village of Nashville.

SECTION 2. DEFINITION:

Community Antenna Television System or "CATV" means a system of coaxial cables or other electrical conductor and equipment used, or to be used, primarily to receive television or radio signals for a fixed or a variable fee, including the receipt, transmission and distribution of voices, sound, signals, pictures, visual images or any other type of close circuit transmission by means of electrical impulses.

SECTION 3. APPLICATION:

Any proposed installer or operator of a Community Antenna Television System shall make formal application in writing to the Nashville Village Council. The application shall include the following information:

- (a) The name, mailing address and telephone number of the proposed operator.
- (b) The Corporate Charter, Partnership Agreement or other similar document which sets forth the legal status of the proposed operator.
- (c) A list of the owners and officers of the proposed operator.
- (d) The most recent annual financial statement of the proposed operator.
- (e) A list of the proposed television and/or radio signals to be carried.
- (f) A statement of the estimated cost of providing service to the Village and the proposed operator will bear this cost.
- (g) A detailed description of the method of installation of cable and other electrical conductors and equipment.
- (h) Evidence of all necessary easements or agreements to use or go upon the property of another for installation, operation and Maintenance of the system.
- (i) Evidence that the operator can obtain performance and labor and material bonds.
- (j) A schedule of all rates and charges to subscribers and users of the system.
- (k) A specific timetable for providing services to residents within the Village.
- (l) A description of services other than existing television signals which the proposed operator intends to offer subscribers. Such services may include two-way communications, public access channels, educational access channels and local government access channels.

- (m) A statement that the operator will comply with all existing Federal Communication Commission Rules and Regulations related to CATV.
- (n) Any other information, as may be requested by the Village Council.

SECTION 4. PUBLIC HEARING:

The Village Council shall hold a public hearing prior to selecting an operator to provide CATV services within the Village. At such public hearing, the applicant shall make formal presentation describing the services he intends to provide. Citizens of the Village of Nashville shall be permitted to comment on the applicant's proposal.

SECTION 5. CABLE TELEVISION REVIEW BOARD:

A Cable Television Review Board is hereby created which shall evaluate, monitor and review the performance and service of CATV operators. The Village Council shall act as the Review Board and shall meet as often as necessary to carry out the duties herein described.

The Review Board shall have the duties of:

- (a) Holding public hearings on all aspects of a CATV operator's performance at three (3) year intervals following the formal execution of a Consent Agreement.
- (b) When applicable, reviewing the effectiveness of an operator in insuring public access to the CATV medium.
- (c) Providing the appeal and hearing mechanism for customer complaints which are not resolved to the mutual satisfaction of the customer or the system operator. The procedures established by the Review Board shall be consistent with the operator's Consent Agreement with the Village, and shall at all times insure and persevere the full measure of due process of law; and
- (d) Any additional responsibilities which may from time to time be necessary to assure a CATV operator is performing consistent with the public health, safety and welfare of the citizens of the Village of Nashville.

The Review Board shall have complete access to any and all records, documents or information of a CATV operator necessary to evaluate and monitor the performance of such operator and to resolve customer complaints.

SECTION 6. EFFECTIVE DATE:

This ordinance shall take effect twenty (20) days after its publication.

Dated: 9-24-1981

Harold Christiansen, Village President

Susan M. Corkwell, Village Clerk

Adopted: September 24, 1981

Published: October 6, 1981

Effective: October 26, 1981