

ORDINANCE NO. 1401

AN ORDINANCE EXTENDING ORDINANCE NO. 1026, WHICH GRANTED THE CABLE TELEVISION FRANCHISE AND SETTING FORTH THE TERMS AND CONDITIONS ACCOMPANYING THIS EXTENSION.

WHEREAS, on the 10th day of December, 1977, the City Council of the City of Eureka Springs, Arkansas, approved Ordinance No. 1026 granting a cable television franchise to Twin Lakes Television Corporation, and

WHEREAS, the franchise has been assigned from Twin Lakes Television Corporation to Teleservice Corporation of America, and

WHEREAS, Section 2 of Ordinance No. 1026 contained the right of the Grantee to have the option of extending the franchise for an additional period of fifteen (15) years after the expiration of the original franchise on December 9, 1992, and

WHEREAS, Teleservice Corporation of America has exercised the option to renew the rights, privileges and authorities granted under Ordinance No. 1026 within the time allowed by Federal law for the additional fifteen (15) year period from December 10, 1992, to December 9, 2007.

BE IT ORDAINED BY THE CITY COUNCIL OF EUREKA SPRINGS, ARKANSAS, AS FOLLOWS:

Section 1: That the grant of authority to construct, operate and maintain a cable television system within the City of Eureka Springs, Arkansas, granted under the terms of Ordinance No. 1026 and now held by Teleservice Corporation of America, is hereby extended from December 10, 1977, to December 9, 2007.

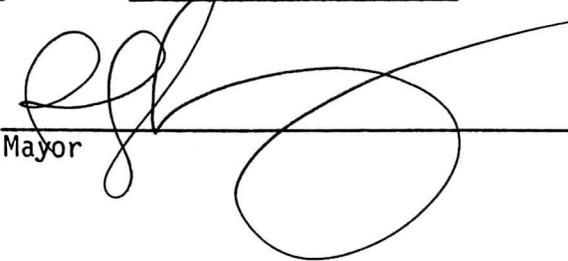
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Section 2: That Section 5 of Ordinance No. 1026 is hereby amended effective December 10, 1992, to read as follows:

For the use of the streets and other facilities of the City in the operation of the CATV system and for the municipal supervision thereof, the Grantee shall pay to the City annually an amount equal to 5% of the Grantee's gross subscriber revenues, starting December 10, 1992, from operations within the City of Eureka Springs during the year. For this purpose, "gross subscriber revenues" does not include sales, excise or other privilege taxes billed to and collected from subscribers by Grantee in addition to charges for services rendered and shall not include amounts collected from installation charges.

Section 3: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, ON THIS 13<sup>th</sup> DAY OF November, 1990.

  
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Mayor

ATTEST:

  
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City Clerk

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