

ORDINANCE NO. 16-818

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, AMENDING THE TOWN CODE OF THE TOWN OF CHINO VALLEY, ARIZONA, TITLE XI: BUSINESS REGULATIONS, CHAPTER 114 CABLE TELEVISION, BY AMENDING SECTION 114.45 LICENSE PAYMENTS RELATED TO CONFORMING THE CODE TO ARIZONA STATE LAW; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING PENALTIES

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the Town of Chino Valley, Arizona, as follows:

Section 1. In General.

The Town Code of Chino Valley, Arizona, Title 11 Business Regulations, Chapter 114 Cable Television, Section 114.45 License Payments is hereby amended to read as follows (additions shown in ALL CAPS; deletions shown in ~~strikeout~~):

§ 114.45 License Payments.

(A) Any person awarded a license under this chapter shall pay to the town each year during the life of the license, a license fee in the amount of FIVE PERCENT (35%) of its annual gross subscriber revenues derived from its operation of the licensed cable television system within the town. Should FCC rules be amended to allow the imposition of license fee charges upon gross revenues from auxiliary services, the town may then by ordinance immediately require grantee to pay a license fee of FIVE PERCENT (35%)~~percent~~ of its annual gross revenues rather than FIVE PERCENT (35%) of its annual gross subscriber revenues.

Section 2. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference, are hereby repealed.

Section 3. Providing for Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Code adopted herein by reference, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 4. Providing for Penalties

Any person found responsible for violating any provision of this Ordinance section shall be subject to the civil sanctions and habitual offender provisions set forth in Section 10.99(A), (B) and (D) of the Town Code of the Town of Chino Valley, Arizona.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona, this 26th day of April, 2016 by the following vote:

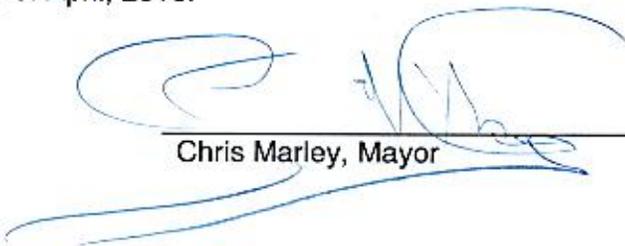
AYES: 7

ABSENT: 0

NAYS: 0

ABSTAINED: 0

APPROVED this ²⁴ day of ^{May} April, 2016.


Chris Marley, Mayor

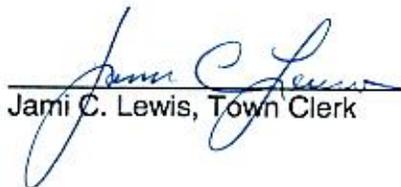
ATTEST:


Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:


Phyllis L. N. Smiley, Town Attorney

I, JAMI LEWIS, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 16-818 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF CHINO VALLEY ON THE 26th DAY OF April, 2016, WAS POSTED IN THREE PLACES ON THE 26th DAY OF MAY JUNE, 2016.


Jami C. Lewis, Town Clerk