

ORDINANCE 86-15

FILED FOR RECORD
MAY 29 1986 MAY 29 AM 10 01

CLERK OF DISTRICT COURT
MANATEE COUNTY, FLORIDA

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, AMENDING ORDINANCE 85-22 WHICH ESTABLISHED A NEW CABLE TELEVISION CODE FOR MANATEE COUNTY; PROVIDING AN AMENDMENT TO SECTION 2-7-9 TO CORRECT A RESOLUTION CITATION; PROVIDING FOR AN AMENDMENT TO SECTION 2-7-30 BY ADDING A NEW SUBSECTION IN ORDER THAT FRANCHISEES IN EXISTENCE BEFORE DECEMBER 29, 1984, MAY COMPLY WITH THE TECHNICAL AND OPERATIONAL STANDARDS OF THE CODE; REPEALING A PART OF SECTION 2-7-45 AS IT RELATES TO THE EFFECT OF THE CODE UPON ASSIGNMENT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Manatee County, Florida, adopted Ordinance 85-22 (codified by Section 2-7) which substantially revised the Manatee County Cable Television Code; and

WHEREAS, Section 2-7-30 of Ordinance 85-22 requires that certain technical and operational standards be maintained by cable television franchisees; and

WHEREAS, Section 2-7-30 of Ordinance 85-22 does not have an immediate impact on current franchisees until their franchise comes up for renewal or until an assignment of that particular cable television franchise; and

WHEREAS, the technical operational standards of Section 2-7-30 may create an undesirable economic burden on those franchisees who have comparable technical and operational standards to those enumerated in the Code; and

WHEREAS, requiring immediate compliance with the other sections of the Cable Television Code upon an assignment of a particular cable television franchise may also place an unwarranted financial economic burden on the new franchisee.

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NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA that:

Section 1 Ordinance 85-22, Section 2-7-9, is amended in part, and reads as follows:

2-7-9. Responsibility. Pursuant to the authority granted to the Committee by County Resolution R-83-45, as amended by Resolution R-84-142, the Committee shall advise and make recommendations to the Board on matters relating to the cable television industry. These matters include, but are not limited to, applications for a cable television system franchise; applications for a renewal of an existing franchise; resolution of complaints and periodic review of a franchise performance. However, unless specified, the Committee shall have no final decision-making authority on matters specifically designated for final review by the Board. The Board may make rules with respect to cable television to the extent that they are necessary to carry out the provisions designated in this Code, and are consistent with the Cable Communications Policy Act of 1984.

Section 2. Ordinance 85-22, Section 2-7-30, is amended by adding a new subsection (F) which reads as follows:

F. Existing Franchises. At the option of Franchisees in existence prior to December 29, 1984, and commencing at least thirty-six (36) months prior to the termination date of the Franchise, the existing Franchisees shall submit annual written reports showing progress toward upgrading technical and operational standards comparable to or superior to those enumerated in Section 2-7-30(A) of the Code. Consequently, if prior to, or at the time of renewal, the existing Franchise can demonstrate that its technical and operational standards are comparable to or superior to those enumerated in the Code, then subsection (A) shall have no effect.

Section 3. Ordinance 85-22, Section 2-7-45(A)(2), and 2-7-45(A)(3) are renumbered in light of the repeal of Section 2-7-45(A)(1).

Section 4. Effective Date. This Ordinance shall become effective immediately upon receipt of the official acknowledgment from the Office of the Secretary of State in Tallahassee, Florida, that this Ordinance has been filed with that office.

PASSED AND DULY ADOPTED this 20th day of May, 1986.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

By: *Robert H. Hale*
Chairman 5/2/86

ATTEST: R. B. SHORE
CLERK OF CIRCUIT COURT

R. B. Shore

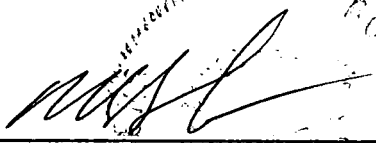
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STATE OF FLORIDA
COUNTY OF MANATEE

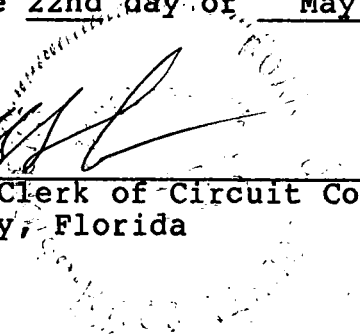
I, R. B. Shore, Clerk of Circuit Court, in and for the County of Manatee, State of Florida, do hereby certify that the foregoing is a true copy of an ORDINANCE adopted by the Board of County Commissioners of said County in session on the 20th day of May, 1986.

SUBJECT: ORDINANCE 86-15
AN ORDINANCE OF MANATEE COUNTY, FLORIDA, AMENDING
ORDINANCE 85-22 WHICH ESTABLISHED A NEW CABLE
TELEVISION CODE FOR MANATEE COUNTY; PROVIDING AN
AMENDMENT TO SECTION 2-7-9 TO CORRECT A RESOLUTION
CITATION; PROVIDING FOR AN AMENDMENT TO SECTION
2-7-30 BY ADDING A NEW SUBSECTION IN ORDER THAT
FRANCHISEES IN EXISTENCE BEFORE DECEMBER 29, 1984,
MAY COMPLY WITH THE TECHNICAL AND OPERATIONAL
STANDARDS OF THE CODE; REPEALING A PART OF SECTION
2-7-45 AS IT RELATES TO THE EFFECT OF THE CODE UPON
ASSIGNMENT; PROVIDING AN EFFECTIVE DATE.

WITNESS My Hand and Official Seal this the 22nd day of May,
1986, in Bradenton, Florida.



R. B. Shore, Clerk of Circuit Court
Manatee County, Florida





FLORIDA DEPARTMENT OF STATE

George Firestone

Secretary of State

May 27, 1986

Honorable R. B. "Chips" Shore
Clerk of Circuit Court
Manatee County Courthouse
Post Office Box 1000
Bradenton, Florida 33506

RECEIVED
CLERK CIRCUIT COURT
MANATEE CO. FLORIDA

FILED FOR RECORD
86 MAY 29 AM 10 00

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge:

1. Receipt of letter/s of May 22, 1986
and certified copy/ies of Manatee
County Ordinance(s) 86-15
(amending Ord. 85-22)
2. Receipt of _____ County Ordinance(s)
relative to:
(a) _____
which we have numbered _____
(b) _____
which we have numbered _____
3. We have filed this/these Ordinance(s) in this office
on May 27, _____ 1986.
4. The ~~original~~^{one} duplicate copy/ies showing the filing date
is/~~are~~ being returned for your records.

Cordially,

(Mrs.) Liz Cloud, Chief
Bureau of Administrative Code

LC/mb

Enclosure (1)

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