

ORDINANCE 93-26

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, AMENDING SECTION 2-7-13 OF THE CODE OF LAWS, MANATEE COUNTY, FLORIDA, A SECTION OF THE CABLE TELEVISION ORDINANCE OF MANATEE COUNTY; PROVIDING FOR PAYMENT OF FRANCHISE FEES BY CABLE TELEVISION FRANCHISES IN THE MAXIMUM AMOUNT ALLOWED BY LAW; PROVIDING FOR PAYMENT OF FRANCHISE FEES BY CABLE FRANCHISES IN AMOUNTS LESS THAN THE MAXIMUM AMOUNT ALLOWED BY LAW, WHERE AUTHORIZED BY THE BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR PERIODIC DETERMINATION OF FRANCHISE FEES BY THE BOARD OF COUNTY COMMISSIONERS; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the Cable Television Ordinance of Manatee County, Ordinance 91-24, codified as Chapter 2-7 of the Manatee County Code prior to enactment hereof provided for franchise fees in the amount of five (5) percent of a franchisee's adjusted gross revenue derived from the operation of its cable system within its franchise area during the period of its franchise; and

WHEREAS, the Board of County Commissioners has determined that it will be in the best interest of Manatee County and its residents if the amount of the franchise fee is subject to periodic review and adjustment by the Board of County Commissioners up to the maximum amounts prescribed by law, or in lesser amounts, in the absolute discretion of the Board of County Commissioners;

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

1. Section 2-7-13(a) of the Cable Television Ordinance of Manatee County is hereby amended to read as follows:

(a) A franchisee, in consideration of the privilege granted under a franchise for the use of public rights-of-way to construct and operate a cable system, and to enable the County to recoup costs of regulation of the franchisee, shall pay to the County five (5) percent of the franchisee's adjusted gross revenue derived from the operation of its cable system within its franchise area during the period of its franchise. Provided, however, that the Board of County Commissioners may, in its absolute discretion, from time to time adjust the franchise fee downward or upward to any amount not exceeding the maximum allowed by applicable law. A franchisee must pay the franchise fee due to the County on a semi-annual basis. Payment for the period January 1 through June 30 each

calendar year shall be tendered to the County not later than July 30 of the same calendar year. Payment for the period July 1 through December 31 of each calendar year shall be tendered to the County not later than January 30 of the ensuing calendar year.

2. This Ordinance shall become effective immediately upon receipt of official acknowledgment from the office of Secretary of State of the State of Florida that this Ordinance has been filed with that office.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Manatee County, Florida this 15th day of June, 1993.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

By: *David G. Harris*
Chairman

ATTEST: R. B. SHORE,
Clerk of the Circuit Court

R. B. Shore Clerk of the Circuit Court

STATE OF FLORIDA COUNTY OF MANATEE
I hereby certify that the foregoing is a true copy of ORDINANCE NO. 93-26 adopted by the Board of County Commissioners of said County on the 15th day of June, 1993, this 18th day of June, 1993, in Bradenton, Florida.

R. B. Shore
Clerk of Circuit Court
By: *Evelyn Lloyd D.C.*

Copies to BCC-Barb
C'atty
Shoenleber - C'adman'





FLORIDA DEPARTMENT OF STATE

Jim Smith
Secretary of State

DIVISION OF ELECTIONS

Room 2002, The Capitol, Tallahassee, Florida 32399-0250
(904) 488-8427

FILED FOR RECORD
R.B. SHORE
CLERK CIRCUIT COURT
MANATEE COUNTY FLORIDA
JUN 24 3 11 PM '93

June 21, 1993

Honorable R. B. Shore
Clerk of the Circuit Court
Manatee County Courthouse
Post Office Box 1000
Bradenton, Florida 34206

Attention: Susan G. French, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letter of June 18, 1993 and certified copy of Manatee County Ordinance Number 93-26, which was received and filed in this office on June 21, 1993.

The duplicate copy showing the filing date is being returned for your records.

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud, Chief
Bureau of Administrative Code

LC/mb

Enclosure (1)