

ORDINANCE NO. 2000-07-037

AN ORDINANCE AMENDING BMC SECTION 6.17.280 RELATING TO CABLE TELEVISION FRANCHISE FEES AND INCREASING THE CABLE FRANCHISE FEE $\frac{3}{4}$ OF 1%.

WHEREAS, the AT&T Cable Franchise Agreement calls for the City to take responsibility for the programming of the channel space for Educational and Government T.V. upon completion of the rebuild of their fiber cable plant; and

WHEREAS, section 6.5 of the current cable franchise agreement provides for operation funding of Educational and Government T.V. by an additional franchise fee payable to the City; and

WHEREAS, it is time to make provision for the transition to the City of the responsibility for the programming and it is necessary to fund the programming;

NOW, THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:

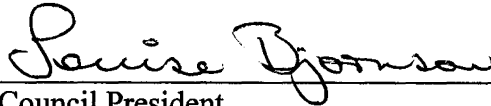
The following sections of 6.17.280 Franchise Fees of the Bellingham Municipal Code shall be amended as follows:

6.17.280 Franchise Fees

A. Because the streets of the city, to be used by the company in the operation of its system within the boundaries of the city, are valuable public properties acquired and maintained by the city at great expense to its taxpayers, and because the grant to the company of a franchise to use the said streets is of economic value, without which the company would be required to invest substantial capital in right-of-way costs and acquisitions, the company shall pay to the city an amount equal to ~~3%~~ 3.75% of company's gross annual revenue from all sources attributable to the operations of the company within the confines of the city. This payment shall be in addition to any other tax or payment owed to the city, county or other taxing jurisdiction of the company.

B. It is the intent of the city to utilize franchise fees, as the City Council determines necessary, to defray the costs of local regulation of a franchise, support and development of the community access channels, and for any other purposes deemed appropriate. The City shall dedicate .75% of the total franchise fee to fund operation of Educational and Government programming.


PASSED by Council this 17TH day of JULY 2000.



Council President


City of Bellingham
CITY ATTORNEY
210 Lottie Street
Bellingham, Washington 98225
Telephone (360) 676-6903

APPROVED by me this 24 day of JULY, 2000.



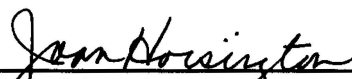
Mayor

ATTEST:



Finance Director

APPROVED AS TO FORM:



Office of the City Attorney

Published:

7/21/00
