

ORDINANCE NO. 39-79

By: John M. Bag

An ordinance amending Ordinance 27-75, the grant of franchise to All-American Cablevision Company, by clarifying the scope of the City's regulatory authority of the services provided by the Company and by granting an increase in rates for regular basic subscriber services.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1: That Ordinance 27-75 of the City of Bexley which was passed September 23, 1975, awarded a fifteen (15) year nonexclusive franchise to All-American Cablevision Company to construct, own, operate and maintain a community antenna television system within the City of Bexley;

Section 2: That said ordinance subjected the Company to all lawful exercises of the police power of the City (Section 3); that the Company agreed to maintain its services in accordance with the best standards of the industry, so as to provide subscribers with the highest possible level of quality and reliability (Section 8); and that the Company further agreed, as a matter of policy, to provide a broad selection of television signals (Section 22);

Section 3: That since the adoption of the ordinance and the installation of the television system, the Company has supplemented its "basic service" to subscribers by adding Home Box Office (HBO) optional service and now proposes to offer a new tier of optional service, consisting of some twelve (12) additional channels, through the use of a converter attached to the basic installation, and that all of such service, whether defined as basic or supplemental and optional, provided by the Company pursuant to the franchise authority granted by the City, comes within the scope of the City's regulatory authority of service and is subject to all the requirements of the Ordinance;

Section 4: That Section 24(b) of said Ordinance established a schedule of rates to be paid by citizens of Bexley for regular or basic subscriber services and that Section 24(c) of said Ordinance provided that the Company had the right to request an increase in such subscriber rates during the period of the Ordinance;

Section 5: That on June 5, 1979, the Company did make such a request for rate increase and that a public hearing, pursuant to the required notice, was held on such request on September 25, 1979 at City Council Chambers;

Section 6: That after consideration of all the information presented, the request for a rate increase for basic services was found to be reasonable and justified under all of the circumstances of the situation and should be granted and Section 24(b) of Ordinance 27-75 should be and it is hereby amended as follows:

City of Bexley - Schedule of Subscriber  
Charges for Regular Subscriber Service

(1) (2)

Installation Charges

First Outlet	\$25.00	(3)
Each Additional Outlet	15.00	(4)

Monthly Charges

First Outlet	7.50
Each Additional Outlet	2.00

Miscellaneous Charges

Reconnect	7.50
Relocate	7.00

Section 7: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: Nov. 13, 1979

\_\_\_\_\_  
President of Council

Attest:

John W. Hamburg, Jr.  
Clerk of Council

1<sup>st</sup> reading - Oct 9, 1979  
2<sup>nd</sup> reading - Oct 23, 1979  
[amended]

Approved: \_\_\_\_\_, 1979

\_\_\_\_\_  
Mayor

Amended ORDINANCE NO. 39 -79

By: John W. Page

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Section 2: That said ordinance subjected the Company to all lawful exercises of the police power of the City (Section 3); that the Company agreed to maintain its services in accordance with the best standards of the industry, so as to provide subscribers with the highest possible level of quality and reliability (Section 8); and that the Company further agreed, as a matter of policy, to provide a broad selection of television signals (Section 22);

Section 3: That since the adoption of the ordinance and the installation of the television system, the Company has supplemented its "basic service" to subscribers by adding Home Box Office (HBO) optional service and now proposes to offer a new tier of optional service, consisting of an unspecified number of additional channels, through the use of a converter attached to the basic installation, and that all of such service, whether defined as basic or supplemental and optional, provided by the Company pursuant to the franchise authority granted by the City, comes within the scope of the City's regulatory authority of service and is subject to all the requirements of the Ordinance;

Section 4: That Section 24(b) of said Ordinance established a schedule of rates to be paid by citizens of Bexley for regular or basic subscriber services and that Section 24(c) of said Ordinance provided that the Company had the right to request an increase in such subscriber rates during the period of the Ordinance;

Section 5: That the City recognizes that the supplemental and optional services, described in Section 3 above, are in a developmental stage, and the City is therefore disinclined to exercise the full scope of its regulatory authority by the regulation of rates for such services; but that such disinclination in no way constitutes a waiver or abdication of such authority, should the City at any time deem it to be in the best interest of its citizens, to regulate the rates for any such optional and supplemental services offered by the Company;

Section 6: That on June 5, 1979, the Company did make such a request for rate increase and that a public hearing, pursuant to the required notice, was held on such request on September 25, 1979 at City Council Chambers;

Section 7: That after consideration of all the information presented, the request for a rate increase for basic services was found to be reasonable and justified under all of the circumstances of the situation and should be granted and Section 24(b)

of Ordinance 27-75 should be and it is hereby amended as follows:

City of Bexley - Schedule of Subscriber  
Charges for Regular Subscriber Service

(1) (2)

Installation Charges

First Outlet \$25.00 (3)  
Each Additional Outlet 15.00 (4)

Monthly Charges

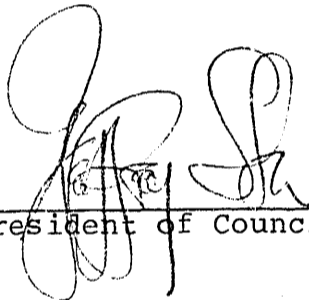
First Outlet 7.50  
Each Additional Outlet 2.00

Miscellaneous Charges

Reconnect 7.50  
Relocate 7.00

Section 8: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: Nov. 13, 1979

  
\_\_\_\_\_  
President of Council

Attest:  
  
\_\_\_\_\_  
Clerk of Council

Approved: Nov 13, 1979

  
\_\_\_\_\_  
Mayor

1st reading - Oct 9, 1979  
2nd reading - Oct 23, 1979 [amended]  
3rd reading Nov 13, 1979  
adopted

AMENDMENTS TO  
ORDINANCE NO. 39 -79

1. In Section 3 the words "some twelve (12)" be deleted and replaced by the words "an unspecified number of".

2. After Section 4 the following be added:

"Section 5: That the City recognizes that the supplemental and optional services, described in Section 3 above, are in a developmental stage, and the City is therefore disinclined to exercise the full scope of its regulatory authority by the regulation of rates for such services; but that such disinclination in no way constitutes a waiver or abdication of such authority, should the City at any time deem it to be in the best interest of its citizens, to regulate the rates for any such optional and supplemental services offered by the Company."

3. That the previously designated Sections 5, 6, and 7 be changed to read as Sections 6, 7, and 8.