

ORDINANCE NO. 7879-59

AN ORDINANCE AMENDING THE CATV FRANCHISE ORDINANCE NO. 7273-68, AN ORDINANCE ESTABLISHING THE CONDITIONS FOR AWARDING, TO CHAMPAIGN-URBANA COMMUNICATIONS, INC., A FIFTEEN (15) YEAR NON-EXCLUSIVE FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN A COMMUNITY ANTENNA TELEVISION SYSTEM WITHIN THE CITY OF URBANA, ILLINOIS; SETTING FORTH CONDITIONS ACCOMPANYING THE GRANTING OF SAID FRANCHISE; PROVIDING FOR CITY REGULATION AND USE OF THE COMMUNITY ANTENNA TELEVISION SYSTEM; PRESCRIBING PENALTIES FOR VIOLATION OF THE PROVISIONS HEREOF; AND PROVIDING FOR PAYMENT FOR THE PRIVILEGE OF SAID FRANCHISE.

WHEREAS, in order to optimally promote the development of cable television in the Cities of Urbana, Illinois and Champaign, Illinois, it is the desire of both Cities to enact identical ordinances which grant Champaign-Urbana Communications, Inc. the franchise to construct, maintain and operate a CATV System to both Cities. By enacting identical ordinances, both Cities seek to ensure ease of oversight by their Joint Commission on CATV; and

WHEREAS, the Champaign-Urbana Joint CATV Commission has reviewed and analyzed various Sections of Ordinance No. 7273-68, as amended, and has recommended to the Council amendments to Ordinance No. 7273-68, as amended; and

WHEREAS, the Council accepts and approves as in the best interest of the City the amendments recommended by the CATV Commission; and

WHEREAS, public hearings were conducted pursuant to and in accordance with Section 27 of Ordinance No. 7273-68, as amended, on October 11, 1978 and November 15, 1978.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

1. That Ordinance No. 7273-68, "An Ordinance Establishing The Conditions For Awarding, To Champaign-Urbana Communications, Inc., A Fifteen (15) Year Non-Exclusive Franchise To Construct, Operate And Maintain A Community Antenna Television System Within The City Of Urbana, Illinois; Setting Forth Conditions Accompanying The Granting Of Said Franchise; Providing For City Regulation And Use Of The Community Antenna Television System; Prescribing Penalties For Violation Of The Provisions Hereof; And Providing For Payment To The City For The Privilege Of Said Franchise", passed and approved by the

Council and Mayor on February 19, 1973; and as further amended, be and is hereby amended as follows:

- (a) That subsection (18) of Section 3, entitled "Definitions", be and is hereby added immediately after subsection (17) as follows:

"(18) 'Monitoring' means observing a communications signal, or the absence of a signal, where the observer is neither the subscriber nor the programmer, whether the signal is observed by visual or electronic means, for any purpose, whatsoever; provided, however, 'monitoring' shall not include system-wide, non-individually addressed sweeps of the cable system for the purposes of verifying system integrity, controlling return path transmissions, or billing for pay services."

- (b) That item (i) of subsection (14) of Section 12, entitled "Services to be Provided by Grantee", be and is hereby amended to read as follows:

"(i) A stereo classical FM radio station imported from Chicago, presently to be WNIB."

- (c) That item (k) of subsection (14) of Section 12, entitled "Services to be Provided by Grantee" be and is hereby added immediately after item (j) as follows:

"(k) WPCD, Champaign, Illinois."

- (d) That items (d), (e), (f) and (g) of subsection (15) of Section 12, entitled "Services to be Provided by Grantee" be and are hereby amended to read as follows:

- "(d) Unspecified radio station (AM or FM)."
- "(e) Unspecified radio station (AM or FM)."
- "(f) Unspecified radio station (AM or FM)."
- "(g) Unspecified radio station (AM or FM)."

2. That all ordinances or parts thereof in conflict or inconsistent with the provisions of this ordinance be and they are hereby repealed.

3. That this ordinance shall become effective ten (10) days after its passage and publication as required by law.

PASSED by the City Council this 4th day of December, 1978.

Beverly Umbarger
Beverly Umbarger, Acting City Clerk

APPROVED by the Mayor this 15^E day of December, 1978.

Jeffrey T. Markland
Jeffrey T. Markland, Mayor

CERTIFICATE OF PUBLICATION

I, Ruth S. Brookens, City Clerk, City of Urbana, Illinois, do herewith certify that I caused the above ordinance to be duly published in the News-Gazette on the 19th day of May, 1979, and a Certificate of Publication is attached hereto.

Ruth S. Brookens
Ruth S. Brookens, City Clerk

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CITY OF URBANA, ILL.
RECEIVED
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 IN
The News-Gazette

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WHEREAS, the Champaign - Urbana Joint CATV Commission has reviewed and analyzed various Sections of Ordinance No. 7273-68, as amended, and has recommended to the Council amendments to Ordinance No. 7273-68, as amended; and

The undersigned, **THE CHAMPAIGN NEWS-GAZETTE, INCORPORATED**, by
M. S. Ovca, its controller, does hereby

certify that said Corporation is the publisher of The News-Gazette and that the same is a daily secular newspaper of general circulation published in Champaign, Champaign County, Illinois, and which said newspaper had been regularly published for more than six months prior to the first publication of the annexed notice; said publisher further certifies that the annexed notice was published once each week for _____ consecutive weeks in said newspaper, namely on the following dates: _____

May 19, A. D. 19 79

, A. D. 19

, A. D. 19

, A. D. 19

, A. D. 19

Said publisher further certifies that the date of the first paper containing the said notice was on the first date hereinabove set forth, and that the date of the last paper containing the said notice was on the last date hereinabove set forth.

The Champaign News-Gazette, Incorporated

By _____

Controller

PUBLISHER OF THE NEWS-GAZETTE

Publisher's fee \$ 6.80

BIX FURNITURE
 Stripping—Refinishing
 Repair—Glueing
 901 N. Cunningham, U

SINGER COMPANY
 Country Fair Shopping Center
 Champaign, Illinois

EASTERN STAR PIN
 14K Gold priced at \$150, now only \$50
 at LEONARD'S Jewelry.
 2 large & 1 small stained glass windows, \$1000 or best offer. 351-0990.
 Used sewing machines. All machines reduced 25 percent.
 Singer portable machines
 Singer cabinet machines
 Singer Flip & Sew machines
 All machines have written 1 year warranty.

3 ton Carriers air conditioner. Self-contained, for mobile home. Used less than 2 seasons! \$600. After 5, 1-832-8025.

Console stereo with radio, parlor bench with green velvet seat, end table. 359-7425 afternoons.

Beauty shop equipment. One wet station, hydraulic chair, dryer, mat, spray system. Sell separately or as unit. 469-7027.

Gottlieb pinball machine. 5 months old. Barely used. \$400. Call after 5PM, 328-6307.

30" gas stove, does work. In poor condition. Best Offer. You haul. Call 356-8210.

Gardens. 356-5970.

No. _____

In the _____ Court
of Champaign County, Illinois.

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The News-Gazette

Attorneys.

FORM 51-1M-2-71

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