

ADOPTED

JUL 9 1996

ORDINANCE NO. 141A-8

BOARD OF SUPERVISORS  
JAMES CITY COUNTY  
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 4-86.1, CABLE COMMUNICATIONS, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE V, FRANCHISE CONDITIONS, SECTION 4-86.1.13, FRANCHISE FEE.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that effective August 1, 1996, Chapter 4-86.1, Cable Communications, is hereby amended and reordained by amending Section 4-86.1.13, Franchise Fee.

Chapter 4-86.1 Cable Communications

Article V. Franchise Conditions

**Sec. 4-86.1.13. Franchise fee.**

(a) In consideration of the grants contained herein, a grantee shall pay annually to the county sum equal to ~~three (3)~~ **five** percent of the gross annual revenues. Such payment shall be made to the treasurer (payable to James City County) not later than ~~forty-five (45)~~ days after the close of the grantee's fiscal year. The annual franchise fee shall be in addition to any other payment, charge, permit fee or bond owed to the county by the grantee and shall not be construed as payment in lieu of personal or real property taxes levied by the state, county or local authorities. Grantee agrees to provide a statement of the gross annual revenues within ~~sixty (60)~~ days of the end of each calendar year (or grantee's fiscal year), which should be certified under oath by an officer of the grantee.

(b) In the event that any payment is not made on or before the required date, the county shall assess a penalty

of ~~ten~~(10) percent of the amount due plus interest on such payments from the due date at the annual rate of ~~eighteen~~(18) percent. Should legal action be required to correct such fee(s), penalties and interest, the county also shall be entitled to attorney's fees equal to ~~twenty-five~~(25) percent of the total amount due.

*State Law Reference - Authority of County to license cable television systems. Code of Virginia Section*

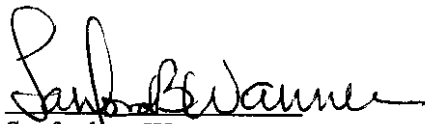
*15.1-23.1*

The effective date of this ordinance shall be August 1, 1996.



David L. Sisk, Chairman  
Board of Supervisors

ATTEST:



Sanford B. Wanner  
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
TAYLOR	NAY
MAGOON	AYE
DEPUE	AYE
EDWARDS	AYE
SISK	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of July, 1996.