

ADOPTED

JUN 23 1998

ORDINANCE NO. 141A-10

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 5, CABLE COMMUNICATIONS, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE V, FRANCHISE CONDITIONS, SECTION 5-13, FRANCHISE FEE.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 5, Cable Communications, of the Code of the County of James City, Virginia, is hereby amended and reordained by amending Article V, Franchise Conditions, Section 5-13, Franchise fee.

Chapter 5. Cable Communications

Article V. Franchise Conditions

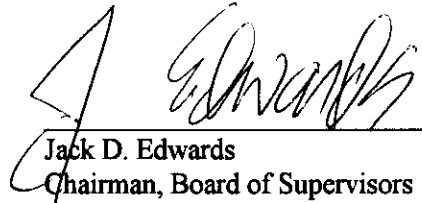
Sec. 5-13. Franchise fee.

(a) In consideration of the grants contained herein, a grantee shall pay ~~monthly~~ *quarterly* to the county a ~~sum franchise fee in an amount~~ equal to five percent of the gross ~~monthly~~ *quarterly* revenues. Such payment shall be made to the treasurer (payable to James City County) ~~not later than the 20th day of the following calendar month on or before the 30th day of each of the months of April, July, October, and January for the quarters ending March 31, June 30, September 30, and December 31.~~ The ~~monthly~~ *quarterly* 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 for review by the Commissioner of the Revenue a statement of the gross monthly revenues by the 20th ~~30th~~ day of the ~~following calendar month~~ *calendar month following each quarter*, which should be certified under oath by an officer of the grantee.

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(b) In the event that any payment is not made on or before the required date, the county shall assess a penalty of ten percent of the amount due plus interest on such payments from the due date at the annual rate of 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 25 percent of the total amount due.

State law reference--Authority of county to license cable television systems. Code of Va., § 15.2-967.



Jack D. Edwards
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
SISK	AYE
MCGLENNON	AYE
BRADSHAW	AYE
NERVITT	AYE
EDWARDS	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 23rd day of June, 1998.