

CABLE TELEVISION ORDINANCE  
FOR  
ST. ALBANS, MAINE

SECTION I-TITLE

This section shall be noted as the "Cable Television Ordinance of the Town of St. Albans, Maine".

SECTION II-PURPOSE

This ordinance is adopted in accordance with the provisions of Title 30, M.R.S.A. Section 2151, as amended, and is designed to promote the health, safety, convenience and welfare of the Inhabitants of the Town of St. Albans, and to authorize the municipal officers of the Town of St. Albans to franchise and contract with a certificate holder and grant to the said certificate holder the right, privilege to franchise to construct, operate and maintain a community television system for the Town of St. Albans for a period of 15 years from and after the grant and the franchise to be awarded subject to the conditions and restrictions as hereinafter provided. And further provided that the municipal officers shall have the right to review such franchise periodically as they may choose to do and as is hereinafter provided.

SECTION III-CERTIFICATE OF FRANCHISE

The certificate of franchise awarded by the Town shall be in effect for a period of fifteen (15) years from and after the date of award. Therefore, with full public hearings the franchise may be renewed, purchased, transferred or terminated as in the opinions of the Board of Selectmen, Town of St. Albans, Maine, will best serve the public interest.

SECTION IV-RENEGOTIATIONS

The Town and the certificate holder shall hold scheduled renegotiation sessions within 20 days of the fifth and tenth anniversary dates of the franchise's obtaining certificate for the system from the F.C.C. Special renegotiation sessions may be held at any time during the term of the franchise provided that both the Town and the franchise mutually agree on the time, place, and the topics to be negotiated.

#### SECTION V-TRANSFER

The certificate shall not be assigned or transferred, either in whole or in part, or leased, sublet, or mortgaged in any manner nor shall title thereto, either legal or equitable or any right, interest or property therein, pass to or vest in any person, either by act of the company or by operation of law, without consent of the Town. The granting, giving or waiving of any one or more such consents shall not render unnecessary any subsequent consent or consents.

#### SECTION VI-SYSTEM DESIGN

The Cable Television system will be designed to meet the requirements of the F.C.C. This is the responsibility of the Certificate Holder. Subject to such rules and regulations of the F.C.C., as may be applicable, the Town shall have the right to determine the minimum broadcast and community channels that shall be available to subscribers and such minimum determination by the Town shall become a part of any certificate granted hereunder.

#### SECTION VII-CHARGES

Municipal officers may establish such charges as are necessary to defer the costs of public notice, advertising and the expenses of hearings relating to application for a certificate of franchise, but in no case shall such fee exceed the statutory limit.

#### SECTION VIII-REGULATIONS

Day to day regulation is assigned as defined and determined by the Board of Selectmen. In cases where customer complaints are not satisfied by the Franchise, the Town shall have the power to require the Cable Television Company to provide service in response to all reasonable requests, subject to appeal by the Franchise to the Board of Selectmen.

#### SECTION IX-PROVISION OF SERVICE

The company shall within 9 months of the effective date of certificate, commence operation. Operations shall be considered commenced with the availability of bona fide retransmissions and amplification of television signals on a regular basis to at least 25 percent of all potential subscribers. Such signals shall be made available to all persons within 18 months of the effective date of the certificate. Upon the reasonable request of any person located within the Town, the Company, within 60 days furnish the requested service.

#### SECTION X-RATES

All applicants for a franchise shall submit a full listing of their terminal connection rates, subscriber and user service fees which shall include but not be limited to any charges to the customer for certain programing and any and all other fees charged by certificate holder. The Board of Selectmen must approve these rates and any additional charges during the course of the Franchise. Rate changes shall not be refused provided the rates are compatible with rates in other communities served by the franchise holder.

#### SECTION XI-CANCELLATION

The municipal officers of the Town of St. Albans, Maine shall have the right to cancel the certificate if the company fails within 30 days after notice to comply with any material and substantial of this ordinance or the certificate contract or any reasonable order issued by the Town. Such cancellation shall be by resolution of the municipal officers.

#### SECTION XII-GRANTING CERTIFICATE

Certificates under the ordinance shall only be authorized and granted upon resolution duly adopted by the municipal officers of the Town, authorizing the issuance of such certificate or certificates.