

ORDINANCE NO. 466

AN ORDINANCE REPEALING AND RE-ENACTING SECTIONS 7A-1, 7A-9, 7A-14, 7A-17, and 7A-19 OF THE LAS ANIMAS CITY CODE DEALING WITH THE COMMUNITY ANTENNA TELEVISION SYSTEM, AND ADDING SECTION 7A-20 TO THE SAME.

WHEREAS, the Las Animas City Council has determined that it is in the best interest of the citizens of the City of Las Animas to revise Chapter 7A of the Las Animas City Code.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAS ANIMAS, COLORADO:

THAT SECTIONS 7A-1, 7A-9, 7A-14, 7A-17, and 7A-19 of the Las Animas City Code be repealed and re-enacted, and that Section 7A-20 be adopted and added to said Code as follows:

Section 7A-1 Permit-Required

A non-exclusive, revocable permit to install, operate and maintain a cable distribution system within all or any portion of the City of Las Animas shall be obtained from the City Council before any person, firm, business, or corporation commences to operate a cable distribution system within the City of Las Animas. Such permit shall be obtained pursuant to the provisions of this chapter.

A cable distribution system, sometimes, hereinafter called "cable company," "CATV," or permittee, means any facility which in whole or in part, received, amplifies or otherwise converts the signals broadcast by one or more television or radio stations or transmits programs originating locally and distributes such signals by wire or cable or otherwise to subscribing members of the public who pay for such service.

Section 7A-9 Permittee not to sell time, or rent, repair, etc., television sets.

Permittee shall not engage in the business of selling time or advertising, renting, or repairing television sets, radios, antennas or other electronic devices for the reception

of electronic signals, except those required by its system, without prior approval of the City Council duly given by resolution.

Section 7A-14 Television stations to be received.

The cable system operated by permittee shall deliver satisfactory television signals from at least the following T.V. stations:

<u>Channel</u>	<u>Station</u>	<u>City</u>
5	KOAA-TV	Pueblo
8		
11	KKTU-TV	Colorado Springs
13	KRDO-TV	Colorado Springs

Section 7A-17 Insurance; liability of City.

A permittee shall indemnify, protect and hold harmless the City from any and all liability for losses and physical damages to property and bodily injury or death to persons including payments made under any workem's compensation law, which may arise out of or because of erection, maintenance, presence, use or removal of such facilities within the City or by any act of permittee its agents or employees. Permittee shall carry insurance to protect parties hereto from and against all claims, demands, actions, judgments, costs, expenses and liability which may arise as a result, directly or indirectly, from or by reason of such loss, injury or damage. The amounts of such insurance against liability due to physical damage to property shall be not less than one hundred thousand dollars (\$100,000.00) as to any one accident, and not less than three hundred thousand dollars (\$300,000.00) aggregate in any single policy year; and against liability due to bodily injury or to death of persons not less than one hundred thousand dollars (\$100,000.00) as to any person and not less than three hundred thousand dollars (\$300,000.00) as to any one incident. Permittee shall also carry such insurance as it considers necessary to protect it from all claims under any workmen's compensation laws in effect that may be applicable to permittee. All

insurance required by this chapter shall be and remain in full force and effect for the entire life of this chapter or as long as the permittee is operating under its terms.

Section 7A-19 Payments from Permittee to City.

A permittee shall pay three percent (3%) of its gross revenue and receipts derived from the conduct of its business in the City to the City on a quarterly basis. Permittee shall file a financial statement within thirty (30) days after the end of each calendar year showing in detail its financial receipts for the preceding calendar year. Such financial statement shall be filed with the Las Animas City Clerk and Treasurer.

Section 7A-20 Rights of City.

A. The Right is hereby reserved to the City Council to propose, and to adopt, in addition to the provisions contained herein and in existing applicable ordinances, such additional regulations as it shall find necessary in the exercise of the police power. Provided, that such regulations shall be reasonable and not in conflict with the rights herein granted.

B. The City Council shall have the right to inspect the books, records, maps, plans, income tax returns, and other like materials of the grantee at any time during normal business hours.

C. The City shall have the right, during the life of this permit, to install maintain free of charge upon the poles of the grantee any wire and pole fixtures necessary for a police and fire alarm system, on the condition that such wire and pole fixtures do not interfere with the CATV operations of the grantee.

D. The City may grant any number of permits for a CATV system within the City without prejudice to this permit, and co-existent with this permit, and the City Council will notify grantee of any application and/or permits granted by the City.

PASSED on first reading and ordered published the
5th day of June, 1980.

ADOPTED, approved, and ordered published by title on
second reading this 3rd day of July,
1980.

Alfred Putnam
ALFRED PUTNAM, Mayor

ATTEST:

Lila M. Maupin
LILA M. MAUPIN, City Clerk