

ORDINANCE NO. 2011-03

AN ORDINANCE OF THE CITY OF WILLIAMSTOWN, KENTUCKY AMENDING 2010-05 AND PREVIOUSLY ADOPTED ORDINANCES OF THE CITY OF WILLIAMSTOWN AND THE CITY OF WILLIAMSTOWN CODE OF ORDINANCES ESTABLISHING A SCHEDULE OF CHARGES FOR CABLE ASSISTED TELEVISION SERVICES AND INTERNET SERVICES, AND SECTION 10.04 OF THE WILLIAMSTOWN CODE OF ORDINANCES.

BE IT ORDAINED BY THE CITY OF WILLIAMSTOWN, KENTUCKY, AS FOLLOWS:

SECTION I

The City Council of the City of Williamstown, Kentucky does hereby amend parts of Ordinance No. 2009-15 as previously amended, relating to “CABLE ASSISTED TELEVISION” (Section 98.02 of the Codified Ordinances of the City of Williamstown), and “INTERNET SERVICE” with the words and numbers being deleted indicated by a straight line through them and with the words being added indicated by the text being shaded in gray or underlined as required by K.R.S. 83A.060(3).

§98.02 FEES

(A) The City Council does hereby establish the following schedule of charges for services of the City CATV system, and establishing a schedule of charges for Internet Services, effective with passage of this Ordinance.

(1) ONE-TIME CHARGES

- | | | |
|-----|--|-----------------------------------|
| (a) | Installation fee for one television received requiring less than or up to 200 feet of aerial service drop. | \$45.00 |
| (b) | Installation of new service requiring more than 200 feet of service | negotiated on an individual basis |
| (c) | Reconnect existing service | \$30.00 |
| (d) | Installation fee for each additional outlet excluding pre-wiring. | \$30.00 |
| (e) | Nonstandard installation other than residential | negotiated on an individual basis |
| (f) | Lateral electronic change from digital package to another digital package. | \$5.00 |
| (g) | Activation fee for pre-existing outlet. | \$20.00 |
| | Each additional outlet | \$5.00 |
| (h) | Reconnection of service terminated for non-pay of utilities. | \$35.00 |
| (i) | Service call request by subscriber for situations not occasioned by | |

malfunction of city-furnished equipment or malfunction of workmanship performed by a city employee or occasioned by abuse of service or equipment.	\$48.00
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- per hour with minimum of one hour plus materials
 Shall be billed per each one-quarter hour after first hour

- | | |
|--|----------|
| (j) Fee for "fishing wall in addition to additional outlet charge. | \$25.00 |
| (k) Trip fee to accounts outside city limits. Charge is "per trip" in addition to any other of the above services. | \$20.00 |
| (l) Underground service installations up to 200 feet. (If customer has ditch left open, conduit in place or buries their own wire that meets required specifications, charge will be same as for aerial installation). | \$110.00 |
| (m) M-Card (Purchase Option) | \$60.00 |

Residential pre-wire

- | | |
|---|-----------------------------------|
| (a) Installation of new service requiring more than 200 feet of drop service. | negotiated on an individual basis |
| (b) Outlets | \$20.00 each \$80.00 minimum |
| (c) Activation fee for pre-wired home. | \$25.00 |

Apartment pre-wire

- | | |
|----------------------------------|---------|
| (a) Activation charge for tenant | \$25.00 |
|----------------------------------|---------|

(2) MONTHLY CHARGES

- | | |
|---|--------|
| (a) Basic Service, Includes 17 channels | * |
| (b) Extended basic residential service for one television receiver | * |
| 1. Charge for optional channels – Encore and Western Channel for each single residential unit. | |
| (c) Digital Gateway (includes one (1) set top box, PPV capability and 30 DMX channels) Gateway Service(s) for privately owned equipment | *
* |
| (d) Digital tier packages (* must subscribe to digital Gateway) | |
| Digital Basic | * |
| Movie Pak | * |
| HBO Pak | * |
| Showtime Pak | * |
| Cinemax Pak | * |

* as published in City's established information and established rate sheet.

(e)	Remote control <u>all</u> converter box per television receiver	\$5.00
(f)	Abbreviated basic service CATV channels 3 through 22 for hotels, motels, jails, detention centers, per each room	\$4.00
(g)	Expanded basic service inclusive for hotel, motels, jails, detention centers, per each room.	\$6.45
(h)	Additional charge for HBO, Showtime and Cinemax channels inclusive for hotels, motels, jails, detention centers, per each room.	\$5.00
(i)	Multiple-occupancy bulk rate basic service (convalescent homes, hospitals and the like)	
	1 to 60 beds	\$195.00
	60 to 100 beds	\$370.00
(j)	And a monthly rental fee for each remote control converter box furnished	\$5.00
(k)	HD set top with Gateway	*
	HD DVR with Gateway	*
	TIVO DVR with Gateway	*
	M-Card – Rental Option	*

* as published in City's established information and established rate sheet.

(3) OTHER CHARGES

(a)	Lease of time on public access channel:	
	Minimum set-up charge	\$25.00
	14 minutes or less	\$2.00 per minute
	30 minutes or less	\$3.00 per minute
	45 minutes or less	\$4.00 per minute
	60 minutes or less	\$5.00 per minute
(b)	Video taping of event for either simultaneous or later broadcast by City personnel with City equipment	
	during normal business hours	\$ 35.00 per hr. 2 hr. min.**
	during non-business hours	\$ 52.50 per hr. 2 hr. min.**
	** Any time over two (2) hours - \$12.00 per 15 minute increment.	
(c)	Charge for repair of damaged fiber lines	
	1. Aerial	\$125.00 per fiber
	2. Underground	\$150.00 per fiber

(4) CITY PROPERTY

- (a) All converters and other devices placed by the city into the possession of a subscriber shall remain the property of the city and upon termination of service shall be returned to the city in as good order as when received, ordinary wear and tear excepted.
- (b) All one-time charges shall be paid to the City Clerk/Treasurer prior to furnishing of such service.
- (c) All monthly charges for services shall be paid in advance to the City Clerk/Treasurer and if such charges are not paid on or before the fifteenth of each month such service shall be terminated by employees of the city without further notice.
- (d) A 3% telecommunications tax shall be added to accounts of all telecommunications/cable TV service customers, pursuant to K.R.S. 136.616

(5) INTERNET SERVICE

- (a) Internet Service Monthly \$39.95***
- (b) Internet Service installation:
 - Option A: includes cabling, software, installer visit and verification of performance to the modem up to one (1) hour. \$45.00***
 - Option B: includes cabling, software, installer visit and complete connection of customer's computer with demonstration up to one (1) hour \$75.00***

Option A & B – Any time over one (1) hour - \$12.00 per 15 minute increment.

*** Existing wiring must meet specifications for internet cabling and customer's computer must meet software system requirements and have appropriate hardware.

(6) The City Council may, by resolution, temporarily suspend or modify the charges for services from time to time as a promotional incentive to expand the subscriber base of the system.

(7) Cable/High Speed Internet Package (includes: Internet, Digital Gateway and any one (1) Digital tier). \$85.95

(8) Full Package (includes Internet and all channels offered) \$129.95

(9) INTERNET PRICING

	Residential Price*	Commercial Price *
256/256	\$13.95	\$13.95
6M/1M Speed	\$39.95	\$39.95
10M/1M Speed	\$54.95	\$54.95
15M/1.5M Speed	\$89.95	\$89.95
Static IP Address each	\$6.00	\$6.00
Additional E-mail each	\$3.95	Not offered
E-mail Only Accounts each	\$3.95	Not offered
E-mail Only Accounts bundle	5 for \$15	Not offered
Internet Security Software License (1 st computer included with monthly service.	Each additional	

computer will be \$2 .00 per license per month)

Additional Web Hosting Pricing and Features	Value Pro	Enhanced Pro	Premium Pro
Retail Set-up Fee	\$24.95	\$24.95	\$24.95
Retail Monthly Fee	\$16.95	\$34.95	\$59.95
Web Space	240 MBs 10 GBs/	400 MBs 20 GBs/	600MBs 30 GBs
Data Transfer	Month	Month	Month
E-mail Accounts	15	50	150
Auto Responders	15	50	150
E-Mail Aliases & Forwards	Unlimited	Unlimited	Unlimited
Control Panel	YES	YES	YES
24 x 7 Tech Support	YES	YES	YES
Spam Scanning	YES	YES	YES
Virus Scanning	YES	YES	YES
Web Hit Statistics	YES	YES	YES
Front Page®Extensions	YES	YES	YES
MYSQL Database	YES	YES	YES
Languages	Perl, PHP	Perl, PHP	Perl, PHP
Nuke	YES	YES	YES
Preconfigured CGI Scripts	YES	YES	YES
Anonymous FTP	NO	YES	YES
Secure Server	NO	YES	YES
Chat	NO	YES	YES
Bulletin Board	NO	NO	YES
Shopping Cart	NO	NO	YES
Sub domains	300	300	300
Parked Domains	NO	3	6
Add-on Domains	NO	NO	3

* If bandwidth usage is excessive over two consecutive months, additional charges may apply from the end of the second month forward as an additional monthly charge.

(10) All appropriate and required taxes shall be added to all customer bills.

(11) COPIED ITEMS

DVD Copies \$12.95

(12) ACCESS CHANNEL PRICING

Personal Message by Individual Text Only \$15.00

Personal Message by Individual Picture File Only* \$15.00

Personal Message by Individual Text & Picture* \$15.00

Business, political or other entity Text Only \$25.00

Business, political or other entity Picture File Only* \$25.00

Business, political or other entity Text & Picture* \$25.00

Any individual, business, political or other entity can agree to run 6 weeks of advertising at a

10% discounted rate.

* Picture Files are as provided by the customer and unedited. The file may contain text.

(13) WIRELESS RATES

ONE TIME CHARGES

Installation:

No Contract Required: (includes \$75.00 installation) \$450.00

One-Year Contract: (includes \$75.00 installation) \$199.00

Two-Year Contract: (includes \$45.00 installation) \$99.00

Trip Charge Outside City Limits on all Calls Other than Installation \$20.00

MONTHLY CHARGES

Wireless Internet Service: (includes five e-mail accounts, 24/7 support) \$39.95

Optional Maintenance Fee to Cover Equipment \$4.00

(14) CHANGE TO REGULAR INTERNET SERVICE

~~Modem no Longer Included with Service. Price of Purchase~~ \$40.00_*

~~Wireless Modem~~ \$65.00_*

Optional Maintenance Fee to Cover Equipment Replacement (per month) \$2.00

* as published in the City's established Rate Card and shall be amended from time to time to reflect changes through increases/decreases on equipment costs. Said Rate Card is incorporated herein by reference.

SECTION III

This Ordinance and Section 10.04 of the Williamstown Code of Ordinances are hereby amended as follows:

A. In computing any period of time prescribed or allowed by Order of Court or by any applicable ordinance the day of the act, event or default after which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included unless it is Saturday, a Sunday, a legal holiday, or a day on which the public office in which a document is required to be filed is actually and legally closed in which event the period runs until the end of the next day which is not one of the days just mentioned...If the day thereby computed on which or by which the act is required to be done falls on a Saturday, Sunday, legal holiday or a day on which the public office in which the act is required to be completed is actually and legally closed, the act may be done on the next day which is none of the days just mentioned, and shall be paid by the close of business to the City of Williamstown in which its

business office is legally opened.

C. If any proceeding is directed by law to take place or any act is directed to be done on a particular day of the month and that day is Sunday, the proceeding shall take place, or the act shall be done, on the next day that is not a legal holiday by the close of business that the City offices are legally opened.

SECTION IV

The remaining provisions of the Ordinances amended shall remain in full force and effect as long as they remain valid in the absence of those provisions determined to be invalid and the provisions of this ordinance shall not affect their validity.

SECTION V

The provisions of this Ordinance are severable and the invalidity of any provision of the Ordinance shall not affect the validity of any other provision thereof, and such other provisions shall remain in full force and effect as long as they remain valid in the absence of those provisions determined to be invalid.

SECTION VI

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION VII

This Ordinance shall be effective as soon as possible according to law and shall be published in full pursuant to K.R.S. 83A-060(9).

Rick Skinner, Mayor
City of Williamstown, Kentucky

ATTEST:

Vivian Link, City Clerk/Treasurer

2011-03

1st Reading 03/07/11

2nd Reading 03/22/11

Publication 03/31/11

CERTIFICATION

The undersigned Vivian Link, City Clerk of the City of Williamstown, in Grant County, Kentucky hereby certifies as follows:

1. The foregoing Ordinance No. 2011-03 was introduced in writing and read to the City Council of the City of Williamstown at regular or special meetings thereof on the 7th day of March, 2011, and the 22nd day of March, 2011, at which quorums were present; and said Ordinance was enacted by the City Council of the City of Williamstown upon the affirmative vote of at least a majority of a quorum thereof, at the meeting thereof on the 22nd day of March, 2011, with the vote of each member of the city council entered upon the official record of such meeting; and

2. After the passage and adoption of the foregoing Ordinance by the City Council of the City of Williamstown, it was submitted to the Mayor of the City of Williamstown who approved said Ordinance by affixing his signature thereto within ten (10) days after the submission thereof to him; and

3. The foregoing Ordinance and/or summary was published on the 31st day of March, 2011, in the Grant County News, a newspaper qualified therefore, pursuant to the provisions of K.R.S. Chapter 424.

Vivian Link, City Clerk/Treasurer