

1 **BILL NO. 99-22**

2 **ORDINANCE NO. 5150**

3 AN ORDINANCE RELATING TO CABLE TELEVISION; AMENDING SECTION 81 OF  
4 ORDINANCE NO. 5126 TO INCREASE THE PORTION OF CABLE TELEVISION FRANCHISE  
5 FEES TO BE DEPOSITED TO THE CITY VIDEO PRODUCTION ENTERPRISE FUND;  
6 PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING  
7 ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

6 Sponsored by:  
7 Councilman Arnie Adamsen

Summary: Increases the portion of cable  
television franchise fees to be deposited to the  
City Video Production Enterprise Fund.

8 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN  
9 AS FOLLOWS:

10 SECTION 1: Section 81 of Ordinance No. 5126 is amended to read as follows:

11 [(A)] The City finds that rights-of-way of the City and State to be used by a cable  
12 company for the operation of a cable system and to provide cable television service are valuable public  
13 property acquired and maintained by the State and City at great expense to the taxpayers. The City  
14 further finds that the grant of a cable franchise or cable television service permit for use of rights-of-  
15 way to provide service is a valuable property right without which a cable company would be required  
16 to invest substantial capital. In order to facilitate the ongoing financial support necessary for the  
17 administration of this Chapter, [an enterprise fund is intended to be established by future action of the  
18 City Council for the Real Estate and Asset Management Division.] the City intends to establish an  
19 enterprise fund, to be known as the City Video Production Enterprise Fund, for the use of Video  
20 Services within the Office of Communications. This enterprise fund will be initially funded by the  
21 [\$]1.8 million dollars collected for the approval of the Settlement Agreement between the City of Las  
22 Vegas and Community Cable TV d/b/a Prime Cable of Las Vegas, Prime South Diversified, Inc., and  
23 Cox Communication Las Vegas, Inc. dated September 28, 1998. Thereafter, [one percent (1%)]  
24 twenty-five percent (25%) of the total franchise fees collected from cable related fees will be deposited  
25 to this enterprise fund for the next two (2) years. After the course of two (2) years, [two percent (2%)]  
26 forty percent (40%) of the total franchise fees collected from cable-related fees will be deposited to  
27 this enterprise fund. These monies are to be primarily used for the purpose of supporting the  
28 regulation of this Chapter and in support of public, educational and government access channels per

1 Federal regulations, but shall not in any way prohibit the City Council from reallocating this money  
2 for some other purpose in the future, if it so desires.

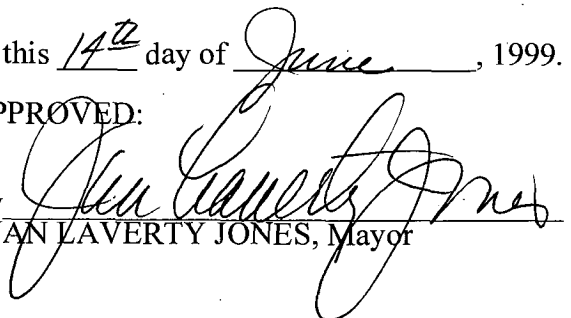
3 SECTION 2: If any section, subsection, subdivision, paragraph, sentence, clause or  
4 phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid  
5 or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or  
6 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the  
7 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,  
8 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,  
9 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,  
10 invalid or ineffective.

11 SECTION 3: Whenever in this ordinance any act is prohibited or is made or declared  
12 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is  
13 required or the failure to do any act is made or declared to be unlawful or an offense or a  
14 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall  
15 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than  
16 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such  
17 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

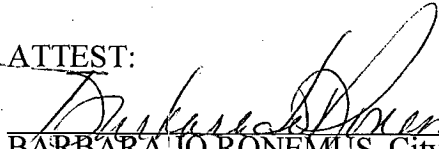
18 SECTION 4: All ordinances or parts of ordinances or sections, subsections, phrases,  
19 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,  
20 1983 Edition, in conflict herewith are hereby repealed.

21 PASSED, ADOPTED and APPROVED this 14<sup>th</sup> day of June, 1999.

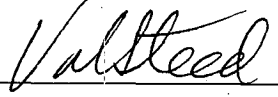
22 APPROVED:

23 By   
24 JAN LAVERTY JONES, Mayor

25 ATTEST:

26   
27 BARBARA JO RONEMUS, City Clerk

28 APPROVED AS TO FORM:

 5-13-99  
Date

AFFP

DISTRICT COURT  
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)  
COUNTY OF CLARK)

SS:

Barbara Linford, being 1st duly sworn, deposes and says:

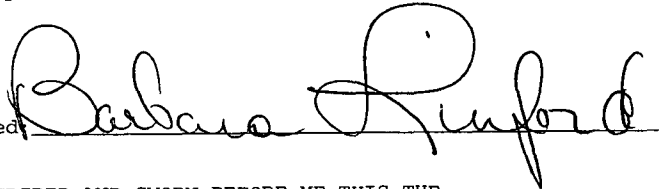
That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK  
783437

2296311LV

was continuously published in said Las Vegas Review Journal or Las Vegas Sun in 1  
edition(s) of said newspaper issued from 06/05/99 to 06/05/1999, on  
the following days: JUNE 5, 1999

Signed



SUBSCRIBED AND SWORN BEFORE ME THIS THE \_\_\_\_\_

day of \_\_\_\_\_ 1999

\_\_\_\_\_  
Notary Public

BILL NO. 99-22  
Corrected Notice  
AN ORDINANCE RELATING TO CABLE  
TELEVISION; AMENDING SECTION 81 OF  
ORDINANCE NO. 5126 TO INCREASE  
THE PORTION OF CABLE TELEVISION  
FRANCHISE FEES TO BE DEPOSITED TO  
THE CITY VIDEO PRODUCTION ENTER-  
PRISE FUND; PROVIDING FOR OTHER  
MATTERS PROPERLY RELATING THERE-  
TO; AND REPEALING ALL ORDINANCES  
AND PARTS OF ORDINANCES IN CON-  
FLICT HERewith.

SPONSORED BY: Councilman Arnie Ad-  
amsen

SUMMARY: Increases the portion of  
cable television franchise fees to be  
deposited to the City Video Production  
Enterprise Fund.

At a City Council meeting  
May 24, 1999

BILL NO. 99-22 WAS READ BY TITLE  
AND REFERRED TO RECOMMENDING  
COMMITTEE:

Councilmen Brown and McDonald  
COPIES OF THE COMPLETE BILL ARE  
AVAILABLE FOR PUBLIC INFORMATION  
IN THE OFFICE OF THE CITY CLERK, 1ST  
FLOOR, CITY HALL, 400 EAST STEWART  
AVENUE, LAS VEGAS, NEVADA.

PUB: June 5, 1999  
Las Vegas Review-Journal

RECEIVED  
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RECEIVED  
CITY CLERK

AFFP

DISTRICT COURT  
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)  
COUNTY OF CLARK)

SS:

1999 JUN 24 A 10:38

Barbara Linford, being 1st duly sworn, deposes and says:

That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK  
796970

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 06/17/99 to 06/17/1999, on the following days: JUNE 17, 1999

Signed:

*Barbara Linford*  
17

SUBSCRIBED AND SWORN BEFORE ME THIS THE

day of

1999

Notary Public

*Monica A. Peterson*



MONICA A. PETERSON  
Notary Public - Nevada  
No. 97-3700-1  
My appt. exp. Sept. 11, 2001

BILL NO. 99-22  
ORDINANCE NO. 5150

AN ORDINANCE RELATING TO CABLE TELEVISION; AMENDING SECTION 81 OF ORDINANCE NO. 5126 TO INCREASE THE PORTION OF CABLE TELEVISION FRANCHISE FEES TO BE DEPOSITED TO THE CITY VIDEO PRODUCTION ENTERPRISE FUND; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERE-TO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CON- FFLICT HEREWITH.

SPONSORED BY: Councilman

Annie Adamsen  
SUMMARY: Increases the portion of cable television franchise fees to be deposited to the City Video Production Enterprise Fund.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 24th day of May, 1999, and referred to the following committee composed of Councilmen Brown and McDonald for recommenda- tion; thereafter the said committee re- ported favorably on said ordinance on the 14th day of June, 1999, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as introduced and adopted by the following vote:

VOTING "AYE" Councilmen Adamsen, McDonald, Reese, Brown, and Mayor Jones

VOTING "NAY" NONE

EXCUSED: NONE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMA- TION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 EAST STEW- ART AVENUE, LAS VEGAS, NEVADA.

PUB. June 17, 1999  
Las Vegas Review-Journal