

STATE OF ILLINOIS - COUNTY OF BOND
CITY OF GREENVILLE

ORDINANCE NO. 3165

AN ORDINANCE ADDRESSING THE PAYMENT OF CABLE
TELEVISION FRANCHISE FEES IN THE CITY OF GREENVILLE,
ILLINOIS

ADOPTED BY THE
MAYOR AND CITY COUNCIL
OF
THE CITY OF GREENVILLE
THIS 13th DAY OF MARCH, 2018

Published in pamphlet form by authority of the City Council of the City of Greenville, Bond
County, Illinois, this 14th day of March, 2018.

STATE OF ILLINOIS - COUNTY OF BOND
CITY OF GREENVILLE

ORDINANCE NO. 3165

The City Council of the City of Greenville, Bond County, Illinois, in meeting assembled, does hereby find and determine as follows:

WHEREAS, Telecommunications Management LLC, dba NewWave operates a cable television system providing cable television services to households in the City of Greenville, Illinois authorized under an Authorization to Offer Cable or Video Services granted by the Illinois Commerce Commission on December 26, 2017 pursuant to 220 ILL. COMP. STAT. 5/21-401; and

WHEREAS, 220 ILL. COMP. STAT. 5/21-801 permits the City to collect service provider fees from a cable operator operating within the City pursuant to a state authorization; and

WHEREAS, the City hereby adopts this Ordinance in order to collect service provider fees from Telecommunications Management LLC, dba NewWave.

NOW THEREFORE, let it be ordained by the Mayor and the City Council of the City of Greenville, Bond County Illinois that the Greenville City Council as follows:

SECTION 1. Telecommunications Management LLC, dba NewWave shall pay an

annual service provider fee to the City in an amount equal to 5% of annual gross revenues derived from the provision of cable or video service to households located within the City. The twelve (12) month period for the computation of the service provider fee shall be a calendar year.

SECTION 2. The service provider fee payment shall be due annually and payable within 90 days after the close of the preceding calendar year. Each payment shall be accompanied by a brief report prepared by a representative of the Grantee showing the basis for the computation. If mailed, the fee shall be considered paid on the date it is postmarked.

SECTION 3. For purposes of the calculation of the service provider fee, "gross revenues" shall mean consideration of any kind or nature, including, without limitation, cash, credits, property, and in-kind contributions received by the Telecommunications Management LLC, dba NewWave for the operation of its cable system to provide cable or video service within the City, including the following: (i) recurring charges for cable service or video service; (ii) event-based charges for cable service or video service, including, but not limited to, pay-per-view and video-on-demand charges; (iii) rental of set-top boxes and other cable service or video service equipment; (iv) service charges related to the provision of cable service or video service, including, but not limited to, activation, installation, and repair charges; (v) administrative charges related to the provision of cable service or video service, including but not limited to service order and service termination charges; and (vi) late payment fees or charges, insufficient funds check charges, and other charges assessed to recover the costs of collecting delinquent payments.

SECTION 4. For purposes of the calculation of the service provider fee, "gross revenues" shall not include: (i) revenues not actually received, even if billed, such as bad debt;

(ii) the service provider fee or any tax, fee or assessment of general applicability; (iii) any revenues received from services not classified as cable service or video service, including, without limitation, revenue received from telecommunications services, voice over internet protocol (VoIP) services, information services, the provision of directory or internet advertising, or any other revenues attributed by the holder to noncable service or non-video service in accordance with the holder's books and records and records kept in the regular course of business and any applicable laws, rules, regulations, standards, or orders; (vi) security deposits collected from subscribers, or (vii) any amounts paid by subscribers to "home shopping" or similar vendors for merchandise sold through any home shopping channel offered as part of the cable service or video service.

SECTION 5. If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate, or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

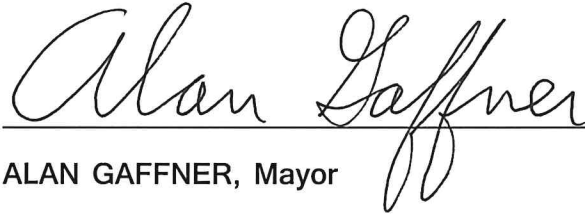
SECTION 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7. This Ordinance shall be in full force and effect upon its passage, approval, and publication in pamphlet form as provided by law.

This ordinance shall be effective after its passage and approval as required by law.

Adopted this 13th day of March, 2018, at a meeting of the City of Greenville's City Council with a quorum present upon a vote of the Board as follows:

Jes Adam: Aye
John Gillard: Aye
Mike Heath: Aye
Kyle Littlefield: Aye
Alan Gaffner: Aye


ALAN GAFFNER, Mayor

ATTEST: Sue Ann Nelson
SUE ANN NELSON, City Clerk

STATE OF ILLINOIS - COUNTY OF BOND
CITY OF GREENVILLE

CERTIFICATE

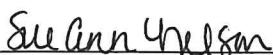
I, Sue Ann Nelson, certify that I am the duly appointed and acting City Clerk of the City of Greenville, Bond County, Illinois.

I further certify that on March 13, 2018, the Corporate Authorities of such municipality passed and approved Ordinance No. 3165 entitled:

**“AN ORDINANCE ADDRESSING THE PYAMENT OF CABLE
TELEVISION FRANCHISE FEES IN THE CITY OF GREENVILLE,
ILLINOIS”**

Dated at Greenville, Illinois, this 14th day of March, 2018

{SEAL}



Sue Ann Nelson, City Clerk