

ORDINANCE NO. 9306 (NEW SERIES)

AN ORDINANCE AMENDING THE SAN DIEGO COUNTY CODE OF REGULATORY
ORDINANCES RELATING TO CABLE TELEVISION

The Board of Supervisors of the County of San Diego ordains
as follows:

Section 1. Subsection (aa) is added to Section 21.1604 of
the San Diego County Code to read as follows:

(aa) "Cable Act" means the federal "Cable Communications
Policy Act of 1984" (47 U.S.C. § 521 et seq.), as amended and
modified by legislation such as the federal "Cable Television
Consumer Protection and Competition Act of 1992" and the federal
"Telecommunications Act of 1996" and as may be subsequently
amended or modified.

Section 2. Subsection (jj) is added to section 21.1604 of
the San Diego County Code to read as follows:

(jj) "Gross Revenues" means, to the maximum extent
permitted under applicable law, any and all income and other
consideration earned or in any manner gained or derived by a
franchisee from or in connection with the operation of a Cable
System, or any part of a Cable System, located within the
unincorporated area as may be further defined in a franchise
agreement entered into pursuant to Section 21.1678.

Section 3. Subdivision (c) of Section 21.1604 of the San
Diego County Code is amended to read as follows:

(c) "Cable System" or "System" shall mean "cable system",
as defined in the Cable Act or rules or regulations promulgated
by the FCC in accordance with the Cable Act.

Section 4. Section 21.1678 is added to the San Diego
County Code to read as follows:

SEC. 21.1678. NEW OR RENEWED LICENSES.

To the extent permitted by the Cable Act, the following
provisions shall apply to new or renewed licenses becoming
effective after the effective date of the ordinance adding this
section to the County Code:

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a. Licenses shall be referred to as franchises.

b. Franchises shall be granted or renewed for a term of 15 years. They shall not be subject to the provisions of subsection (b) of Section 21.1623.

c. The franchise shall require that the franchisee pay a franchise fee of five percent of Gross Revenues.

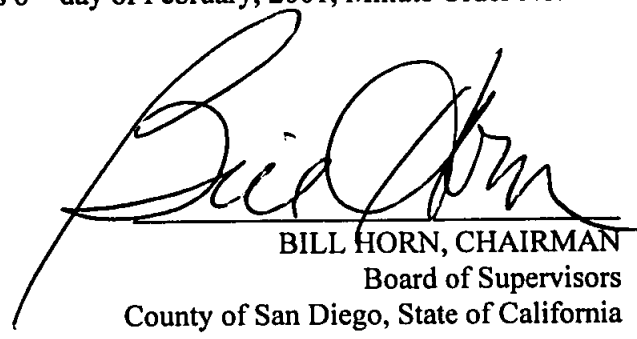
d. Franchises may contain more stringent standards and requirements than those specified in this Chapter, including, but not limited to the following: (1) provisions relating to customer service standards; (2) provisions relating to public, educational and government access channels and support; (3) service area and line extension requirements; (4) insurance, security deposits, performance bonds, liquidated damages and payments other than the franchise fee to the County; and (5) service to County facilities. In such cases, the terms of the franchise shall prevail over any conflicting provision of this Chapter. Except as specified in the franchise, all provisions of this Chapter shall be applicable to the franchise and to the franchisee.

APPROVED AS TO FORM AND LEGALITY
COUNTY COUNCIL

BY William J. Schulz
SENIOR DEPUTY

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PASSED, APPROVED and ADOPTED this 6TH day of February, 2001, Minute Order No. 20.


BILL HORN, CHAIRMAN
Board of Supervisors
County of San Diego, State of California


The above Ordinance was adopted by the following vote:

AYES: Cox, Jacob, Slater, Roberts, Horn

ATTEST my hand and the seal of the Board of Supervisors
this 6th day of February 2001.



THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors

By 
Denise McClendon, Deputy

Ordinance No. 9306
2/6/01 (20)