

VILLAGE OF ELIZABETH, LOUISIANA

ORDINANCE NUMBER 36-2022

BE IT ORDAINED, by the Mayor and the Board of Aldermen of Village of Elizabeth, Louisiana that Village of Elizabeth hereby enacts this ordinance to read as follows:

An Ordinance providing for setting the franchise fee to be paid by those entities providing cable or video service within the municipal limits under a state B granted franchise authority and otherwise providing with respect thereto.

WHEREAS, pursuant to the provisions of the Consumer Choice for Television Act of 2008, codified at LSA-RS. 45:1361 et seq, any person or entity desiring to provide cable or video services within the Village of Elizabeth may do so by obtaining a state-issued certificate of franchise authority;

WHEREAS, pursuant to the provisions of LSA-R.S. 45:1366, the holder of a state-issued certificate of franchise authority for cable or video service is required to pay a franchise fee to a municipality in which it operates upon the passage of an ordinance by municipality setting such a fee; and

WHEREAS, there are persons or entities which operate or desire to operate cable or video services within the municipal limits.

BE IT THEREFORE ordained by the Board of Aldermen of the Village of Elizabeth, State of Louisiana, that all persons or entities providing cable or video services to the citizens of Village of Elizabeth pursuant to a state-issued certificate of franchise authority as provided in LSA-R.S. 45:1361 et seq shall, pursuant to the provisions of LSA-R.S. 45:1366, pay the Village of Elizabeth a franchise fee equal to 5% of the cable or video service provider's gross revenues, as that term is defined by the AConsumer Choice for Television Act of 2008,@ derived from operations within the Village's municipal limits.

BE IT FURTHER ordained that all ordinances and resolutions in conflict herewith are hereby repealed, except those approving any cable or video franchise agreement in force and effect between Village of Elizabeth and any cable or video service provider which have not expired as the effective date of this ordinance.

BE IT FURTHER ordained this ordinance shall become effective upon signature of the Mayor, or, if vetoed by the Mayor, upon the day following override of the Mayor's veto.

Proposed by Alderman Ken Kelly on the 14th day of February, 2022.

Notice of the proposal of this Ordinance was published in the official journal on the 3rd day of March, 2022.

Public Hearing on this Ordinance was held on the 14th day of March, 2022 at 5:30 P.M. at the Village Hall, Elizabeth, Louisiana.

The above and foregoing Ordinance was read and called for a vote by the Mayor at a meeting of the Board of Aldermen called for said purpose on the 14th day of March, 2022. Motion was made by Alderwoman Kelly Stalsby and seconded by Alderwoman Angela Smith to adopt said ordinance.

The vote thereon in favor of passage was as follows:

Alderman Kelly	Yea_____	Nay_____	Abstain_____	Absent__X__
Alderwoman Smith	Yea__X__	Nay_____	Abstain_____	Absent_____
Alderwoman Stalsby	Yea__X__	Nay_____	Abstain_____	Absent_____

APPROVED: /s/Mayor Mandy L Green

Attest by:/s/Denise Lee, Clerk