

ORDINANCE NO. 1184

AN ORDINANCE OF THE CITY OF ROSWELL AMENDING ORDINANCE NO. 995 TO INCREASE THE FRANCHISE FEE AND EXTENDING THE TERM OF THE CABLE TELEVISION FRANCHISE THEREIN AN ADDITIONAL 15 YEARS; PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY AND FIXING THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the City desires to increase the franchise fee under the existing cable television franchise ordinance and to extend the term of said ordinance in order that the permittee may effect needed improvements;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE GOVERNING BODY, THE CITY COUNCIL, OF ROSWELL, NEW MEXICO, that:

Section 1. In Ordinance No. 995, Section 10 "Permit Fees" the first sentence is hereby amended to read: "The Permittee shall pay to the City five percent (5%) of the gross receipts received by Permittee during each preceding three month quarter, as fees for the franchise permit granted herewith." The balance of the section shall remain unchanged by this ordinance.

Section 2. The term of the franchise permit as established in Section 4 of Ordinance No. 995 is hereby amended by changing the second sentence of said section to read: "Permittee is deemed to have exercised its option for an additional 15 year period as of July 1, 1988 and such additional period shall commence immediately. The balance of the section shall remain unchanged by this ordinance.

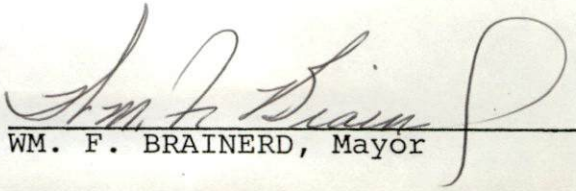
Section 3. All ordinances or parts of ordinances in conflict or inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance or part of any ordinance heretofore repealed.

Section 4. If any section, paragraph, clause or provision of this ordinance for any reason shall be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any other part of this ordinance.

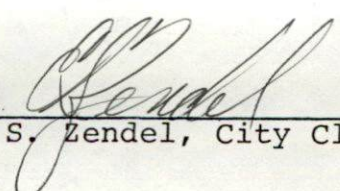
Section 5. This ordinance shall be and become effective on and after five (5) days following its publication as required by law.

PASSED, ADOPTED, SIGNED AND APPROVED the 12th day of July, 1988.

CITY SEAL

  
WM. F. BRAINERD, Mayor

ATTEST:

  
E. S. Zendel, City Clerk