

ORDINANCE NO. 2017-05

AN ORDINANCE OF THE CITY OF WILLIAMSTOWN, KENTUCKY AMENDING 2015-01 AND PREVIOUSLY ADOPTED ORDINANCES OF THE CITY OF WILLIAMSTOWN AND THE CITY OF WILLIAMSTOWN CODE OF ORDINANCES ESTABLISHING A SCHEDULE OF CHARGES FOR CABLE ASSISTED TELEVISION SERVICES AND INTERNET SERVICES, AND SECTION 10.04 OF THE WILLIAMSTOWN CODE OF ORDINANCES.

BE IT ORDAINED BY THE CITY OF WILLIAMSTOWN, KENTUCKY, AS FOLLOWS:

SECTION I

The City Council of the City of Williamstown, Kentucky does hereby amend parts of Ordinance No. 2015-01 as previously amended, relating to “CABLE ASSISTED TELEVISION” (Section 98.02 of the Codified Ordinances of the City of Williamstown), and “INTERNET SERVICE” with the words and numbers being deleted indicated by a straight line through them and with the words being added indicated by the text being shaded in gray or underlined as required by K.R.S. 83A.060(3).

§98.02 FEES

(A) The City Council does hereby establish the following schedule of charges for services of the City CATV system, and establishing a schedule of charges for Internet Services, effective with passage of this Ordinance.

(1) ONE-TIME CHARGES

- | | | |
|----------------|--|-----------------------------------|
| (a) | Installation <u>or activation of service fee per trip with fee for one television received requiring</u> less than or up to 200 feet of aerial service drop. | \$45.00 |
| (b) | Installation of new service requiring more than 200 feet of service- <u>drop cable</u> | negotiated on an individual basis |
| (e) | Reconnect existing service | \$30.00 |
| (c) | Installation fee for each additional outlet excluding pre-wiring. | \$30.00 |
| (d) | Nonstandard installation other than residential | negotiated on an individual basis |
| (e) | Lateral electronic change from digital package to another digital package. | \$5.00 |
| (f) | Activation fee for pre-existing outlet <u>within a commercial building.</u> Each additional outlet | \$20.00 \$5.00 |
| (g) | Reconnection of service terminated for non-pay of utilities. | \$35.00 |
| (h) | Service call request by subscriber for situations not occasioned by | |

malfunction of city-furnished equipment or malfunction of workmanship performed by a city employee or occasioned by abuse of service or equipment. \$48.00

- per hour with minimum of one hour plus materials
Shall be billed per each one-quarter hour after first hour

(j) (i) Fee for "fishing wall" in addition to additional outlet charge. \$50.00

~~(k) (j) Trip fee to accounts outside city limits. Charge is "per trip" in addition to any other of the above services. \$20.00~~
Replacement remote control \$10.00

(h) (k) Underground service installations up to 200 feet. (If customer has ditch left open, conduit in place or buries their own wire that meets required specifications, charge will be same as for aerial installation). \$110.00

~~(m) (l)~~ M-Card (Purchase Option) \$60.00

Residential pre-wire Pre-Wire Services

(a) ~~Installation of new service requiring more than 200 feet of drop service. Commercial properties~~ negotiated on an individual basis

(b) Outlets (single and multi-dwelling units) \$20.00 \$30.00 each per outlet
\$80.00 \$90.00 minimum

~~(e) Activation fee for pre-wired home. \$25.00~~

Apartment pre-wire

(a) Activation charge for tenant \$25.00

(2) MONTHLY CHARGES

(a) Basic Service *

(b) ~~Extended Expanded Basic residential service for one television receiver (requires subscription to basic service)~~ *

~~1. Charge for optional channels—Encore and Western Channel for each single residential unit.~~

~~(e) Digital Gateway (includes one (1) set top box, PPV capability and 30 DMX channels) Gateway Service(s) for privately owned equipment~~ *
*

~~(d) (c) Digital tier packages (* must subscribe to digital Gateway) (requires set-top box)~~
Digital Basic *
~~Movie Pak STARZ~~ *
HBO Pak *
Showtime Pak *
Cinemax Pak *

* as published in City's established information and established Residential and/or Commercial rate sheets with retransmission surcharges included on rate sheets.

~~* A \$5 per month increase shall become effective August 2012 on the Expanded Basic Cable, Digital Cable and High Speed Internet Bundled Package, and Full Package Bundle~~

~~* A \$5 per month increase shall become effective August 2013 on the Expanded Basic Cable, Digital Cable and High Speed Internet Bundled Package, and Full Package Bundle~~

| | | |
|---------|--|-------------------------|
| (e) | Remote control <u>all</u> converter box per television receiver— | \$5.00 |
| (f) (d) | Basic service <u>bulk rate</u> for hotels, motels, <u>jails, hospitals,</u> detention centers, <u>and multi-dwelling units</u> per each room | * |
| (g) (e) | Expanded basic service <u>bulk rate</u> inclusive for hotel, motels, <u>jails, hospitals,</u> detention centers, <u>and multi-dwelling units</u> per each room. | * |
| (h) (f) | Additional charge <u>Bulk rate</u> for HBO, Showtime, <u>STARZ,</u> and Cinemax channels inclusive for hotels, motels, <u>jails, hospitals,</u> detention centers, <u>and multi-dwelling units</u> per each room. | \$5.00 * |
| (i) | Multiple occupancy bulk rate expanded basic service (convalescent homes, hospitals and the like) 1 to 59 beds | * |
| | 60 to 100 beds | * |
| (j) (g) | And a monthly <u>Rental</u> fee for each remote control converter box <u>set-top box</u> furnished | \$5.00 * |
| (k) (h) | HD set-top with Gateway HD DVR with Gateway TIVO DVR with Gateway M-Card – Rental Option | * * * * \$4.95 |
| (i) | <u>Cable Modem Maintenance Fee</u> | * |

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(3) OTHER CHARGES

(a) Lease of time on public access channel:

| | |
|-----------------------|-------------------|
| Minimum set-up charge | \$25.00 |
| 14 minutes or less | \$2.00 per minute |
| 30 minutes or less | \$3.00 per minute |
| 45 minutes or less | \$4.00 per minute |
| 60 minutes or less | \$5.00 per minute |

(b) Video taping of event for either simultaneous or later broadcast by City personnel with City equipment

| | |
|------------------------------|----------------------------------|
| during normal business hours | \$ 35.00 per hr. 2 hr. min.** |
| during non-business hours | \$ 52.50 per hr. 2 hr. min.** |

** Any time over two (2) hours - \$12.00 per 15 minute increment.

(c) Charge for repair of damaged fiber lines

| | |
|----------------|--------------------|
| 1. Aerial | \$125.00 per fiber |
| 2. Underground | \$150.00 per fiber |

(4) CITY PROPERTY

- (a) All converters and other devices placed by the city into the possession of a subscriber shall remain the property of the city and upon termination of service shall be returned to the city in as good order as when received, ordinary wear and tear excepted. All devices must be returned within five business days or cost of equipment charges will be accessed to subscriber's account.
- (b) All one-time charges shall be paid to the City Clerk/Treasurer prior to furnishing of such service.
- (c) All monthly charges for services shall be paid in advance to the City Clerk/Treasurer and if such charges are not paid on or before the fifteenth of each month such service shall be terminated by employees of the city without further notice.
- (d) A 3% telecommunications tax shall be added to accounts of all telecommunications/cable TV service customers, pursuant to K.R.S. 136.616

~~(5) INTERNET SERVICE~~

- ~~(a) Internet Service Monthly -\$39.95***~~
- ~~(b) Internet Service installation:~~
 - ~~Option A: includes cabling, software, installer visit and verification of performance to the modem up to one (1) hour. \$45.00***~~
 - ~~Option B: includes cabling, software, installer visit and complete connection of customer's computer with demonstration up to one (1) hour -\$75.00***~~
 - ~~Option A & B - Any time over one (1) hour - \$12.00 per 15 minute increment.~~

~~*** Existing wiring must meet specifications for internet cabling and customer's computer must meet software system requirements and have appropriate hardware.~~

~~(6) (5) The City Council Mayor may, by resolution, temporarily suspend or modify the charges for services from time to time as a promotional incentive to expand the subscriber base of the system.~~

~~(7) Cable/High Speed Internet Package (includes: Internet, Digital Gateway and any one (1) Digital tier). \$85.95~~

~~(8) Full Package (includes Internet and all channels offered) \$129.95~~

~~(9) (6) INTERNET PRICING~~

| | Residential Price* | Commercial Price * |
|---|--------------------------|---------------------------------------|
| 1M/384K 2 Mbps/2 Mbps | * | * |
| 10M/1M Speed 20 Mbps/2 Mbps | * | * |
| 20M/1.5M Speed 30 Mbps/3 Mbps | * | * |
| 50M/5M Speed 60 Mbps/6 Mbps | * | * |
| 100 Mbps/10 Mbps | * | * |
| Static IP Address each | \$6.00 | \$6.00 |
| Additional E-mail each | \$3.95 | Not offered |
| E-mail Only Accounts each | \$3.95 \$4.95 | Not offered |
| E-mail Only Accounts bundle | 5 for \$15 | Not offered |
| Internet Security Software License (1 st computer included with monthly service. Each additional computer will be \$2 .00 per license per month) | | |
| <u>Commercial Dedicated Internet Access and Point-to-Point Services</u> | | <u>Negotiated on individual basis</u> |

| <u>Additional Web Hosting Pricing and Features</u> | <u>Value Pro</u> | <u>Enhanced Pro</u> | <u>Premium Pro</u> |
|--|------------------|---------------------|--------------------|
| Retail Set up Fee | \$24.95 | \$24.95 | \$24.95 |
| Retail Monthly Fee | \$16.95 | \$34.95 | \$59.95 |
| Web Space | 240 MBs | 400 MBs | 600MBs |
| | 10 GBs/ | 20 GBs/ | 30 GBs |
| Data Transfer | Month | Month | Month |
| E-mail Accounts | 15 | 50 | 150 |
| Auto Responders | 15 | 50 | 150 |
| E-Mail Aliases & Forwards | Unlimited | Unlimited | Unlimited |
| Control Panel | YES | YES | YES |
| 24 x 7 Tech Support | YES | YES | YES |
| Spam Scanning | YES | YES | YES |
| Virus Scanning | YES | YES | YES |
| Web Hit Statistics | YES | YES | YES |
| Front Page@Extensions | YES | YES | YES |
| MYSQL Database | YES | YES | YES |
| Languages | Perl, PHP | Perl, PHP | Perl, PHP |
| Nuke | YES | YES | YES |
| Preconfigured CGI Scripts | YES | YES | YES |

| | | | |
|---------------------------|----------------|----------------|----------------|
| Anonymous FTP | NO | YES | YES |
| Secure Server | NO | YES | YES |
| Chat | NO | YES | YES |
| Bulletin Board | NO | NO | YES |
| Shopping Cart | NO | NO | YES |
| Sub-domains | 300 | 300 | 300 |
| Parked Domains | NO | 3 | 6 |
| Add-on Domains | NO | NO | 3 |

* as published in City's established information and established Residential and/or Commercial rate sheets with retransmission surcharges included on rate sheets.

~~** If bandwidth usage is excessive over two consecutive months, additional charges may apply from the end of the second month forward as an additional monthly charge.~~

~~(10)~~ **(7) All appropriate and required taxes shall be added to all customer bills.**

~~(11)~~ **(8) COPIED ITEMS**

DVD Copies \$12.95

~~(12)~~ **(9) ACCESS CHANNEL PRICING**

Personal Message by Individual Text Only \$15.00
 Personal Message by Individual Picture File Only* \$15.00
 Personal Message by Individual Text & Picture* \$15.00
 Business, political or other entity Text Only \$25.00
 Business, political or other entity Picture File Only* \$25.00
 Business, political or other entity Text & Picture* \$25.00
 Any individual, business, political or other entity can agree to run 6 weeks of advertising at a 10% discounted rate.

* Picture Files are as provided by the customer and unedited. The file may contain text.

~~(13)~~ **(10) WIRELESS RATES**

ONE TIME CHARGES

Installation:

~~Equipment upgrade if necessary to receive higher speed tier *~~

No Contract Required: (includes \$75.00 installation) * \$299.00

One-Year Contract: (includes \$75.00 installation) * \$199.00

Two-Year Contract: (includes \$45.00 installation) * \$99.00

~~Trip Charge Outside City Limits on all Calls Other than Installation *~~

MONTHLY CHARGES

Wireless Internet Service: (includes five e-mail accounts, 24/7 support) *

~~Optional~~ Maintenance Fee to Cover Equipment *

* as published in City's established information and established Residential and/or Commercial rate sheets with retransmission surcharges included on rate sheets.

~~(14) (11) CHANGE TO REGULAR INTERNET SERVICE* - DIGITAL VOICE SERVICES*~~

~~Optional Maintenance Fee to Cover Equipment Replacement (per month) \$2.00~~

Residential Phone Service *
Commercial Phone Services negotiated on an individual basis

* as published in the City's established Rate Card and shall be amended from time to time to reflect changes through increases/decreases on equipment costs. Said Rate Card is incorporated herein by reference.

SECTION II

This Ordinance and Section 10.04 of the Williamstown Code of Ordinances are hereby amended as follows:

A. In computing any period of time prescribed or allowed by Order of Court or by any applicable ordinance the day of the act, event or default after which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included unless it is Saturday, a Sunday, a legal holiday, or a day on which the public office in which a document is required to be filed is actually and legally closed in which event the period runs until the end of the next day which is not one of the days just mentioned...If the day thereby computed on which or by which the act is required to be done falls on a Saturday, Sunday, legal holiday or a day on which the public office in which the act is required to be completed is actually and legally closed, the act may be done on the next day which is none of the days just mentioned, and shall be paid by the close of business to the City of Williamstown in which its business office is legally opened.

B. If any proceeding is directed by law to take place or any act is directed to be done on a particular day of the month and that day is Sunday, the proceeding shall take place, or the act shall be done, on the next day that is not a legal holiday by the close of business that the City offices are legally opened.

SECTION III

The remaining provisions of the Ordinances amended shall remain in full force and effect as long as they remain valid in the absence of those provisions determined to be invalid and the provisions of this ordinance shall not affect their validity.

SECTION IV

The provisions of this Ordinance are severable and the invalidity of any provision of the Ordinance shall not affect the validity of any other provision thereof, and such other provisions shall

remain in full force and effect as long as they remain valid in the absence of those provisions determined to be invalid.

SECTION V

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION VI

This Ordinance shall be effective as soon as possible according to law and shall be published in full pursuant to K.R.S. 83A-060(9).

Rick Skinner, Mayor
City of Williamstown, Kentucky

ATTEST:

Vivian Link, City Clerk/Treasurer

2017-05

1st Reading 05/16/17

2nd Reading 06/05/17

Publication 06/15/17

MONTHLY RATES

CABLE TV PRICING (Residential)

per house/apartment

RETRANSMISSION FEE \$11.19
(applicable to all Cable service subscribers)

BASIC CABLE SERVICE \$15.95
(foundation for all service levels)

EXPANDED BASIC CABLE SERVICE \$44.95
(requires subscription to Basic Cable service)

DIGITAL TIER SERVICES

(requires set-top box and subscription to both Basic Cable service and Expanded Basic Cable service levels)

CINEMAX PACK \$10.95

DIGITAL BASIC PACK \$12.95

HBO PACK \$16.95

SHOWTIME PACK \$12.95

STARZ PACK \$12.95

SET-TOP BOXES

DTA Converter box \$2.00

SD box \$4.95

HD box \$4.95

HD-DVR box \$9.95

TiVo box \$17.95

CABLE TV PRICING (Bulk Rate for Multi-Unit Commercial)

RETRANSMISSION FEE \$11.19 x Number of "Equivalent Units"
(applicable to all Cable service subscribers)

BASIC CABLE SERVICE \$5.00 per room
(foundation for all service levels)

EXPANDED BASIC CABLE SERVICE \$3.00 / \$1.50* per room
(requires subscription to Basic Cable service)

*If customer receives internet service through Williamstown Cable, then they receive lower rate

DIGITAL TIER SERVICES

(requires subscription to both Basic Cable service and Expanded Basic Cable service levels)

| | |
|----------------------|-----------------|
| CINEMAX PACK | \$5.00 per room |
| HBO PACK | \$5.00 per room |
| SHOWTIME PACK | \$5.00 per room |
| STARZ PACK | \$6.00 per room |

INTERNET PRICING (Residential & Commercial)

per modem

INTERNET SERVICE

| | |
|-----------------------|---------|
| 2Mbps/2Mbps | \$13.95 |
| 20Mbps/2Mbps | \$39.95 |
| 30Mbps/3Mbps | \$49.95 |
| 60Mbps/6Mbps | \$64.95 |
| 100Mbps/10Mbps | \$79.95 |

INTERNET MAINTENANCE FEE

\$3.95

(applicable to all internet subscribers – covers replacement of modem/wiring/fittings, as necessary)

SKYWIRE PRICING

per radio

INTERNET SERVICE

| | |
|------------------------|---------|
| Up to 1Mbps | \$39.95 |
| 1.01Mbps-5Mbps | \$44.95 |
| 5.01Mbps-10Mbps | \$49.95 |

INTERNET MAINTENANCE FEE

\$3.95

(applicable to all Skywire subscribers – covers replacement of radio/antenna/etc., as necessary)

PHONE PRICING (Residential)

per phone number

PHONE SERVICE

\$39.95

MONTHLY DISCOUNTS

Customer may qualify for any combination of A, B and/or C

A - CABLE TV SERVICE & INTERNET SERVICE

(customer may qualify for only one of the following in this category)

| | |
|---|-------------|
| BASIC CABLE with/without EXPANDED BASIC CABLE - <i>plus</i> - INTERNET | \$5.00 off |
| ANY DIGITAL TIER CATV SERVICE - <i>plus</i> - INTERNET | \$10.00 off |
| FULL CATV PROGRAMMING - <i>plus</i> - INTERNET | \$25.00 off |

B - TiVo RENTAL & INTERNET SERVICE

| | |
|---|-------------|
| TiVo RENTAL - <i>plus</i> - INTERNET | \$10.00 off |
|---|-------------|

C - PHONE SERVICE & INTERNET SERVICE

| | |
|---|-------------|
| PHONE SERVICE - <i>plus</i> - INTERNET | \$10.00 off |
|---|-------------|