

*Ord 584 granted
permit to Mtn States
Video, Aug, 1967*

ORDINANCE NO. 591

AN ORDINANCE REQUIRING A PERMIT FROM THE CITY COUNCIL OF THE CITY OF GOLDEN TO INSTALL, OPERATE AND MAINTAIN A COMMUNITY ANTENNA TELEVISION SYSTEM WITHIN THE CITY, PROVIDING FOR THE APPLICATION THEREOF, AND SETTING FORTH PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GOLDEN,
COLORADO:

Section 1. No person, firm, corporation or organization shall install, operate and maintain a community antenna television system within all or any portion of the City of Golden without first obtaining a permit therefor from the City Council of the City of Golden. "Community antenna television system" as used in the ordinance means any facility which receives directly over the air and amplifies or otherwise modifies the signals transmitting programs broadcast by one or more television stations and distributes such signals by wire or cable to subscribing members of the public who pay for such service; but such term shall not include any facility which services only the residents of one or more apartment dwellings or office buildings under common ownership, control or management.

Section 2. Application to install, operate and maintain a community antenna television system shall be made by the person, firm, corporation or organization, or their duly designated agent to the City Council. Such application shall contain the following information:

- (a) The name and address of the applicant, and should the application be a corporation, the names and addresses of all officers and directors of such corporation;
- (b) An outline of the general construction and operating plans of the applicant;
- (c) A schedule or rates and charges for all services;
- (d) A proposed schedule for the construction of the system and the commencement of service.
- (e) A list of communities presently being served by the applicant in the State of Colorado and a list of any community where an application is pending.

Section 3. The City Council, upon finding that the application is consistent with the public interest, safety and welfare, may grant by ordinance a permit for such application in whole or in part, subject to such agreements, conditions, charges, assessments and taxes as the City Council may impose upon the applicant.

Section 4. All construction of lines, cables, or other apparatus in the streets, alleys or public places of the City of Golden pursuant to the grant of a permit shall be under the supervision and in accordance with the specifications and regulations provided for such work by the City Engineer.

Section 5. The installation, operation or maintenance of a community antenna television system without a permit therefor as herein provided is declared to be a nuisance and a trespass upon the public property. Additionally, any person, firm, corporation or organization who shall be convicted of a violation of any provisions of this ordinance shall, for each offense, be fined in a sum not more than Three Hundred Dollars (\$300.00) or imprisoned not to exceed ninety (90) days, or both so fined and imprisoned.

Section 6. In the event that any section or provision of this ordinance shall be held to be unconstitutional or invalid, the same shall not be held to affect any other section or provision of the ordinance.

Introduced, read and ordered published this _____ day of _____, 1968.

Adopted and approved and ordered published this _____ day of _____, 1968.

Mayor

ATTEST:

City Clerk

Approved as to form:

Frederick J. Pattridge, City Attorney, Acting