

RESOLUTION 148

WHEREAS, the Federal Communications Commission has adopted new rules as contained in Title 47, CFR, Part 76.309 implementing Section 8 of the Cable Television Consumer Protection and Competition Act of 1992; and

WHEREAS, the City of Chesterfield is considering the adoption of a new ordinance that follows the Federal Consumer Service Standards; and

WHEREAS, any cable operator, which would include the City of Chesterfield, must give ninety (90) days written notice of its intent to enforce the FCC standards;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

1. The City of Chesterfield give ninety (90) days notice of the intent to enforce the Consumer Service Obligations as set forth in Section 76.309 of the Rules of the Federal Communications Commission, Title 47, CFR, Part 76, Subpart H (General Operating Requirements).

2. The City of Chesterfield continue enforcement of all other existing consumer service obligations imposed by federal or state law, local ordinance or by the franchise, unless specifically amended or waived in writing.

3. The City Attorney is directed to draft an appropriate enforcement mechanism for these consumer service obligations which will unilaterally modify the existing cable television franchise to assure compliance and fairness of the cable operator and subscribers which could include credits, refunds, fines and civil or criminal penalties.

4. This Resolution is passed and approved this 15TH day of NOVEMBER, 1993.


MAYOR

ATTEST:


CITY CLERK