

ORDINANCE NUMBER: 78-57

INTRODUCED BY: COMMISSIONER BYRD

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING ORDINANCE NO. 70-4, AS PREVIOUSLY AMENDED, WHICH GRANTED A NON-EXCLUSIVE FRANCHISE TO GATEWAY CABLE T.V., INC. TO OPERATE AND MAINTAIN A COMMUNITY ANTENNA TELEVISION SYSTEM IN THE COUNTY OF ST. JOHNS; THIS AMENDMENT PROVIDES THE PROCEDURE FOR RATE INCREASES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND PROVIDING TIME FOR TAKING EFFECT.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

Section 1. That Section III of Ordinance 70-4, as previously amended, be, and the same is hereby amended to read as follows:

"Section III. Rates to Customers. The Company may make such charges for its services as are fair and reasonable. Rates and installation fees to be charged by the Company shall be filed with the Board of County Commissioners. Prior to any increases in its rates, the Company shall file the new rate schedule with the Board of County Commissioners 60 days in advance of the intended effective date and shall provide the Commission with whatever reasonable financial data pertaining to rate increase that the Commission may require. This data shall be provided at the Company's expense.

Within fifty (50) days after said filing, the Board of County Commissioners may hold a public hearing for the purpose of deciding whether such rates are fair and reasonable. If the Board of County Commissioners deem it necessary to protect the public interest, it may thereupon establish just and reasonable rates and installation fees to be charged by the Company. The revised rates, whether determined by the Board of County Commissioners after public hearing or as proposed by the Company and for which no public hearing is called shall become effective without the necessity of an ordinance or ordinance amendment at the end of the initial sixty (60) day notice period. In the event that the Company fails to provide the requested financial data, there shall be no rate increase without the express written consent of the Commission.

The rates to be charged by the Company shall never exceed those authorized and approved by the City of St. Augustine, Florida or the City of St. Augustine Beach.

The Company shall file no more than one rate increase application within any 365 day period.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall take effect immediately upon receipt of official acknowledgment of the Office of the Secretary of State, to the Clerk of the Board of County Commissioners, that same has been filed.

PASSED by the Board of County Commissioners of St. Johns County, State of Florida, this 12th day of September, A.D., 1978.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: 
Its Chairman

ATTEST:


Deputy Clerk

The St. Augustine Record
 PUBLISHED EVERY AFTERNOON EXCEPT SUNDAY
 ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,
 COUNTY OF ST. JOHNS }

Before the undersigned authority personally appeared _____
Robert E. James who on oath says that he is
Advertising Manager of the St. Augustine Record, a
 daily newspaper published at St. Augustine in St. Johns County, Florida;
 that the attached copy of advertisement, being a Legal Notice
Board of County Commissioners Meeting
 _____ in the matter of _____
Gateway Cable TV
 _____ in the _____ Court,
 was published in said newspaper in the issues of _____
August 11, 1978

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper has heretofore been continuously published in said St. Johns County, Florida, each day, except Sundays, and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me
 this 12th day of September

A.D. 19 78
Walter M. Lloyd
 (SEAL) Notary Public

Notary Public, State of Florida, to be
 My Commission Expires Oct. 2, 1980
 Bonded By American Fire & Casualty Company

COPY OF ADVERTISEMENT

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON SEPTEMBER 12, 1978, AT 9:15 O'CLOCK A.M. IN THE COUNTY COMMISSIONERS ROOM, ST. JOHNS COUNTY COURTHOUSE, ST. AUGUSTINE, FLORIDA, WILL HOLD A PUBLIC HEARING TO CONSIDER THE PASSAGE OF THE FOLLOWING ORDINANCE:
 AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING ORDINANCE NO. 70-4, AS PREVIOUSLY AMENDED, WHICH GRANTED A NON-EXCLUSIVE FRANCHISE TO GATEWAY CABLE T.V., INC. TO OPERATE AND MAINTAIN A COMMUNITY ANTENNA TELEVISION SYSTEM IN THE COUNTY OF ST. JOHNS; THIS AMENDMENT PROVIDES THE PROCEDURE FOR RATE INCREASES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND PROVIDING TIME FOR TAKING EFFECT.
 The proposed Ordinance is on file in the office of the Clerk of the Circuit Court, St. Johns County, Florida, St. Johns County Courthouse, and may be examined by parties interested prior to said public hearing.
 All parties having any interest in said Ordinance will be afforded an opportunity to be heard at the public hearing.
 Dated this 9th day of August, 1978
 BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA
 BY: OLIVER LAWTON
 Its Clerk
 Ag11-L649Adv



Secretary of State

STATE OF FLORIDA
THE CAPITOL
TALLAHASSEE 32304

'78 SEP 19 AM 7 57

LET. CIRCUIT COURT

Jesse J. McCrary, Jr.
SECRETARY OF STATE

September 15, 1978

Honorable Oliver Lawton
Clerk of the Circuit Court
St. Johns County
P.O. Drawer 300
St. Augustine, Florida 32084

Dear Mr. Lawton:

Pursuant to the provisions of Section 125.66 Florida Statutes,
this will acknowledge:

- 1. Receipt of your letter/s of September 13, 1978
and certified copy/ies of St. Johns County
County Ordinance/s No. /s 78-57.
- 2. Receipt of an original/l's and certified copy/ies of
County Ordinance/s No. /s
- 3. Receipt of County Ordinance/s
relative to
- 4. We have filed this/these Ordinance/s in this office
September 15 1978.
- 5. We have numbered this/these Ordinance/s
and was/were filed in this office
1978.
- 6. The original/duplicate copy/ies showing filing date is/are
being returned for your records.

Cordially,

Nancy Kavanaugh
(Mrs.) Nancy Kavanaugh
Chief, Bureau of Laws

NK/