

ORDINANCE NO. 2370

AN ORDINANCE TO AMEND CHAPTER 50, SECTIONS 50-1 AND 50-2 OF THE MUNICIPAL CODE OF THE CITY OF YORK, NEBRASKA TO AMEND THE FRANCHISE FEE AND THE PAYMENT DUE DATES FOR CABLE TELEVISION AND TELEPHONE SERVICE PROVIDERS; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE FOR THIS ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF YORK, NEBRASKA:

Section 1. That Section 50-1 of Chapter 50 of the Municipal Code of the City of York, Nebraska is hereby amended to read as follows:

Section 2. Section 50-1. Cable television franchise fee.

In consideration of the existing franchise and as compensation to the city for the use of its streets and public places, each provider of cable television service in the city shall pay to the city four percent of the provider's gross subscriber revenues per year derived from subscriber services in the city. Such annual sum shall be payable one-half thereof at the end of each semi-annual period. The semi-annual anniversary shall be the last day of March 31 and September 30 of each year, and the semi-annual payment shall be paid within one hundred twenty days thereafter.

Section 3. That Section 50-2 of Chapter 50 of the Municipal Code of the City of York, Nebraska shall be amended to read as follows:

Section 4. Section 50-2. Franchise fee on telephone companies; exemption.

(a) All telephone companies and mobile telecommunications services doing business in the city are required to pay a franchise fee to the city in an amount equal to four percent of the gross receipts from the legally established basic monthly charges collected for local exchange telephone service to subscribers within the city, intrastate message toll telephone service and mobile telecommunications services for revenue in the city. There shall be exempted from the provisions of this chapter all receipts for telephone service to the United States government or any of its departments, and all receipts from the state or any of its departments, and no part or portion of the fee provided for in this article shall be levied upon or assessed against or taken from the United States government, the government of the state, or any of either of their departments.

(b) As used in this section, the term "mobile telecommunication service" means a wireless communication service carried on between mobile

stations or receivers and land stations, and by mobile stations communicating among themselves, and includes:

- (1) Both one-way and two-way wireless communications services;
- (2) A mobile service which provides a regularly interacting group of base, mobile, portable and associated control and relay stations, whether on an individual, cooperative, or multiple basis for private one-way or two-way land mobile radio communications by eligible users over designated areas of operations; and
- (3) Any personal communications service.

Section 5. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 6. This ordinance shall take effect and be in full force from and after its passage, approval and publication as required by law.

PASSED AND APPROVED by the York City Council this 15 day of August, 2024.



Barry Redfern, Mayor

ATTEST:



Amanda Ring, York City Clerk

