ORDINANCE NO. 4401

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, TO APPROVE AMENDMENTS TO CHAPTER 7, "CABLE TELEVISION," OF THE SCOTTSDALE REVISED CODE BY AMENDING SECTIONS AND ADDING NEW SECTIONS.

WHEREAS, the City of Scottsdale desires to continue to accommodate community needs for cable television systems and video services while also balancing the City's need to manage and care for the public rights of way and to receive fair and reasonable compensation for use of the rights of way;

WHEREAS, the City of Scottsdale further desires to amend the provisions of Chapter 7 to provide clarity of language and improve the operations of the of the City;

BE IT ORDAINED by the Council of the City of Scottsdale as follows:

Section 1.

Chapter 7 of the Scottsdale Revised Code, relating to Cable Television is amended in accordance with the provisions of Resolution No. 11484 with an outline of the provisions that may be affected below:

ARTICLE I. - GENERAL
    Sec. 7-1. - Definitions.
    Sec. 7-5. - Reserved.
    Sec. 7-7. - Public notice.
    Sec. 7-15. - Other petitions and applications.
    Sec. 7-16. - Reports.
    Sec. 7-17. - Performance evaluation sessions.
    Sec. 7-18. - Rates and charges.

ARTICLE II. - ACQUISITION OF RIGHT-OF-WAY
    Sec. 7-31. - Required; nonexclusive; other licenses.
    Sec. 7-32. - Application.
    Sec. 7-33. - Agreement and incorporation of application.
    Sec. 7-35 - Duration and acceptance.
    Sec. 7-46. - Renewal.
    Sec. 7-47. - Transfer.

as provided in that certain document known as "Amendments to Various Provisions of Chapter 7 of the Scottsdale Revised Code Regarding Cable Television," a paper and electronic copy of which is on file in the office of the City Clerk, which document was made a public record by Resolution No. 11484 of the City of Scottsdale, Arizona, and is hereby referred to, adopted, and made a part hereof as if fully set out in this ordinance.

17411848v1
Section 2.

If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the code adopted herein is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 3.

The effective date of this Ordinance, as it relates to the amendments to Chapter 7 of the Revised Code of the City of Scottsdale, is August 1, 2019.

PASSED AND ADOPTED by the City Council of the City of Scottsdale this 25th day of June, 2019.

CITY OF SCOTTSDALE, an Arizona municipal corporation

By: W. J. "Jim" Lane, Mayor

ATTEST:

By: Carolyn Jagger, City Clerk

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY

By: Eric C. Anderson, Senior Assistant City Attorney