

**Ordinance No. 5-09**  
**May 13, 2009**

**AN ORDINANCE SETTING THE FRANCHISE FEE TO BE PAID  
BY THOSE ENTITIES PROVIDING CABLE OR VIDEO SERVICE  
WITHIN THE TOWN'S MUNICIPAL LIMITS UNDER A STATE  
GRANTED FRANCHISE AUTHORITY AND OTHERWISE  
PROVIDING WITH RESPECT THERETO.**

**WHEREAS**, pursuant to the provisions of the Consumer Choice for Television Act of 2008, codified at LSA-RS. 45:1361 et seq. any person or entity desiring to provide cable or video services within the Town of Madisonville may do so by obtaining a state-issued certificate of franchise authority:

**WHEREAS**, pursuant to the provisions of LSA-R.S. 45:1366, the holder of a state-issued certificate of franchise authority for cable or video service is required to pay a franchise fee to a municipality in which it operates upon the passage of an ordinance by municipality setting such a fee and

**WHEREAS**, there are persons or entities which operate or desire to operate cable or video services within the Town's municipal limits.

**BE IT THEREFORE**, ordained by the Town Council of Pearl River, State of Louisiana that all persons or entities providing cable or video services to the citizens of the Town of Pearl River pursuant to the provisions of LSA-RS. 45:1366, pay the Town of Pearl River a franchise fee equal to 5% of the cable or video service provider's gross revenues, as that term is defined by the "Consumer Choice for Television Act of 2008" derived from operations within the Town's municipal limits.

**BE IF FURTHER RESOLVED**, that all ordinances and resolutions in conflict herewith are hereby repealed, except those approving any cable or video franchise agreement in force and effect between the Town and any cable or video service provider.

I certify Ordinance #5-09 was adopted by the Town Council of the Town of Pearl River at its regular scheduled Council Meeting held on Tuesday, May 12, 2009 at 7:00p.m. on motion by Alderwoman Gauley and seconded by Alderwoman Crowe with the vote thereon as follows:

YEAS: 5  
NAYS: 0  
ABSENT: 0  
ABSTAIN: 0

James Lavigne , Mayor

Diane Hollie, Town Clerk