

ORDINANCE 2021 - 014

1st reading, Introduction & Public Hearing: June 7, 2021

2nd reading, Public Hearing and Adoption: June 21, 2021

AN ORDINANCE BY THE CITY OF POWDER SPRINGS TO AMEND THE CODE OF ORDINANCES OF POWDER SPRINGS, GEORGIA TO CHANGE THE FRANCHISE FEE APPLICABLE TO HOLDERS OF CABLE OR VIDEO FRANCHISES ISSUED BY THE STATE OF GEORGIA FROM 3% TO 5%; TO PROVIDE FOR CODIFICATION; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN ADOPTION DATE; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Powder Springs ("City") currently collects a franchise fee from current cable and video providers utilizing the public rights of way as compensation for the use of the rights of way and a means of promoting the public health, safety, welfare and economic development of the City of Powder Springs and to protect public works infrastructure;

WHEREAS, the City is authorized to collect a franchise fee of up to 5%, the maximum amount established by federal and state law, of each cable or video provider's gross revenues generated within the city and intended to do so in 2009 under Ordinance 2009-005

NOW THEREFORE it shall be ordained by the Mayor and Council for the City of Powder Springs as follows:

Section 1

Sections 12-15 (a) and (b) of the Code of Ordinances of the City of Powder Springs are hereby amended by striking "3" percent and substituting "5" percent, respectively.

Section 2

The sections, paragraphs, sentences, clauses or phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared illegal by the valid judgment or decree of any court of competent jurisdiction, such illegality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance.

Section 3

All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 4

The adoption and effective date of this ordinance is June 21, 2021.

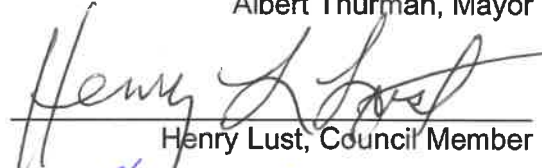
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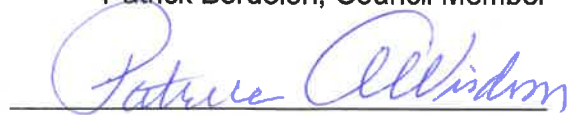

Albert Thurman, Mayor


Henry Lust, Council Member


Doris Dawkins, Council Member


Thelma C Farmer, Council Member


Patrick Bordelon, Council Member


Patricia Wisdom, Council Member

Attest: 
Kelly Axt, City Clerk