

Ordinance No. 01-01-005

AN ORDINANCE AMENDING CHAPTER 1 OF THE
CODE OF ORDINANCES OF THE TOWN OF SOUTHERN SHORES

BE IT ORDAINED by the Town Council of the Town of Southern Shores, North Carolina, that Chapter 1 of the Code of Ordinances of the Town of Southern Shores be amended as follows:

PART I. Chapter 1, Section 1-6. **General penalty etc.**, subparagraph (d), the third sentence is hereby amended to change the daily civil penalty from \$50.00 to a maximum of \$500.00 and shall read as follows:

Unless otherwise provided by a specific provision of this code, such civil penalties shall be no more than five hundred dollars (\$500.00) for each violation, and each day any single violation continues shall be a separate violation.

PART II. Chapter 1, Section 1-6. **General penalty etc.**, is hereby amended to add a new subparagraph as (d-2) which reads as follows:

(d-2) The following violations of the provisions of Chapter 13. Cable Services Regulatory Ordinance, of this Code shall subject the offender to the following specific civil penalties after a fifteen (15) calendar day written notice by the Town of its intent to assess a civil penalty:

1. For failure of a franchisee to materially complete construction or to extend service in accordance with the Cable Services Regulatory Ordinance or the Cable Television Franchise Agreement - \$250.00 for each calendar day the violation continues.
2. For failure to materially comply with requirements for Access Channels - \$250.00 for each calendar day the violation continues.
3. For failure to materially comply with the Institutional Network provisions of the Cable Services Regulatory Ordinance or the Cable Television Franchise Agreement - \$250.00 for each calendar day the violation continues.
4. For repeated, willful failure, or continuing failure, after the fifteen day written notice of the intent of the Town to assess a penalty, to submit reports, maintain records, provide documents, or provide information required or authorized to be requested by the Town - \$250.00 for each calendar day the violation continues.
5. For failure to materially comply with the requirements of any of the Customer Service Standards. Failure to comply with each single standard is a separate violation - \$250.00 for each calendar day the violation continues.

6. For failure to comply with the Sale and Transfer provisions of the Cable Services Regulatory Ordinance or the Cable Television Franchise Agreement - \$250.00 for each calendar day the violation continues.
7. For violation of any provision of the Cable Services Regulatory Ordinance or the Cable Television Franchise Agreement which requires the franchisee to do, perform, construct, comply or to refrain from or not do, perform or construct any act or thing - \$250.00 for each calendar day the violation continues.
8. For operating a cable television system or any other service or system in the Town for which a franchise agreement is required by the Cable Services Regulatory Ordinance without having a Cable Television Franchise Agreement with the Town - \$500.00 for each calendar day the violation continues.

PART III. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

PART IV. This ordinance shall be in full force and effect from and after the 2nd day of January, 2001.

ATTEST:

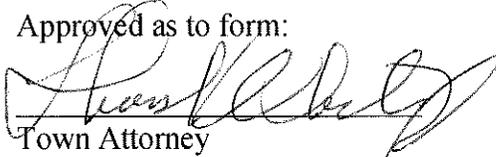


Carrie Gordin, Town Clerk



Paul Sutherland, Mayor

Approved as to form:



Town Attorney