

## CHAPTER 6 - CABLE COMMUNICATION SYSTEMS

### Sec. 6-30. Access and public safety channels.

(a) *Channel Capacity.* As provided in the License the Licensee shall provide channel capacity for one (1) public safety channel dedicated to the City fire and police departments, two (2) governmental Access Channels dedicated to the City, and two (2) education Access Channels dedicated to all Schools within the City.

(b) *Channel Management.* The operation of the public safety channels, all government Access Channels and all education Access Channels shall be the responsibility of the City.

(c) *Additional Access Channels.* A Licensee shall, upon receipt of written notice from City, make an additional educational or government Access Channel available for the same purpose(s) within sixty (60) days when (provided, however, that nothing in this Subsection shall require Licensee to construct additional channel capacity to the Cable System for the sole purpose of providing additional Access Channel capacity):

(1) Any Access Channel is being programmed more than twelve hours per day, seven days a week with original or taped access programming with a maximum of four (4) replays (excluding digital text programming) for twelve (12) consecutive weeks.

(2) The average viewership requirement for any Access Channel is met. The average viewership requirement is met when an Access Channel has an average viewership in the City for the preceding six (6) months as measured for twelve hours per day (excluding periods of digital text programming), by a viewership methodology mutually agreeable to Licensor and Licensee, which is greater than the mean viewership in households per channel of the one-quarter (1/4) of all of Licensee's non-premium with the lowest viewership during said six months, and initially, mean viewership shall be measured in household rating points by a nationally recognized viewership polling company. Until Licensor and Licensee agree otherwise, that company shall be A.C. Nielsen. Once Licensee has installed and implemented the capability to determine channel-by-channel viewership over the Cable System itself, mean viewership shall thereafter be determined from the Licensee's records. Licensee shall notify Licensor in writing when it implements this capability, and Licensee shall permit Licensor to audit those viewership records for the purpose of determining Licensee's obligations under this Section.

(d) *Additional Public Safety Channel.* A Licensee shall, upon receipt of written notice from City, make one additional public safety available up to a total maximum of two (2) additional channels, for the same purpose(s) within sixty (60) days (provided, however, that nothing in this Subsection shall require Licensee to construct additional channel capacity to the Cable System for the sole purpose of providing additional public safety channel capacity) when the existing public safety channel is being programmed more than twelve hours per day, Monday through Friday, (excluding digital text programming) for twelve (12) consecutive weeks.

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(e) *Excess Capacity.* The Licensee may be permitted to utilize unused Access Channel capacity under rules and procedures established by the City.  
(Ord. No. 95-13, 3/7/95, Enacted)