

CHAPTER 6 - CABLE COMMUNICATION SYSTEMS

Sec. 6-86. Administrative hearing.

- (a) Within fifteen (15) days of:
 - (1) Receipt of notice of contest pursuant to Section 6-85(b)(1),
 - (2) Expiration of the response time referred to in Subsections 6-62(g) or 6-85(c),
or
 - (3) Notice from Licensee that it contests an audit determination of License Fees under Section 6-26(d),

an administrative hearing shall be scheduled by the City Manager. This shall be a public hearing, and Licensee shall be afforded full due process, including, without limitation, an opportunity to be heard, to present evidence and to cross examine witnesses. Within fifteen (15) days after the conclusion of such hearing, the City Manager shall issue a determination. In that determination the City Manager may:

- (4) Find that Licensee is not in violation of the terms of the License;
- (5) Find that the Licensee is in violation, but that such violation was with just cause and waive any liquidated damages that might otherwise be imposed;
- (6) Find that Licensee is in violation of the terms of the License, take corrective action and foreclose on all or any appropriate part of the letter of credit provided pursuant to Section 6-83;
- (7) Find that Licensee is in violation of the terms of the License and impose liquidated damages;or
- (8) In the case of a material violation recommend that the City Council terminate the License, provided that the City Council may take action on any such recommendation only after a public hearing as set forth in Section 6-87.

(b) If the City Manager determines that Licensee has committed a violation, the determination shall be accompanied by a detailed statement of reasons for the determination, including findings of fact.

(c) The decision of the City Manager shall become final unless Licensee requests a public hearing before the City Council within fifteen (15) days of its receipt of the statement of reasons and findings of fact by the City Manager.

(Ord. No. 95-13, 3/7/95, Enacted)