

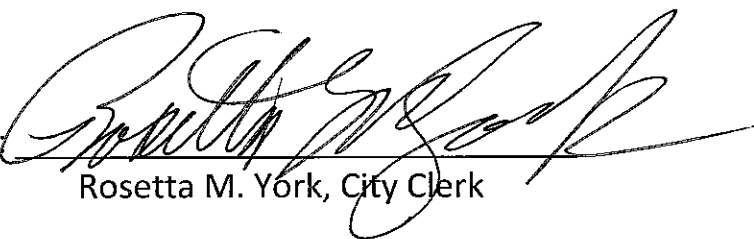
CITY OF NEWTON
JASPER COUNTY, ILLINOIS

ORDINANCE NO. 15-10
CABLE & VIDEO CUSTOMER PROTECTION LAW

ADOPTED BY THE
CITY COUNCIL
OF THE
CITY OF NEWTON
THIS 4th DAY OF AUGUST, 2015

PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE CITY COUNCIL OF THE
CITY OF NEWTON, JASPER COUNTY, ILLINOIS, THIS 4th DAY OF AUGUST, 2015.

ATTEST



Rosetta M. York, City Clerk

ORDINANCE NO. 15-10

CABLE & VIDEO CUSTOMER PROTECTION LAW

WHEREAS, the City of Newton, Jasper County, Illinois, ("CITY"), is a non-home rule municipality, duly established and operating in accordance with the provisions of the Illinois Municipal Code (Section 5/1-1-1 et seq. of Chapter 65 of the Illinois Compiled Statutes, the "Illinois Municipal Code"); and

WHEREAS, the CITY has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and that protect the public health, safety, and welfare of its citizens; and

WHEREAS, this Ordinance is adopted pursuant to the Cable and Video Customer Protection Law (220 ILCS 5/70-501) authorizing the City to enforce all of the customer service and privacy protection standards of the Section; and

WHEREAS, the City desires to enforce the customer service and privacy protection standards with respect to complaints received from residents as provided by the Cable and Video Customer Protection Law.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Newton, Jasper County, Illinois, as follows:

Section I. Recitals. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section II. Adoption of Cable and Video Customer Protection Law 220 ILCS 5/70-501. Chapter 8 of the Revised Code of Ordinances of the City of Newton shall be established by the addition of Article II that will read as follows:

[See Exhibit "A"]

Section III. Severability of Provisions. Each section, paragraph, sentence, clause and provision of this Ordinance is severable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of the Ordinance, nor any part thereof, other than that part affected by such decision.

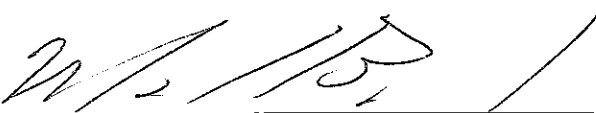
Section IV. Effective. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

Section V. Passage. Passed this 4th day of August, 2015 by the City Council of the City of Newton, Jasper County, Illinois, and deposited and filed in the office of the City Clerk in said City on that date.

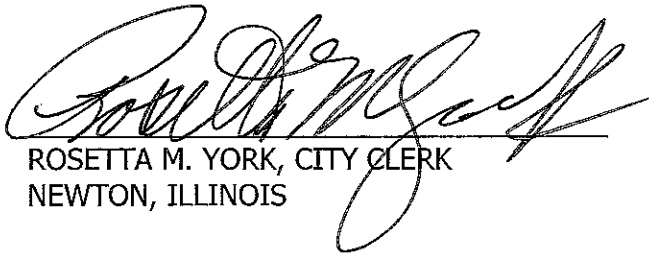

ROSETTA M. YORK, CITY CLERK
NEWTON, ILLINOIS

NAME	AYE	NAY	ABSTAIN	ABSENT	CONFLICT
David Brown	X				
Larry Brooks	X				
Robert Reisner	X				
Eric Blake	X				
Scott Bloomberg				X	
Stephen Rubsam	X				

Approved by the Mayor of the City of Newton, Jasper County, Illinois, this 4th day of August, 2015.


MARK BOLANDER, MAYOR
NEWTON, ILLINOIS

ATTEST:


ROSETTA M. YORK, CITY CLERK
NEWTON, ILLINOIS

(SEAL)

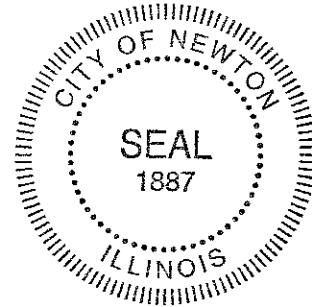


EXHIBIT "A"

ARTICLE II - CABLE AND VIDEO CUSTOMER PROTECTION LAW

8-2-1 CUSTOMER SERVICE AND PRIVACY PROTECTION LAW.

(A) **Adoption.** The regulations of 220 ILCS 5/22-501 are hereby adopted by reference and may applicable to the cable or video providers offering services within the City's boundaries.

(B) **Amendments.** Any amendment to the Cable and Video Customer Protection Law that becomes effective after the effective date of this Article shall be incorporated into this Article by reference and shall be applicable to cable or video providers offering services within the City's boundaries. However, any amendment that makes its provisions optional for adoption by municipalities shall not be incorporated into this Article by reference without formal action by the corporate authorities of the City.

8-2-2 ENFORCEMENT. The City does hereby pursuant to law declare its intent to enforce all of the customer service and privacy protection standards of the Cable and Video Protection Law with respect to complaints received from residents within the City.

8-2-3 CUSTOMER CREDITS. The City hereby adopts the schedule of customer credits for violations. Those credits shall be as provided for in the provisions of 220 ILCS 5/22-501(s) and applied on the statement issued to the customer for the next billing cycle following the violation or following the discovery of the violation. The cable or video provider is responsible for providing the credits and the customer is under no obligation to request the credit.

8-2-4 PENALTIES. The City, pursuant to 220 ILCS 5/22-501(r)(1), does hereby provide for a schedule of penalties for any material breach of the Cable and Video Protection Law by cable or video providers in addition to the penalties provided in the law. The monetary penalties shall apply on a competitively neutral basis and shall not exceed **Seven Hundred Fifty Dollars (\$750.00)** for each day of the material breach, and shall not exceed **Twenty-Five Thousand Dollars (\$25,000.00)** for each occurrence of a material breach per customer.

(A) Material breach means any substantial failure of a cable or video provider to comply with service quality and other standards specified in any provision of the law.

(B) The City shall give the cable or video provider written notice of any alleged material breaches of the law and allow such provider at least **thirty (30) days** from the receipt of the notice to remedy the specified material breach.

(C) A material breach, for the purposes of assessing penalties, shall be deemed to occur for each day that a material breach has not been remedied by the cable or video service provider after the notice in (B).


CITY CLERK’S CERTIFICATE

STATE OF ILLINOIS
COUNTY OF JASPER
CITY OF NEWTON

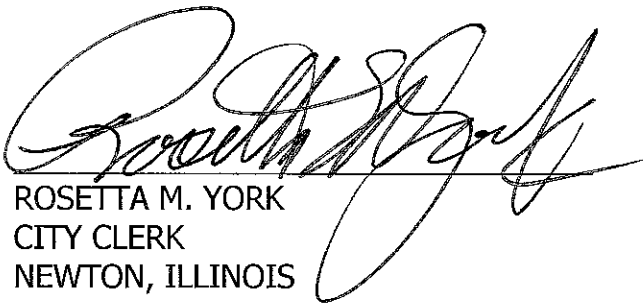
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) **ss. CITY CLERK’S OFFICE**
)

I, Rosetta M. York, City Clerk of the City of Newton, Illinois, do hereby certify that the following Code of the City of Newton, Jasper County, Illinois, published by authority of the City Council was duly passed by the City Council of the City of Newton, Illinois, approved by the Mayor, and published in book form according to law on this date, and that these ordinances are true and perfect copies of the ordinances, as passed, approved, and now of record and on file in my office as provided by law.

In witness whereof, I have set my hand and affixed the Corporate Seal of the City of Newton, Illinois, this 4th day of August, 2015.



(SEAL)



ROSETTA M. YORK
CITY CLERK
NEWTON, ILLINOIS