

RESOLUTION

A RESOLUTION OF THE CITY OF ELBERTON THROUGH THE COUNCIL TO AUTHORIZE THE MAYOR OR THE AUTHORIZED REPRESENTATIVE OF SAID CITY TO ESTABLISH A FRANCHISE FEE APPLICABLE TO HOLDERS OF CABLE AND VIDEO FRANCHISES ISSUED BY THE STATE OF GEORGIA.

WHEREAS: The City of Elberton shall be notified by the Secretary of State's Office and a cable or video provider of an application for a state issued franchise in the city; and

WHEREAS: The City currently collects a franchise fee from any current cable or video providers; and

WHEREAS: The city considers collecting a franchise fee from a cable or video provider utilizing the public rights of way as compensation to the public for the use of the rights of way and a means of promoting the public health, safety, welfare and economic development of the City and to protect public works infrastructure; and

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 providers gross revenues generated within the city.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the City of Elberton hereby requires a franchise fee of 5.0% for any cable or video state franchise issued in its corporate boundaries by the State of Georgia pursuant to O.C.G.A. 36-76-1 *et seq.* known as the "Consumer Choice for Television Act" of 2007.

RESOLVED by the Mayor and Council of the City of Elberton this 4th day of February, 2008.