

ORDINANCE NO. 79-17**AN ORDINANCE AMENDING DESIGNATED PROVISIONS OF
CHAPTER 13, ARTICLE VI OF THE FORT SMITH MUNICIPAL
CODE TO AMEND EXISTING FRANCHISE FEES**

**BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE
CITY OF FORT SMITH, ARKANSAS, THAT:**

Section 1: Chapter 13, Article VI, Section 13-146(a) of the Fort Smith Municipal Code is hereby amended to read as follows:

- (a) Southwestern Bell Telephone Company, which is conducting or carrying on business in the city, under a franchise from the city shall pay to the city a privilege-franchise charge in the amount of four and one-quarter (4.25) percent of the local exchange access line charges collected in each preceding calendar quarter from its residential, commercial, and industrial customers within the corporate limits of the city.

Section 2: Chapter 13, Article VI, Section 13-147(a) of the Fort Smith Municipal Code is hereby amended to read as follows:

- (a) Arkansas Oklahoma Gas Corporation or any other gas company, which is conducting or carrying on business in the city under a franchise from the city shall pay to the city a privilege-franchise charge in the amount of four and one-quarter (4.25) percent of the gross sales of its services and product by such company in each preceding calendar quarter to its residential, commercial, and industrial customers within the corporate limits of the city.

Section 3: Chapter 13, Article VI, Section 13-148(a) of the Fort Smith Municipal Code is hereby amended to read as follows:

- (a) Oklahoma Gas and Electric Company or any other gas and electric company, which is conducting or carrying on business in the city under a franchise from the city shall pay to the city a privilege-franchise charge in the amount of four and one-quarter (4.25) percent of the gross sales of its services and product by such company in each preceding calendar quarter to its residential, commercial and industrial customers within the corporate limits of the city.

Section 4: Chapter 13, Article VI, Section 13-149(a) of the Fort Smith Municipal Code is hereby amended to read as follows:

- (a) Arkansas Valley Electric Cooperative Corporation or any other electric company, which is conducting or carrying on business in the city under a franchise from the city shall pay to the city a privilege-franchise charge in the amount of four and one-quarter (4.25) percent of the gross revenues derived from the sale of electrical services in each preceding calendar quarter to its residential, commercial and industrial customers within the corporate limits of the city.

Section 5: Chapter 13, Article VI, Section 13-150(a) of the Fort Smith Municipal Code is hereby amended to read as follows:

- (a) The grantee shall pay to the franchising authority a franchise fee equal to five (5) percent of gross revenues received by the grantee from the operation of the cable system to provide cable services. All payments of franchise fees shall be made on a quarterly basis, not later than forty-five (45) days after the last day of each March, June, September and December. Each payment shall be accompanied by a brief report from a representative of the grantee showing the basis for the computation, and certification that the calculation of the payment is in accordance with the terms of the franchise agreement and is believed to be accurate.

PASSED AND APPROVED THIS 19th DAY OF DECEMBER, 2017.

ATTEST:

Shirley Ford
City Clerk

APPROVED:
James Swales
Mayor

Approved as to form:

Jeremy Confield
City Attorney
Publish 1 time