

NORTH CAROLINA GENERAL ASSEMBLY
1967 SESSION

CHAPTER 1052
SENATE BILL 642

AN ACT TO AMEND CHAPTER 92 OF THE PUBLIC-LOCAL LAWS OF 1961
RELATING TO CHARTER OF THE CITY OF KINSTON.

The General Assembly of North Carolina do enact:

Section 1. Article 6 of Chapter 92 of the Public-Local Laws of 1961 is hereby amended by adding a new subsection (d) as follows:

"(d) That the word 'utilities' as set forth in the Charter of the City of Kinston includes cable television systems as herein defined and the City of Kinston shall have authority to grant upon reasonable terms franchises for the operation of cable television systems, to levy franchise taxes on the business of operating cable television systems, and to prohibit the operation of cable television systems without a franchise. Any franchise granted hereunder may include, but shall not be limited to, provisions for control of rates; for control of the quality, level and availability of service; for limitations upon the territory to be served; and for governing the use of streets. Any franchise granted hereunder may be suspended or revoked, in whole or in part, by the governing body after notice and hearing, for failure to comply with any term, condition or limitation of such franchise. For the purposes of this subsection, 'cable television system' shall mean any system or facility which, by means of a master antenna and wires or cables, or of wires and cables alone, receives, amplifies, modifies, transmits, or distributes any television, radio, or electronic signal, audio or video or both, to subscribing members of the public for compensation; provided, that 'cable television system' shall not mean or include the providing by any person, firm, or corporation of master antenna service only to property owned or leased by such person, firm, or corporation, if no part of any public right of way or easement is used in providing such service. That the City of Kinston shall have authority to construct, operate and maintain such 'cable television systems' within the area of its city limits and in areas served by its electrical distribution system and to make charges to users of such system."

Sec. 2. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 3rd day of July, 1967.