

PITTSYLVANIA COUNTY CODE

CHAPTER 20

TELEVISION

Article I.

§ 20-1. Licensing of Community Antenna Television System

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SEC. 20-1. LICENSING OF COMMUNITY ANTENNA TELEVISION SYSTEM.

1. That the Board of Supervisors of Pittsylvania County, Virginia, doth hereby provide pursuant to 15.2-2108 of the code of Virginia of 1950, as emended, that there is hereby adopted an ordinance to be known as the Licensing of Community Antenna Television System Ordinance, for the purpose of licensing and regulation of any community antenna television system which employs wires or cable or other apparatus in, on, or over any street, highway, or other public place within the County of Pittsylvania, Virginia.
2. The words community antenna television system" as used in this section shall mean any facility which is operated to perform for hire the services of receiving and amplifying signals broadcast by one or more television stations and redistributing such signals by wire cable or other means to members of the public who subscribe to such service, except that such definition shall not include (1) any system which serves fewer than twenty subscribers or (2) any system which serves only the residents of one or more contiguous apartment dwellings under common ownership, control or management, and commercial establishments located on the premises of such dwellings.
3. Prior cooperation, or doing any business, within the County of Pittsylvania, Virginia, any person firm or corporation proposing to operate such community antenna television system, as defined above, shall apply to the Board of Supervisors of Pittsylvania County, Virginia, for a license or franchise. The said Board of Supervisors may grant a license or franchise to any citizen, firm or corporation of the United States.
4. After the applicant has been awarded a license or franchise by the Board of Supervisors of Pittsylvania County, Virginia, and prior to any operations of said license or franchise the applicant shall pay the Commissioner of Revenue of the Pittsylvania County an annual license fee of three hundred fifty (\$350.00) dollars, which shall not be prorated and shall be paid by each such licensee of franchisee prior to February 1st, of each calendar year.
5. In addition, an annual license tax is hereby imposed upon any said community antenna television system, as defined above, and said annual license tax, shall be equal to five (5%) percent of the gross income of any community antenna television system for the preceding calendar year, said gross income being limited to the gross income derived from within the County of Pittsylvania, Virginia, and to be determined by the Commissioner of Revenue of Pittsylvania County. The tax levied shall be paid to the Commissioner of Revenue by February 1st, of the calendar year following its accrual. The application for each annual license shall be accompanied by the figures of gross annual income attributable to operation in Pittsylvania County which figures shall be verified by the affidavit of a certified public accountant or applicant's fiscal agent.

6. If the annual license fee of three hundred fifty (\$350.00) dollars and/or the gross receipts tax are not paid by February 1st of each year no license or franchise shall be issued. In addition non-payment by February 1st, shall subject license to a penalty of ten (10%) percent and interest at the rate of ten (10%) percent per annum until paid.
7. If either of said taxes are not paid prior to February 1st, of any year the Commissioner of Revenue shall certify such fact to the Pittsylvania County Board of Supervisors. The Board shall cite the licensee or franchisee to appear before it at a regular meeting at least ten (10) days away to show cause, if any he can, why his license or franchise should not be revoked for non-payment of said taxes. At said hearing the Board may, after giving the licensee or franchisee an opportunity to explain his delinquency, revoke said license or franchise, or take any other appropriate action.
6. Any person, firm or corporation violating any of the provisions of this ordinance shall be guilty of a misdemeanor and fined not exceeding three hundred (\$300.00) dollars or imprisoned in the County Jail not exceeding thirty (30) days, either or both. Each day's violation shall be considered a separate offense.

(B.S.M. 1-4-71)(Amended B.S.M. 12/11/89)