

1 CITY OF ST. GEORGE

2
3 BY COUNCIL MEMBER HECK:

4
5 PROPOSED ORDINANCE NO. 2024-_____

6
7 ORDINANCE TO ENACT TITLE 9, CHAPTER 22 RELATIVE
8 TO CABLE AND VIDEO SERVICES FRANCHISE FEES AND
9 TO PROVIDE FOR RELATED MATTERS

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11 WHEREAS, the Council for the City of St. George desires to adopt an ordinance to transfer
12 the franchise fee on cable and video services from the City of Baton Rouge and East Baton Rouge
13 Parish (“City-Parish”) to the City of St. George;

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15 BE IT ORDAINED by the Council for the City of St. George, State of Louisiana, Title 9.
16 Licensing and Regulation of Trades and Occupations, Chapter 22. Cable and Video Franchise Fee
17 are enacted as follows:

18
19 **Section 1. Enactment**

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21 **Title 9. LICENSING AND REGULATION OF TRADES AND OCCUPATIONS**
22 **Chapter 22. CABLE AND VIDEO FRANCHISE FEE**

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24 **Sec. 9:1160. Adoption of state laws.**

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26 The provisions of Chapter 10-A of Title 45 of the Louisiana Revised Statutes known as the
27 Consumer Choice for Television Act are hereby adopted.

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29 **Sec. 9:1161. Monthly franchise fee.**

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31 (a) The amount of the quarterly franchise fee shall be 5% of the gross revenues as defined by La.
32 R.S. 45:1363(8) as fixed, levied and collectible in accordance with the Chapter 10-A of Title
33 45 of the Louisiana Revised Statutes and such other amounts authorized by law.
34 (b) Nothing in this Chapter shall restrict the right to impose on any cable and/or video service ad
35 valorem taxes, service fees, sales and use taxes or other taxes and fees lawfully imposed on
36 other businesses.
37 (c) The franchise fee set further herein shall be in lieu of any permit fee, encroachment fee,
38 degradation fee, inspection fee, or other fee assessed by the City of St. George on cable and/or
39 video service providers for occupation of or work within the public rights of way.
40 (d) Nothing in this Chapter shall except any cable and/or video service provider from any
41 ordinance regulating the occupation of or work within the right of way.

42 **Sec. 9:1162. Late fees.**

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44 (a) All franchise fees levied herein shall be due and payable within 45 days after the end of the
45 quarter. All unpaid fees shall become delinquent on the 46th day after the end of the quarter
46 for which the fees are due and payable.

- 1 (b) If any cable and/or video service provider fails to pay the fee set forth in this Chapter, or any
2 portion thereof, on or before the 46th day following the quarter, interest at the rate of 1¼ %
3 per month shall be added to the amount of fee due and such interest shall be computed from
4 the due date until the fee is paid.
- 5 (c) In addition to the interest charged on delinquent taxes, there shall be imposed a penalty of 5%
6 of the total fee due if the failure or delinquency is for not more than 30 days, with an additional
7 5% for each additional 30 days or fraction thereof.
- 8 (d) The City of St. George maintains the rights under La. R.S. 45:1367 to audit the business
9 records of any cable and/or video service providers to the extent necessary to ensure payment
10 of the franchise fee in accordance with this Chapter and payment of any applicable service
11 fees, sales and use taxes or other taxes and fees lawfully imposed on other businesses.
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13 **Sec. 9:1163. Applicability.**

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15 The franchise fee herein shall be applicable to all providers of cable and/or video service as
16 defined in La. R.S. 45:1363.
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18 **Sec. 9:1164. Registration.**

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20 Any entity which desires to provide cable and/or video service within the City of St. George
21 shall register and provide to the permit office for the City of St. George a copy of the certificate of
22 franchise issued by the Louisiana Secretary of State pursuant to La. R.S. 45:1364 and proof of
23 insurance as required by La. R.S. 45:1364(B)(4) on the later of January 1, 2025 or prior to offering
24 cable and/or video services within the City of St. George.
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26 **Section 2. Applicability**

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28 In the case of any provider of cable and/or video service which is subject to an unexpired
29 license issued by the City of Baton Rouge and Parish of East Baton Rouge prior to the effective
30 date of this Ordinance, the license tax shall be due and payable by February 15, 2025 for the prior
31 quarter on the next quarter following the effective date of this Ordinance.
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33 **Section 3. Effective Date**

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35 This Ordinance shall be effective upon publication.