



# Lake County Illinois

## Legislation Text

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File #: 12-0624, Version: 1

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Ordinance authorizing the repeal of the County of Lake Cable Television Franchise Ordinance.

- Over the past 20 years, the regulatory scheme governing the operation of cable television and video service providers has changed substantially.
- Federal law changes include amendments to the Federal Cable Act and adoption of the Federal Telecommunications Act.
- State law changes include the adoption of the Illinois Cable and Video Competition Law of 2007, which establishes the state authorization process as an alternative to cable franchises, and the Cable and Video Customer Protection Law, which provides more extensive protections to customers of cable and video services providers than federal regulations, as well as the Level Playing Field statute, which requires governments to treat providers of similar services in a similar fashion.
- Local ordinance changes include adoption of the Lake County Highway Temporary Closure and Utility and Facility Placement Ordinance, which extensively governs facilities in County roads and highways.
- As a result, this extensive regulatory framework substantially reduces the need for a County-level cable television ordinance, as the issues are now addressed by other laws.
- This proposed ordinance authorizes repealing the existing Lake Cable Television Franchise Ordinance.

### **ORDINANCE REPEALING THE COUNTY OF LAKE CABLE TELEVISION FRANCHISE ORDINANCE**

**WHEREAS**, in 1998, the Chairman and County Board of The County of Lake determined that it would be beneficial to regulate the cable service industry within the County as a supplement to franchise agreements being entered into between the County and various cable television service providers operating in unincorporated areas of the County, and adopted the County's Cable Television Franchise Ordinance on July 14, 1989; and

**WHEREAS**, over the last twenty-two years, there have been significant changes in the cable services industry and consolidation of the providers of cable and video services; and

**WHEREAS**, as a result of these changes, a variety of statutes and ordinances now govern and control many aspects of the cable and video service business, including, without limitation the federal Cable Act, 47 U. S. C. §521 *et seq.*, and associated federal regulations, 47 C.F.R. Part 76; the Illinois Cable and Video Competition Law of 2007, 220 ILCS 5/21-100 *et seq.*; the Illinois Cable and Video Consumer Protection Law of 2007, 220 ILCS 5/22-501 *et seq.*; and the Lake County Highway Temporary Closure and Utility and Facility Placement Ordinance, as amended; and

**WHEREAS**, the Chairman and County Board have determined that it is necessary, desirable, and in the best interest of the County to repeal the Lake County Cable Television Franchise Ordinance in light of the more extensive regulatory climate for cable and video services currently in place;

**NOW, THEREFORE, BE IT RESOLVED**, by this County Board of Lake County, Illinois, as follows:

**Section One. Recitals.** The foregoing recitals are incorporated into and made a part of this Ordinance by this reference.

**Section Two. Repeal of Ordinance.** The Lake County Cable Television Franchise Ordinance, as amended, is hereby repealed, and is of no further force and effect.

**Section Three. Effective Date.** This Ordinance shall be in full force and effect following its passage, approval, and publication in pamphlet form, in the manner provided by law.

**DATED** at Waukegan, Illinois on this 10<sup>th</sup> day of July, 2012.

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Chairman

ATTEST:

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County Clerk