



Legislation Details (With Text)

File #: 21-0058 **Version:** 1 **Name:** Ch30 (Cable Communications) Repeal
Type: Agenda Item **Status:** Approved
File created: 1/13/2021 **In control:** City Council
On agenda: 1/26/2021 **Final action:** 1/26/2021

Title: Consider and take action on an ordinance repealing Chapter 30 of the Code of Ordinances of the City of League City, entitled "Cable Communications" since such provisions have been preempted by state law (City Attorney)

Staff recommends approval on first and final reading.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Data Sheet, 2. Proposed Ordinance, 3. Staff Redline Changes

Date	Ver.	Action By	Action	Result
1/26/2021	1	City Council	Approved	Pass
1/26/2021	1	City Council	Approved First and Final Reading	Pass

Consider and take action on an ordinance repealing Chapter 30 of the Code of Ordinances of the City of League City, entitled "Cable Communications" since such provisions have been preempted by state law (City Attorney)

Staff recommends approval on first and final reading.

As part of an ongoing project, the City Attorney's office has been updating, and when necessary, repealing defunct sections of the City's Code of Ordinance. This item will repeal Chapter 30, entitled "Cable Communications" in its entirety.

On October 5, 1992, the Texas Legislature adopted the Cable and Television Consumer Protection and Competition Act (the "Act"). The Act allowed municipalities to regulate the cable rates charged by cable operators for the basic cable service tier if the cable operator was not subject to effective competition.

On December 16, 1993, the City adopted Ordinance 93-109 which added Chapter 30, entitled "Cable Communications" which regulated the rates charged by cable operators as allowed by the Act.

In 2005, the Texas Legislature adopted Senate Bill 5, which created Chapter 66 of the Texas Utilities Code and replaced the Act. As the provisions in Chapter 30 in the City's Code have been preempted by Chapter 66 of the Texas Utilities Code, staff is recommending a repeal of Chapter 30 in its entirety.

CONTRACT ORIGINATION: N/A

Attachments:

- 1. Data Sheet
- 2. Proposed Ordinance
- 3. Staff Redline Changes

FUNDING

{ } Funds are available from Account # _____
{ } Requires Budget Amendment to transfer from Account # _____ to Account # _____
{x} NOT APPLICABLE

STRATEGIC PLANNING

{ } Addresses Strategic Planning Critical Success Factor # _____ and Initiative # _____
{x} NOT APPLICABLE