

ORDINANCE - 05-0621-A
Calloway County

An Ordinance amending increasing the franchise fees for
telecommunications companies operating within
Calloway County, Kentucky

WHEREAS, Calloway County enacted an Ordinance assessing all cable operations within Calloway County a three percent (3%) franchise fee on gross revenue as defined in the Franchise Ordinance, and

WHEREAS, the Kentucky General Assembly has adopted an act creating the Communications Excise Tax (CET) Act. The CET would replace franchise fees and intangible property taxes paid by telecommunication companies with a single statewide tax on services. If enacted, the CET would return to the County the amount that it currently receives from the Franchise Fee, and

WHEREAS, the County elects to increase its Franchise Fees from three percent (3%) to five percent (5%) of gross revenue as defined in the Franchise Ordinance because after the passage and adoption of the CET the five percent (5%) would be returned to the County.

NOW THEREFORE, Be it hereby ordained by the Calloway County Fiscal Court, Kentucky, as follows, to wit:

SECTION 1. FRANCHISE FEE INCREASE. The Franchise Fee for telecommunications companies operating with Calloway County is hereby increased from three percent (3%) to five percent (5%) of gross revenue as defined in the Franchise Ordinance.


SECTION 2. EFFECTIVE DATE. This Ordinance shall be effective upon its passage and publication.

SECTION 3. SUNSET PROVISION. In the event the Kentucky General Assembly repeals the communications Excise Tax and the Fiscal Court fails to authorize an extension of this increase, then without further action by the Fiscal Court the Franchise Fee shall revert back to three percent (3%) at the end of two years from the date of the passage of this Ordinance.


SECTION 4. NOTICE. The County Treasurer shall notify each telecommunications company operating within Calloway County of the increase provided herein and each company shall have forty-five days to notify its subscribers and implement said increase.




LARRY ELKINS
CALLOWAY COUNTY JUDGE EXECUTIVE



DATE

ATTEST:


RAY COURSEY JR.
CALLOWAY COUNTY CLERK



DATE