

BILL NO. 1574

ORDINANCE NO. 2529

AN ORDINANCE TO ADOPT A VIDEO SERVICE PROVIDER FEE

Whereas, the City is authorized by 79.110, RSMo. to enact ordinances which are not repugnant to the Constitution and laws of this State and which the Board of Aldermen deem expedient for the good government of the City, the preservation of peace and good order, and the benefit of trade and commerce and the health of the inhabitants of the City;

Whereas, the Board of Aldermen for the City deems that it is in the best interest of the City to adopt a video service provider fee pursuant to 67.2689, RSMo.

NOW THEREFORE, BE IT ORDAINED by the Board of Aldermen of the City of Plattsburg, Missouri, as follows:

SECTION 1: The City Code is hereby amended to include a new Section 545.045 to read as follows:

Section 545.045 Video Service Provider Fee.

A. Each video service provider shall pay to the City a video service fee as described herein on or before the last day of the month following the end of each calendar quarter. Each video service provider is hereby required to file with the City Clerk a sworn statement showing the gross receipts of such business within the City in the form prescribed by the City Clerk. For the business transacted and the gross receipts each quarter, a statement shall be due and filed by the last day of the month following the end of each calendar quarter. At the same time the statement is required to be filed, payment of the fee due on the gross receipts reported in the statement shall be made to the City at the rate set forth herein.

B. The City, not more than once per calendar year and at its own cost, may audit the gross revenues of any video service provider as provided in Section 67.2691, RSMo. A video service provider shall make available for inspection all records pertaining to gross revenues at the location where such records are kept in the normal course of business.

C. Each video service provider shall pay to the City a service provider fee in the amount as follows: Beginning August 28, 2023, the video service provider fee shall be four and one-half percent (4.5%) of gross revenues. Beginning August 28, 2024, the video service provider fee shall be four percent (4%) of gross revenues. Beginning August 28, 2025, the video service provider fee shall be three and one-half percent (3.5%) of gross revenues. Beginning August 28, 2026, the video service provider fee shall be three percent (3%) of gross revenues. Beginning August 28, 2027, the video service provider fee shall be two and one-half percent (2.5%) of gross revenues.

SECTION 2: Section 545.020 of the City Code is hereby amended to include the following definitions:

GROSS REVENUES:

Gross revenues are limited to amounts billed to video service subscribers for recurring charges for video service and event-based charges for video service, including but not limited to pay-per-view and video-on-demand charges.

Gross revenues does not include: discounts, refunds, and other price adjustments that reduce the amount of compensation received by an entity holding a video service authorization; uncollectibles; late payment fees; amounts billed to video service subscribers to recover taxes, fees, or surcharges imposed on video service subscribers or video service providers in connection with the provision of video services, including the video service provider fee authorized herein; fees or other contributions for PEG or I-Net support; charges for services other than video service that are aggregated or bundled with amounts billed to video service subscribers, if the entity holding a video service authorization reasonably can identify such charges on books and records kept in the regular course of business or by other reasonable means; rental of set top boxes, modems, or other equipment used to provide or facilitate the provision of video service; service charges related to the provision of video service including, but not limited to, activation, installation, repair, and maintenance charges; administrative charges related to the provision of video service including, but not limited to, service order and service termination charges; or a pro rata portion of all revenue derived from advertising, less refunds, rebates, or discounts.

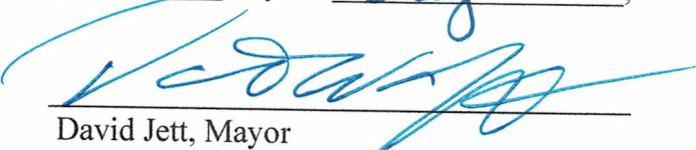
SECTION 3: This Ordinance shall be in full force and effect from and after its passage and approval.

SECTION 4: The provisions of this Ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this Ordinance.

SECTION 5: The City Clerk is hereby authorized to correct any scribes' errors made this Ordinance or in amending the City Code.

SECTION 6: All existing ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of the conflict.

READ TWICE by title only and adopted by the Board of Aldermen of the City of Plattsburg, Missouri, and approved by the Mayor of Plattsburg, this 13th day of May, 2024.



David Jett, Mayor

ATTEST:



Lisa Read, City Clerk