

RESOLUTION NO. 78 -1989

Offered by Mayor and Council Members

A RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO REVISE THE CABLE COMMUNICATIONS POLICY ACT OF 1984 AND EXPRESSING GENERAL CONCERN ABOUT THE NEED FOR GREATER LOCAL GOVERNMENT REGULATORY AUTHORITY

WHEREAS, the Cable Communications Act of 1984 restricted states' and local governments' abilities to regulate the cable television industry directly; and

WHEREAS, since the passage of the Cable Communications Act of 1984, concentrations of ownership amounting to monopolies have increased among cable operators, even though the Act was intended to "promote competition in cable communications and minimize unnecessary regulations that impose undue economic burden on cable systems"; and

WHEREAS, municipalities throughout the nation, including this one, have been subjected to substantial rate increases, service reductions, and programming changes that do not reflect consumers' needs or the original intentions of their franchise agreements; and

WHEREAS, more than half of the nation's households, and more than fifty (50%) percent of the residents of this Village subscribe to cable, and cable television is increasingly becoming the main means of access to information and entertainment; and

WHEREAS, cable subscribers in this Village have been subjected to significant rate increases since the inception of the franchise, as well as increases in the costs of additional outlets, premium services, installation, etc.; and

WHEREAS, cable television is rapidly being priced beyond the reach of lower-income people, including families with children and the elderly, who are particularly in need of information and other services that are available solely through cable television; and

WHEREAS, the diversity of information services promised by the 1984 Cable Communications Act has failed to materialize; and

WHEREAS, the promise of universal service, similarly, has not been fulfilled; and

WHEREAS, existing law provides this Village and other franchising authorities no authority to control or question the

imposition by cable franchises of exorbitant rates upon citizens whose rights-of-way have been placed at the companies' disposal by virtue of the grant of franchises; and

WHEREAS, the National League of Cities has adopted policies in favor of increasing local governments' cable regulatory authority and in favor of more competition in the provision of cable television service to consumers; and

WHEREAS, legislation that is now pending in the Congress seeks comprehensive changes in the Cable Communications Act of 1984.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Richfield, State of Ohio:

SECTION 1: The Village of Richfield declares its support for the restoration of local regulatory authority over cable television systems.

SECTION 2: The Congress of the United States should rewrite the Cable Communications Policy Act of 1984, with particular focus on re-regulation of subscriber rates, allowance of telephone company provision of cable service under circumstances that respect local government authority, system ownership transfers, the impact of vertical integration in the cable industry, and other aspects of the Act that directly impact local regulation and consumers.

SECTION 3: The Village of Richfield urges Congressional action for appropriate federal legislation to restore local authority over cable systems, to eliminate the barriers to competition and to rectify other aspects of the 1984 Act that work to disfavor cable consumers.

SECTION 4: This Resolution shall take effect and be in force from and after the earliest date provided by law.

Passed: 1/16/90

*Paul W. Fisher*  
President of Council

*Raymond L. ...*  
Mayor

Dated: 1/16/90

ATTEST:  
*Dorothy L. ...*  
Clerk of Council