

TITLE 4

BUSINESS LICENSES AND REGULATIONS

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CHAPTER 4.04

OCCUPATIONAL LICENSES

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4.04.01 License required. It shall be unlawful for any person who lives in or lives outside of the corporate limits of the city of Jonesboro, Arkansas, and/or who has a business, occupation, vocation, profession, trade or calling in or outside of the corporate limits of the city of Jonesboro, Arkansas, and who engages in, carries on or conducts said business, occupation, vocation, profession, trade or calling within the corporate limits of the city of Jonesboro, Arkansas, for which a license is required by this chapter without having first paid the privilege tax and procured a license therefore from the city collector. This section shall not apply to those persons who have a current privilege tax from some other city in the state of Arkansas, unless such person is maintains a place of business in the city of Jonesboro. (Ord. No. 1468, Sec. 1.)

No city license shall be issued to any person or entity engaging in the business of a used auto dealer unless the same has procured a state license as provided by A.C.A. 23-112-601. (Ord. No. 2291, Sec. 1.)

4.04.02 Term of license All annual licenses prescribed and annual occupation taxes shall be due and payable on the first day of January of each year, and shall be paid to the City Collector, and the City Collector shall issue a receipt for the proper amount of money received, and shall issue the proper license therefore upon the payment of such sum of money and such license shall be good and valid for the year so paid; provided that any business, occupation, vocation, profession or calling begun within the calendar year shall be pro-rated by the number of months left in the calendar year and shall be charged an annual license fee based upon the number of calendar months left in the year.

All persons failing, neglecting or refusing to pay their licenses or occupation tax within forty-five (45) days from the date the same becomes due shall be subject to penalties as follows:

- A. If paid between forty-five (45) days and seventy-five (75) days from due date, ten percent (10%) of the amount of tax due.
- B. If paid between seventy-five (75) days and one hundred thirty-five (135) days from due date, twenty percent (20%) of the amount due.
- C. If not paid within one hundred thirty-five (135) days from the date due, forty percent (40%) of the amount of tax due.

Such penalties shall be in addition to any fines which may be levied as a result of the violation of this ordinance. The City Collector shall publish, in a local newspaper of general city-wide circulation, a list of all persons failing, neglecting, or refusing to pay their license or occupation tax. Said list of delinquencies shall be published by the City Collector on or before the first day of July of each year. (Ord. No. 1664, Sec. 1.)

4.04.03 Engaging in more than one business. Where any person engaged in any business which includes separate kinds of business which might be required to pay an occupation tax under this chapter and the business is operated under one roof as a single line of business, the operator of such business shall be required to pay the highest license fee or occupation tax of said separate business, provided, however, where two (2) or more separate and distinct businesses are operated under the same roof, each business shall be required to pay a license fee and occupation tax as provided herein, except where it is specifically provided herein that certain kinds of businesses or callings shall include more than one calling or business. (Ord. No. 757, Sec. 17.)

4.04.04 Posting of license Each license shall be posted in a conspicuous place where such business or occupation is carried on or the holder of such license shall upon demand show the same to the City Collector or any police officer. (Ord. No. 757, Sec. 8, 7-28-47)

4.04.05 Doing business without license. The amount of any license imposed by this chapter shall be deemed as a debt due the city, and in addition to the penal remedies and punishments herein prescribed, any person commencing, engaging in or carrying on any trade, business, occupation, vocation, calling or profession without first having obtained a license to do so, shall be liable to an action in the name of the city in any court of competent jurisdiction for the amount of license by this chapter imposed on such trade, business, occupation, vocation, calling or profession. (Ord. No. 757, Sec. 15.)

4.04.06 False statements in application for license. It shall be unlawful to willfully and knowingly make any false statement in the application for license hereunder for the purpose of defrauding the city of its just tax or license fee. (Ord. No. 757, Sec. 13.)

4.04.07 Stock tax - Definition. The word "stock" used in this chapter shall include not only goods, wares and merchandise, but all other articles and things carried for sale or distribution by any person. (Ord. No. 757, Sec. 2.)

4.04.08 Inventory of stock

- A. All business, merchants or traders, either wholesale or retail, where merchandise sold, unless otherwise herein provided for, shall pay an annual license fee and occupation tax of five-tenths of one percent (.50 of 1%) of the average stock of merchandise carried on hand, where the total stock carried on hand is Twenty Thousand Dollars (\$20,000.00) or less; for all merchandise carried on hand in excess of Twenty Thousand Dollars (\$20,000.00) but less than Thirty Thousand Dollars (\$30,000.00), the said tax shall be four tenths of one percent (.40of 1%) for such excess; and for all merchandise carried in excess of Thirty Thousand Dollars (\$30,000.00), the said tax shall be two-tenths of one percent (.20 of 1%) on all stock carried on hand in excess of Thirty Thousand Dollars (\$30,000.00) provided that the annual license fee and occupation tax of any such business shall not be less than Thirty-Five Dollars (\$35.00)
- B. All businesses, merchants or traders as set out herein are required to submit to the City Collector an inventory of stock of merchandise as delineated in an audit (such as used for reporting federal income tax or certified to by a licensed certified public accountant.) (Ord. No. 1664, Sec. 2.)

4.04.09 Estimate of stock As a basis for computing the occupation tax or license fee under Section 4.04.08, each person applying for license shall furnish to the City Collector a written sworn statement of the volume of such goods or stock and such further proof as the City Collector shall demand to show the actual amount of capital invested, value of goods or stock, and the said City Collector shall not be required to receipt for any money until such proofs are furnished.

The written sworn statement of estimate so furnished shall be used as the basis of computing the amount of occupation tax or license fee due from each applicant as required by Section 4.04.08. Such sworn statement and all information furnished to the City Collector for the computation of such tax shall be kept strictly confidential and not revealed except to city officials in their official capacity, and not used against applicant in any other connection. (Ord. No. 757, Secs 4-5.)

4.04.10 Schedule of license taxes. The occupation tax to be paid in order to obtain the license to carry on or engage in the businesses, occupations, vocations, professions, or callings hereinafter named are hereby established, under several items defining the License and Privilege taxes for purposes of clarification as follows:

Abstract	\$150.00
Accountants	100.00 (Each accountant over 1)
Adding machines, typewriter, cash register, office supply & machine dealer	100.00
Advertising	
A. Each person advertising on the streets or alleys with banners, cartoons or any other means where no vehicle is used per week	25.00
B. Each person engaged in the business of installing electric, neon and metal signs	85.00
C. Each person engaged in the business of procuring advertising to be installed upon buses and taxicabs	65.00
D. Each person engaged in the business of billboard or poster advertising	85.00
E. Sign painters and sign hangers, each person	25.00
Amusement game operator (as provided in Section 13-19)	
Antique & novelty gift shops	50.00
Architects (who are licensed)	150.00 (per person)
Artificial limbs – Each person engaged in the business of manufacturing, distributing or selling of artificial limbs or plastic bones	50.00
Asphalt manufacturers	250.00
Attorneys at law	150.00 (per person)
Auctioneers	50.00 (per person)
A. Auction houses, being by place where an auction is held more than one time a year; provided, however, that this section shall not apply to judicial sales or sales by executors or administrators	100.00
B. Any person, firm or corporation holding an auction, excluding auction houses and judicial sales or sales by executors or administrators	25.00 (per day)
Automobiles	
A. Auto repair shops, auto garages and repair shops, auto painting, battery service and auto top and windshield repair shops	100.00
B. Radiator repair shops	100.00
C. Tire store and recapping which has five (5) or less employees	100.00
Tire stores and recapping which employs five (5) or more employees	150.00

Tire stores which stock tires and tire related

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supplies provided in Section 13-8

D.	Auto sales and service agency, including the sale of cars and all products of automobile manufacturers represented by dealers and operation of shops to service, repair and/or store cars, including sales of parts, accessories, tires and secondhand cars: Where there is one place of business with one car lot	350.00
	For each additional automobile or car lot over the first lot, an additional	60.00
E.	Secondhand car dealers: One car lot	185.00
	Each additional automobile or car lot over the first lot, an additional	60.00
F.	Automobile accessories and parts. Each person engaged in the business of selling automobile accessories and related parts and not engaged in the operation of an automobile sales agency shall pay as provided in Section 13-8.	
	Awning and tent manufacturers	15.00
	Bait shops – sale of bait only	25.00
	Bait and tackle shops shall pay according to Section 13-8 providing that in no event the amount of tax shall be less than	75.00
	Bakeries and pastry shops – including all business concerns who sell and distribute bread, cakes and pastries inside the city, whether the concern manufacturing the bread is located in the city or not, but not including revenue derived from interstate, foreign or U.S. Commerce:	
A.	Where five or less persons are employed in making and distributing the bread products in the city	100.00
B.	Six to ten persons	125.00
C.	Over ten persons	250.00
	Banks	
A.	Per \$1,000 Capital Stock	1.21
B.	Each drive-in facility located in a separate building	121.00
C.	Each branch banking facility	181.50
	Barber shops	
	One chair	35.00
	All chairs above one chair	10.00
	Basket factory or veneering	250.00
	Bathhouses – Turkish, electric baths	35.00
	Beauty shops	
A.	One licensed operator and one chair	35.00
B.	Each additional chair	10.00
C.	Where a beauty shop and a beauty school is combined	75.00
D.	A beauty supply house. Each person engaged in the	

operation of a beauty shop or beauty school shall pay as provided in Section 13-8.

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Bicycle dealers – new or used	100.00
Blacksmith shop	75.00
Blueprint or map makers	
Each person engaged in the business of preparing, selling, distributing, of blueprints and/or maps or engaged in related activities shall pay as provided in Section 13-8.	
Mapmakers only	25.00 (each person)
Bottlers	300.00
Agents and distributors for any bottling plant engaged in the selling and distributing at wholesale bottled beverages	150.00
Brick yard, or dealers in brick	300.00
Brokers	
A broker under the provision of this ordinance shall be considered as any person who shall bargain for, buy or sell any goods, wares, merchandise or any other valuable thing for any other person and shall receive therefore a salary for commission or share of any profits made on the transaction or any other thing of value. Or any person who carries stock or handles consignments of goods, wares or merchandise as agent for another person. Application for license as broker must be made to the City Collector and each applicant therefore shall show the names of the firms as well as the names of each person composing the firm and who will expect to operate under the license granted and in no event shall any person be permitted to operate under a license so issued except the regular employees of such firms. Each person acting as a broker shall obtain from the City Collector a license for which he shall pay	75.00
Building and load associations	200.00
Business colleges	75.00
Bus lines	
A. For bus lines engaged in intrastate commerce operating in and out of the city; provided that no tax shall be levied on interstate commerce	250.00 (per line)
B. For bus lines confining their operation to the city limits and not beyond ten miles from the city limits	250.00 (each bus operating)
Butane and propane distributors	300.00
Cabinet maker or furniture repair shop	
1 Person	35.00
2 or more persons	75.00
Candy:	
A. Factory or places making candy for sale	75.00

B. Stores or jobbers	75.00
Carpet, rug or mattress cleaning, renovating and manufacturing	35.00

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Catalogue houses	
All persons selling by catalog and storing in and distributing goods from the city	250.00
Chiropractors and osteopaths who practice their profession	150.00
Civil engineer or surveyor	150.00
Claim agents and insurance adjusting agencies	
All persons or firms advertising as adjusters of personal injury claims or insurance claims, or property damage claims	150.00
	50.00 (each adjuster)
Cleaners and pressers	
including hat cleaners and blockers	50.00
where combined with a laundry	100.00
Clothing stores shall pay according to Section 13-8	
Coal and/or coke yard	75.00
Coffee and/or tea peddlers	150.00
Coffin manufacturers	100.00
Coin-operated self service laundry or cleaners	
1 to 5 Machines	35.00
6 to 10 Machines	75.00
11 to 25 Machines	100.00
Each machine over 25	5.00
Cold storage plant -see Section 13-10	
Collection agency	125.00
Commission merchant - Each commission merchant or agent carrying stock or handling consignment of goods, wears, and merchandise shipped to each agent or dealer from places or points outside or within the state	75.00
Concrete	
A. Each factory or plant manufacturing concrete, concrete pipe, colverts or blocks	300.00
B. Ready-mix concrete operator, each truck	150.00
C. Concrete contractors	75.00
Confectionery	75.00
A. Where principal stock in trade is bread, cake, pies, candy, tobacco, etc.	75.00
B. Confectionery operating cold drink only	35.00
C. Distributor, wholesale. Each manufacturer or agent maintaining a distributing depot, warehouse, or place of business, selling to merchants from stock and making deliveries in the city	75.00
Contractors or builders – A contractor or builder under the provisions	

of this code shall be termed any person, firm or corporation who shall contract or engage to perform in a supervisory capacity or perform services or labor

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A.	General contractors	200.00
B.	Street pavers concrete or asphalt	200.00
C.	Heating & air-conditioning contractors	150.00
	Refrigeration repair	75.00
D.	General housebuilder	75.00
	Housebuilders or head carpenters who perform such work not under contract but with some supervisory duties	75.00
E.	Paperhanger, painter, decorator, plasterer or insulator	75.00
F.	Stone or brick mason	100.00
G.	Plumber gas or steam fitting	100.00
H.	Electricians	100.00
I.	All other contractors or builders not provided for	100.00
	Co-operative utility	1,000.00
	Cotton buyers, agents, or brokers	75.00
	Cotton compress	200.00
	Cotton gin	200.00
	Cottonseed oil mill or processing plant	250.00
	Credit bureau	125.00
	Crop production loan agency	200.00
	Cylinder boring	50.00
	Dance teacher	50.00
	Dance hall — where admission is charged	350.00
	Dentist	150.00
	Directories —each person compiling or offering for sale	250.00
	Drug stores or apothecaries — see Sec. 13-8	
	Engravers	50.00
	Express companies — Each person doing business as an express company commercially engaged in the city and receiving and sending packages to and from the city to and from any point in the state, not including revenue drive from interstate, foreign or U.S. commerce	250.00
	Exterminating or termite company	
	with one truck	100.00
	each additional truck	50.00
	Feed mills — Manufacturers or processors of dairy feed, cattle feed, chicken feed, stock feed, horse and mule feed, or similar products	100.00
	Feed stores — including feed distributors, wholesale or retail, shall pay a tax according to Sec. 13-8.	
	Fish market or peddler	75.00
	Florist (each florist, agent or dealer)	150.00
	Food and hot tamale peddler	50.00

Fruit and vegetable brokers or dealers	50.00
Fruit and vegetable stands – where fruit & vegetables are principal stock and trade, and where paying no license tax under above item	50.00
Furniture stores – shall pay according to Sec. 13-8	
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Furniture storage – Each person conducting or engaged in the business of packing or storing furniture or household goods of any nature for the general public for a consideration where no other warehouse license is paid	75.00
Gasoline filling stations	
A. For first pump	50.00
B. For each additional pump	12.00
C. Where such filling stations shall also carry a stock of goods, said station shall pay a tax upon such goods according to Sec. 13-8. (Ord. No. 1676, Sec. 1.)	
Grain elevators -including rice milling or processing	1000.00
A. Less than 750,000	500.00
B. More than 750,000	2500.00
	(Ord. No. 1676, Sec. 1.)
Gravel crushing and gravel screening plant	400.00
Grist mill	100.00
Grocery stores – shall pay the license and tax as provided in Sec. 13-8.	
Handle factory – each person conducting same	200.00
Hardware stores – shall pay a license tax according to Sec. 13-8	
Hatchery	100.00
Horses, mules, cattle, hogs or livestock trader	75.00
Hotels and motels	
A. With 10 rooms or less	50.00
B. With 10 to 19 rooms	75.00
C. With 20 to 29 rooms	100.00
D. With 30 to 39 rooms	125.00
E. With 40 to 49 rooms	175.00
F. With 50 to 74 rooms	225.00
G. With 75 to 99 rooms	275.00
H. With 100 to 150 rooms	300.00
I. With 150 rooms or more	400.00
House movers and wreckcers	
A. House movers	200.00
B. House wreckcers	100.00
Ice cream factory	
A. Each person manufacturing ice cream to sell at wholesale or wholesale and retail	200.00
B. All persons who retail all ice cream manufactured by them	100.00
C. Ice cream vendor, per truck or cart	50.00
Ice dealers and/or manufacturers	
A. Where frozen food or cold storage locker is operated in	

connection with ice dealer	100.00
B. In addition, for each ice vending machine or house operated by such dealer located at a different location	6.00
C. All persons who retail ice manufactured by them	50.00
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D. Cold storage, each person conducting a cold storage business or related activity	75.00
Installment goods dealer – Each person doing business on the installment plan, and not otherwise provided for in this ordinance	100.00
Insurance agencies	100.00
Jewelry stores and dealers – shall pay according to Section 13-8.	
Job printing and fast copy work	
A. 3 or less employed	75.00
B. Over 3 employees	100.00
Junk dealers – scrap iron, steel, scrap metals, hides, furs (raw), junk	350.00
Laboratories - dental or medical	150.00
Landscaping – not pay a florist license	150.00
Laundry or linen supply	
A. Where combined within uniforms	350.00
B. With uniforms only	150.00
C. Dust and mop control	150.00
Liquefied petroleum dealer	300.00
Loan companies or agents	150.00
Locksmith and/or gun repair and/or key maker	50.00
Lumber manufacturers	250.00
Lumber or building materials, wholesale jobber – selling wholesale only shall pay according to Sec. 13-8.	
Lumber yards – shall pay according to Sec. 13-8, providing that in no event the amount of tax shall be less than	121.00
Lunch wagon	50.00 (per truck)
Machinery or dealer or agency, new or used, including agricultural machinery	300.00
Manufacturers	
1 – 5 employees	75.00
6 – 15	125.00
16 – 30	175.00
31 – 40	350.00
41 – 50	500.00
51 – 55	575.00
56 – 65	625.00
66 – 80	675.00
81 – 90	850.00
91 – 99	1000.00
100 – 120	1075.00
121 – 140	1125.00

141 – 160	1175.00
161 – 180	1350.00
181 – 199	1500.00
200 – 220	1575.00
221 – 240	1625.00
	75
241 – 260	1675.00
261 – 280	1850.00
281 – 299	2000.00
300 plus	2500.00
(Ord. No. 1676, Sec. 1.)	
Marble – Each dealer in marble articles, gravestones, and similar materials	75.00
Merchant tailor – without stock or agent	50.00
Messenger service and package delivery	75.00
Milk distributors	
one truck	50.00
each additional truck	20.00
Miscellaneous occupation	75.00
Motion picture theaters	
A. having a seating capacity of 500 or less	300.00
B. having a seating capacity of 501 to 1000	500.00
C. having a seating capacity of over 1000	750.00
D. Drive-in theaters	250.00
Musical instrument & supply store – shall pay according to Sec. 13-8 providing that in no event the amount of tax shall be less than	100.00
Newspapers	1,000.00
Oculist - or eye, ear, nose or throat physician	150.00
Optometrist	150.00
Oils, wholesale – Each dealer in fuel, lubricating or illuminating oil, gasoline, wholesale	300.00
(Ord. No. 1676, Sec. 1.)	
Packing houses, selling salted or smoked meats, green products - including pork, fresh beef, mutton, sausage and meat products	500.00
Packing house products – Dealers, agent or brokers of meat products at wholesale, not licensed as a packing house	300.00
Photographer or photo shop	50.00
Photo supply shop. Each person, firm or corporation who engage in the sale or distribution of photo supplies or related articles shall pay according to Sec. 13-8.	
Physicians – each physician, surgeon, or other medical doctor	250.00
(Ord. No. 1676, Sec. 1.)	
Piano tuner – where not employed by or connected with a license to music instrument store	25.00
Plumber – Master plumbers operating a plumbing business or shop	150.00
Poultry or eggs –wholesale, where principal business	75.00
Public vendor – Each person selling from stands on the streets, alleys or	

public grounds and not otherwise provided for	50.00
Radio or television stations	500.00
Radio and/or TV repair shops – Each dealer including operator of a radio or TV repair shop	75.00
Real estate agency/sales/broker	
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A. Each person holding a real estate brokers license	100.00
B. Each person engaged in buying, selling, caring for or renting real estate under supervision of broker	25.00
Repair shops – Each repair shop not otherwise licensed	50.00
Restaurants and cafes	
A. 20 chairs or stools or less	50.00
B. 21 to 30 stools or chairs	75.00
C. 31 to 40 stools or chairs	100.00
D. 41 to 75 stools or chairs	125.00
E. 76 to 100 stools or chairs	160.00
F. 101 to 150 chairs or stools	200.00
G. 151 to 225 stools or chairs	240.00
H. 226 to 300 stools or chairs	275.00
I. 300 stools or chairs or more	300.00
J. Restaurant and motel combination	100.00
K. Drive-in restaurants, regardless of inside seating capacity, where car service is offered	60.50
L. Drive-ins not offering food cooked on premises	48.40
M. Delicatessens, where food is prepared for take-out by customer, not consumed on the premises	48.40
Salvage dealers, miscellaneous	100.00
Second hand dealers	
A. Clothing	50.00
B. Furniture. Shall pay according to Sec. 13-8 providing that in no event the amount of tax shall be less than	75.00
Shoe repair shops	
A. 1 Person	50.00
B. 2 or more persons	75.00
Skating rinks	225.00
Stave mill and sawmill	100.00
Taxi cabs – for each vehicle so used	50.00
Telegraph companies – each person commercially in business in this city and sending messages from the city to any other part of the state or from any part of the state to the city. (It is not the purpose hereof to tax interstate or foreign or any U.S.commerce)	100.00
Tin and sheetmetal worker or shop – each person engaged, except roofers	100.00
Transfer company- any person engaged in the business of moving household goods, etc. or hauling the merchandise or materials, including storage and warehousing	150.00

Truck freight lines – engages in intrastate commerce operating in and out of the city, provided that no tax shall be levied on interstate commerce per line	300.00
Truss manufacturing or distributor	100.00
Undertakers	250.00

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Upholsterers – shall pay according to Sec. 13-8 providing that in no event the amount of tax shall be less than	75.00
Veterinarians – each person engaged as a veterinarian	150.00
All persons operating animal clinics or animal boarding kennels	35.00
Welding company – each person conducting	75.00
A. Dealer and welding supplies	125.00
B. Machine shop and welding supplies	250.00
Woodyards or wood dealer (Ord. No. 1664, Sec. 3.)	100.00

4.04.11 Definitions. The following definitions shall apply to the use of certain terms in this chapter.

Precious metal dealer: A person, firm or corporation dealing in or purchasing antique, used or scrap jewelry and precious metals, whether for cash or trade, and whether or not a fixed place of business is maintained for such purposes.

Precious metals: Any form of gold, silver or platinum. (Ord. No. 1749, Sec. 1)

Used auto dealer: Any person or entity engaged in the business of selling, offering to sell, soliciting, or advertising the sale of used motor vehicles which has been purchased by said person or entity for the purpose of resale, either on their own account or on behalf of another, either as their primary business or incidental thereto. The term "Used auto dealer" does not include:

- A. Receivers, trustees, administrators, executors, guardians or other persons or entities appointed by law or acting under judgments, decree or order of any court; or
- B. Public officers while performing their duties as officers; or
- C. Persons or entities whom are engaged in selling their own titled used motor vehicles which were acquired for purposes primarily other than resale to the public; or
- D. Motor vehicle auctioneers as defined by state law.
(Ord. No. 2291, Sec. 2.)

4.04.12 Registration. Any person, firm or corporation purchasing or otherwise dealing

in antique, used or scrap jewelry and precious metal, where the said purchase is for resale in its original form or as changed by remounting, melting, reforming, remolding or recasting or for resale as scrap, or in bulk, shall be required to register with the Chief of Police and Sheriff of the city and county. (Ord. No. 1749, Sec. 2)

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4.04.13 Log. Every person, firm or corporation dealing in the items described in Section 4.04.12 above shall keep a log in duplicate and shall enter on said log a clear and accurate description of any items of jewelry or precious metals purchased and the date and amount of money paid for said items and the name, race and residence and address of the seller. The seller and the purchaser shall sign the log below the description of each transaction. On each day the purchaser shall transact business of the type described herein, he shall deliver to the Sheriff and the Chief of Police of the county or city a copy of the log concerning that day's business, and said copy of said log shall be delivered by noon of the following the date of said transaction. The said book shall be carefully preserved without alteration and shall at all times be opened to the inspection of the Sheriff of the County and the Chief of Police or any deputy or police officer of the city or county. (Ord. No. 1749, Sec. 3)

4.04.14 Duty to retain goods. No precious metals of any kind whatsoever received by the purchaser shall be sold or permitted to be removed from the place of business of the dealer for a period of seventy-two (72) hours from the time of receiving same and all such goods shall be retained in the original condition in which they were received during said seventy-two (72) hour period. (Ord. No. 1749, Sec. 4)

4.04.15 Notification to police of altered goods. In the event any article sold to any person regulated by the ordinance, which normally carry or have a serial number or other means of identification, which shall have said serial number or other means of identification removed, mutilated, defaced or destroyed, or melted down, such fact shall be immediately reported by the dealer to the Chief of Police or the Sheriff or his duly authorized agent. (Ord. No. 1749, Sec. 5)

4.04.16 Penalty. Any person, firm or corporation who shall violate any provision hereof shall upon conviction thereof, be deemed guilty of a misdemeanor and shall be punished by a fine of not more than Five Hundred Dollars (\$500.00). Each and every item of goods acquired in violation hereof shall be deemed a separate transaction and each failure of any person, firm or corporation to keep a record of each transaction as required by this Article, or to make a report as required by this Article, or to comply with any other provision hereof shall constitute a separate offense. (Ord. No. 1749, Sec. 6)

4.04.17 Exemptions. This ordinance shall have no application to financial institutions chartered under state or federal banking laws, nor to security firms duly licensed under federal or state customers. This ordinance shall have no application to transactions involving loose teeth. This ordinance shall have no application to the purchase of coins except that when coins are purchased, the precious metal dealer must verify the seller's identification by taking down his name, address, driver's license and retain a complete description of the coins. (Ord. No. 1749,

Sec. 7)

4.04.18 Board of Review.

A. Purpose. The purpose of the Board of Review shall be twofold:

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1. To give citizens a place to air their complaints and seek relief.
2. To provide for regular examination of the occupation tax ordinance by an impartial group with power to recommend revisions to the Council.

B. Powers. The Board of Review shall meet regularly and be empowered for the following:

1. Hear complaints of citizens and rule upon them. If the Board rules that a complaint is valid, the Board should formally recommend to the City Council that a revision in the occupation tax assessed against the complainant be made. If the Board rules that the complaint is without validity, it should reject the citizens' complaint. The citizen whose complaint is rejected would have the right to formally appeal the Board's decision to the City Council, which would then make a decision on whether or not to hold a formal hearing on the appeal at a subsequent session.
2. The Board of Review should have the power to hold hearings on classifications under the occupation tax ordinance, and if the Board finds a citizen's business is being taxed under the wrong classification, make changes in classification and inform city officials of the changes.
3. The Board of Review should make recommendations to the City Council for any needed changes in the occupation tax and privilege tax laws prior to October 1st of each year.

C. Appointment of members; terms. Members of the Board of Review should be appointed by the Mayor and confirmed by a majority vote of the City Council. Terms should be for three (3) years, with the terms of one-third (1/3) of the members expiring each year. (Ord. No. 1664, Sec. 4.)

4.04.19 Penalty. Any person who shall violate any part of this chapter, in addition to the penalty provided in Section 4.04.02 and Section 1-8, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not more than one hundred fifty percent (150%) of the amount of the license fee or occupation tax due by the offender, and each and every day shall constitute a separate offense, and the offending party, in addition shall be required to take out and pay for a license as required by the provisions of this chapter. (Ord. No.

757, Sec. 11.)

4.04.20 License required to do business with city. From and after passage and adoption of this section, it shall be unlawful for the city of Jonesboro to engage in or carry on any business with any person, firm, occupation, vocation or profession, which has not paid a privilege tax and procured a license to operate in the city of Jonesboro as required by Ordinance No. 757 and amendments thereto. (Ord. No. 1180, Sec. 1.)

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4.04.21 Automatic music machines; license required; fee. It shall be unlawful for any person to operate, exhibit or keep any automatic music machine or device operated by deposit of coins or otherwise for profit without having first procured a license therefore which license shall be in the sum of Thirty Dollars (\$30.00) per annum for each machine. (Ord. No. 666, Sec. 1.)

4.04.22 Circuses, tent shows, etc.

- A. All tent shows including circuses, wild west shows, dog and pony shows, minstrels, carnivals and all public tent shows or exhibitions of whatever name or nature, using only one tent for its shows or exhibits, shall pay a license fee of Fifty Dollars (\$50.00) per day for each day so exhibited. If more than one tent is used, the license fee shall be Two Hundred Dollars (\$200.00) per day or Four Hundred Dollars (\$400.00) per week. Such sums shall include all side shows connected with such performance and one parade upon the streets of Jonesboro. Provided lectures on science, historical or literary subjects, or tent shows or exhibits appearing in conjunction with or as a part of a general county-wide exhibition for the promotion of better farm-urban relationships and which are subsidized by state funds of the state of Arkansas and which features livestock and general farm products shall not be included within the provisions of this section.
- B. No tent shows including wild west shows, circuses, dog and pony shows, minstrels, carnivals and all other public tent shows or exhibitions of whatever name or nature shall locate any of its structures, fence, exhibitions or any other structures of any nature whatsoever closer than three hundred (300) feet of any public street or right-of-way.
- C. No permit or license to conduct any show specified in subsection (a) shall be issued or granted except upon the deposit with the City Collector of the sum of One Hundred Dollars (\$100.00) conditioned upon and to guarantee that the premises occupied by said shows or exhibitions herein mentioned shall be left in a clean and sanitary condition and that all paper, trash and rubbish of any nature whatsoever shall be picked up and disposed of as now provided by the city garbage collection laws and all laws then in effect; said deposit to be returned after inspection of said premises by the Chief of Police or some person designated by him and found to be in a clean and sanitary condition and all such trash being disposed of, a violation of which shall constitute a misdemeanor.

- D. Any person owning or having control of any land or premises leased or rented, for the use of any shown herein specified and any person owning, operating or having control of any such show, exhibit or structure of any nature whatsoever violating the provisions of this section shall be guilty of a misdemeanor. (Ord. No. 940, Sec. 1.)

4.04.23 Coin-operated machines, venders, devices, etc.

- A. There is hereby levied upon each of the following described coin-operated machines, games, devices and mechanical venders, and, upon machines, games, venders or devices of like character, an annual city license tax in the amount for each machine as hereinafter indicated:
1. For each amusement game including each such game as radio, rifles, miniature football, golf, baseball, hockey, bumper tennis, miniature shooting galleries, miniature pool tables, miniature bowling, and other miniature games where the charge for playing is collected by a mechanical device, Five Dollars (\$5.00)
 2. On each coin-operated penny weighing scale. One Dollar (\$1.00).
 3. On each penny gum vender, One Dollar (\$1.00).
 4. On each United States Stamp vender. One Dollar (\$1.00).
 5. On each cigarette vender, Two Dollars Fifty Cents (\$2.50) .
 6. On each combination cigar and cigarette vender, Two Dollars Fifty Cents (\$2.50).
 7. On each penny peanut vender, One Dollar (\$1.00).
 8. On each music vending phonograph, Five Dollars (\$5.00).
 9. On all other coin-operated venders for less than Five Cents (\$.05), One Dollar (\$1.00).
 10. On all other coin-operated devices for less than Five Cents (\$.05), One Dollar (\$1.00).
 11. On all other coin-operated venders for Five Cents (\$.05) or over, Two Dollars Fifty Cents, (\$2.50).

12. On all other coin-operated devices for Five Cents (\$.05) or over, Two Dollars Fifty Cents (\$2.50).
13. On all coin-operated machines with over three (3) slots, for each slot over three (3), Five Dollars (\$5.00).

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- B. On each machine, game, mechanical vender, or device above enumerated, the City Collector shall issue a license and charge therefore the sum of money required for each machine by this section, said licenses to be due and payable on the first day of January of each year and expiring on the last day of December of each year. (Ord. No. 683, Secs. 1 and 2.)

4.04.24 State license required. No city license shall be issued upon any machine, device, game or mechanical vender, until a state license has been issued thereon where a state license is required by law. (Ord. No. 683, Sec. 3.)

4.04.25 License to be displayed; penalty. No machine, device, game, or mechanical vender described in Section 4.04.23 shall be exhibited or operated until the license hereby required shall have been obtained and said license shall be at all times displayed upon, and affixed to said machine, device, mechanical vender or game. Any person operating or exhibiting any machine, game, device or mechanical vender, without the license hereby required shall be guilty of a misdemeanor. (Ord. No. 683, Sec. 4.)

4.04.26 Itinerant merchants, etc. Licensed required; Amount; Deposit. Each itinerant person engaged in the business of merchant, vendor, solicitor, door to door canvasser, photographer or salesman in the city shall pay to the City Collector as a license fee the sum of One Hundred and Fifty Dollars (\$150.00) for each four (4) month period or part thereof that said person shall engage in any of said occupations and endeavors. And as a means of determining who shall pay said license, any person beginning any of said occupations in the city shall pay to the City Collector as a deposit said license fee of One Hundred and Fifty Dollars (\$150.00) and the same shall be returned if the person making the deposit shall remain in continuous operation within the city for six (6) consecutive months, and such party shall pay only the amount of tax prescribed for parties regularly engaged in business within the city as prescribed by Section 13.08. If the party making said deposit does not remain continuously engaged in business for said six (6) month period, then said One Hundred and Fifty Dollars (\$150.00) deposit shall be applied on the itinerant license hereinbefore prescribed. (Ord. No. 780. 2.)

4.04.27 Pawnbrokers.

- A. It shall be the duty of each pawn broker, his or its agent, servant, and/or employee to provide daily to the Chief of Police of the city of Jonesboro, Arkansas, and to

the Sheriff of Craighead County, Arkansas, a written record, listing each transaction for that date and it shall include the name of the person conducting the transaction, that person's age, address, driver's license number, social security number and thumb print and it shall describe the item pawned. In lieu of either a driver's license number or social security number, a credit card in current effect, may be substituted for one of the above. Under no circumstances shall a pawn broker, his or its agent, servant, and/or employee transact any business relating to the pawning of merchandise with any individual under the age of eighteen (18)

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years. The city of Jonesboro shall provide all necessary forms to the pawn brokers located in the city of Jonesboro and shall pick up said forms daily.

- B. Any individual who fails to provide the daily report or information required in this section or who shall conduct a transaction with an individual under the age of eighteen (18) years shall be subject to a fine for the first offense of no greater than One Hundred Dollars (\$100.00); for a second offense, an individual shall be fined no more than Two Hundred Fifty Dollars (\$250.00) and for each subsequent offense, an individual shall be subject to a fine of no more than Five Hundred Dollars (\$500.00) and no more than thirty (30) days in jail or both.
- C. The written record required in subparagraph "a" shall be kept on the business premises and shall be at all times subject to the inspection of the Mayor, Chief of Police, a police officer on duty and the City Attorney upon demand by any of them. It is hereby further provided that all cases whereby any such article or personal property is still in possession of the individual and subject to his control, it shall at all times be subject to the inspection of the said officers upon said demand by any of them to see the article itself. (Ord. No. 1846, Sec. 1)

4.04.28 Poolrooms, bowling alleys, etc. - License required. It shall be unlawful for any person to engage in the business of operating a billiard room, poolroom, smoker room, a room or place where dominoes are played or bowling alley for a profit, without first having obtained a license and permit from the city. (Ord. No. 721, Sec. 1.)

4.04.29 Certain persons ineligible for license. No license or permit to operate the business or businesses set out in Section 4.04.27 shall be granted to any of the following persons:

- A. Any person under the age of eighteen (18) years.
- B. Any person who has not complied with all the laws of the state of Arkansas governing the laws of such places of business.
- C. Any person who has had his permit or license issued for the operation of such business by the state of Arkansas revoked within two (2) years prior thereto.

4.04.30 Revocation of license; notice and hearing. Any license or permit issued under the authority of Section 4.04.28 may be revoked by the District Court at a hearing before it, after notice to the licensee of the time and place of the hearing for any one of the following reasons:

- A. The licensee has been convicted of a felony and is not entitled to be granted a license because of lack of qualifications set out in Section 4.04.28.
- B. The licensee permits persons of low, degraded and immoral character to become habitues of such place, or permits known criminals to loiter around such places.

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- C. The licensee engages in, encourages or permits knowingly, the sale of alcoholic liquors in such places or permits gambling in such places of business. (Ord. No. 721, Sec. 3.)

4.04.31 Term of license; license to designate location of business. Licenses and permits issued under Section 4.04.27 shall expire on the first day of January of each year, and licenses and permits shall designate location and place of business. (Ord. No. 721, Sec. 4.)

4.04.32 Amount of license fee. The amount of the annual license fee shall be Twenty-Five Dollars (\$25.00) for the first pool table and Ten Dollars (\$10.00) for each additional table thereafter in the place of business; Ten Dollars (\$10.00) for each bowling lane located in said place of business. The City Council may permit the payment of a portion of the license fee for the remaining part of any year only after the first day of July of any year. (Ord. No. 1071, Sec. 1.)

4.04.33 Licenses not transferable; collector to issue; change in location of business. No licenses or permits issued under the authority of Sections 4.04.27 shall be transferable, and all licenses shall be issued by the City Collector. No change in the location of the business may be made under the license. (Ord. No. 721, Sec. 6.)

4.04.34 Unobstructed view of interior of the premises. The view from the sidewalk or street into any pool or billiard hall or room shall not be obstructed by frosting or paint on the windows, by screens, blinds or other obstructions; and any owner, proprietor or manager of such hall or room who shall fail, neglect or refuse to remove any such obstruction after two (2) days notice so to do, either oral or written, from the Chief of Police or his deputy, shall be guilty of a misdemeanor. (Digest 1934, Sec. 886)

4.04.35 Minors excluded. It shall be unlawful for any person owning, controlling or managing any pool room or billiard hall within the city to permit any person under the age of eighteen (18) years to play pool or billiards within such hall or place. (Digest 1934, Sec. 887, Ord. No. 1071, Sec. 2.)

4.04.36 Trading stamps business - License required. It shall be unlawful for any person to engage in, exercise, pursue, carry on, or in any other manner be interested in the business or

enterprise of selling, giving away, distributing or otherwise disposing of premium stamps, periodical tickets, trading stamps, coupons, tickets or any similar devices wherein and whereby certain merchants, manufacturers or other persons engaged in a lawful occupation, calling or business are advertised, exploited or patronized to the exclusion of others on like terms, without first having secured a license from the City Collector authorizing the same. (Ord. No. 801, Sec. 1.)

4.04.37 Amount of license fee; term of license; expiration. The amount of the license fee required under Section 4.04.36 shall be One Hundred Fifty Dollars (\$150.00) per annum, payable in cash in advance; provided however, that the City Collector may issue a license for a

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period of three (3) months, in which event, the license fee shall be Fifty Dollars (\$50.00), which shall also be paid in cash in advance. All annual licenses issued hereunder shall expire on December 31st of the year in which the same are issued; and all quarterly licenses shall expire on the last day of March, June, September or December of the quarter for which the same are issued. (Ord. No. 801, Sec. 2.)

4.04.38 Provisions construed. The provisions of Sections 4.04.36 and 4.04.37 shall not prohibit or prevent any merchant, manufacturer or other person engaged in a lawful business, avocation or calling, from allowing without the payment of any license fee, a discount to any customer on the payment of an account or on a cash purchase, whether such discount be given in the form of cash or in trading stamps redeemable in cash at their face value; nor shall the provisions of Sections 4.04.36 and 4.04.37 prohibit or prevent the sale to retailers, without the payment of any license fee, of any such stamps; nor shall the provisions of Sections 4.04.36 and 4.04.37 prohibit or prevent the giving away of any article of merchandise or any other souvenir or token to any customer at any time; nor shall the same prohibit or prevent any merchant, manufacturer or other person from selling certain articles of merchandise at a discount or less than the wholesale cost price; nor shall the same prohibit any such person from putting on sales whereby certain customers are able to obtain better bargains than other customers. (Ord. No. 801, Sec. 3.)

CHAPTER 4.08

TELEPHONE SOLICITATIONS

Sections:

4.08.01 Telephone solicitations of contributions for eleemosynary purposes prohibited

4.08.01 Telephone solicitations of contributions for eleemosynary purposes prohibited.
The practice of telephoning any private residence or dwelling or business establishment in the city for the purpose of soliciting contributions, donations, ticket sales or gifts for benevolent,

philanthropic, patriotic, religious, educational, charitable or other eleemosynary purposes without a permit is prohibited.

The city collector shall issue a permit for telephone solicitation of contributions, donations, gifts, ticket sales for such purposes at no fee upon sworn statement of the person making such telephone solicitation or of an officer of the organization, group, association, partnership or corporation making such telephone solicitation which shall include the following:

- A. The name under which such telephone solicitation is to be conducted;
- B. The names, addresses and telephone numbers of persons or of the officers and directors of the organization, group, association, partnership or corporation who is to conduct such telephone solicitations;
- C. The names, addresses and telephone numbers of any professional fund raiser and professional solicitors who participate or will participate in such telephone solicitation together with a statement setting forth information showing that such fund raisers and/or solicitors are registered with the Secretary of State's office together with a statement setting forth the terms of the arrangements for salaries, bonuses, expenses, commissions and other remunerations to be paid the professional fund raisers and professional solicitors;
- D. The general purposes of the person, organization, group association, partnership or corporation conducting such telephone solicitation;
- E. The purposes for which the contributions, donations or gifts solicited will be used;
- F. The period of time during which such telephone solicitation is to be conducted;
- G. The written consent of any existing person, group, organization, association, partnership or corporation for which such telephone solicitation is made;
- H. Such sworn statement shall further include a statement that all fund raisers and solicitors involved in solicitations will inform each prospective donor or contributor orally and by a writing and prior to accepting any donation, contribution, or ticket purchase, (1) the minimum percent of the gross income to be received by the involved charitable, benevolent, civic, patriotic or philanthropic cause, excluding the cost of fund raising activity and (2) the identity of the person, firm or corporation responsible for soliciting said funds and the compensation received for such services. If solicitations involve the sale of passes or tickets of admission to a show or benefit, a statement that no more tickets of admission or passes will be sold for each performance than is permitted by the capacity of the facility where the shows or benefits are to be played.

A permit issued under this section shall be valid only during the calendar year in which it issued.

Within six (6) weeks from the time that solicitation efforts are terminated, the person to whom a permit has been issued hereunder shall file a written report and financial statement with the Clerk showing the amount raised by the solicitations, the amount expended in collecting such funds, including a detailed report of wages, fees, commissions and expenses paid to any person in connection with such solicitation and the disposition of the balance of the funds collected. This report shall be available for public inspection. No person shall be granted a new permit unless and until he has filed the report required under a previous permit.

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The provisions of this ordinance shall not apply to any bona fide full time employee of said organization or to any firm, person, partnership, corporation or other entity who donates or gives all of the gross proceeds from sales or all donations to the organizations for which said funds or things of value were solicited.

Any practice or act prohibited by this ordinance may be deemed to have occurred or to have been committed at either the place at which the telephone call was made or was received.

Any person, organization, group, association, partnership, or corporation found guilty of violating any of the provisions of this ordinance shall be fined in an amount not to exceed Five Hundred Dollars (\$500.00) or by imprisonment for not more than six (6) months or both. (Ord. No. 2060, Sec. 1)

CHAPTER 4.12

GAS FRANCHISE

Sections:

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|---------|---|
| 4.12.01 | Imposed; when due; in lieu of other taxes |
| 4.12.02 | Construction of chapter |
| 4.12.03 | Amount of tax; when due |
| 4.12.04 | To be passed on to customers |
| 4.12.05 | Effect upon franchise, rate schedule |

4.12.01 Imposed; when due; in lieu of other taxes. Arkansas Louisiana Gas Company shall pay to Jonesboro, the sum of One Dollar (\$1.00) annually for each of the average number of customers served during the next preceding calendar year within the limits of said municipality. All such payment shall be paid in January. The tax as herein levied shall be in lieu of any occupation tax, license tax, excise tax and any other character of municipal tax or fee (excepting the general ad valorem taxes, automobile license fees, and special millage taxes). (Ord. No. 975, Sec. 1.)

4.12.02 Construction of chapter.

- A. This chapter shall not be construed to alter or change the terms or conditions of the franchise under which the Gas Company is operating.
- B. Nothing in this chapter shall be construed to alter or change the rate schedule under which the gas company is now operating, except by order of the Arkansas Public Service Commission or other legally constituted bodies. (Ord. No. 975, Secs. 2 and 3.)

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4.12.03 Amount of tax; when due.

- A. The Gas Company shall pay to the city of Jonesboro for the privilege of doing business in the city of Jonesboro, Arkansas, the sum of One Hundred Forty Thousand Dollars (\$140,000.00) annually.
- B. Payments to the city by Arkansas Louisiana Gas Company for the tax provided for in subsection (A) hereof shall be made semiannually beginning with the first payment on January 31 and the second payment due and payable on July 31, 1981. (Ord. No. 1742, Sec. 1.)

4.12.04 To be passed on to customers. Pursuant to authority of an order of the Arkansas Public Service Commission relating to and approving a formula for computation of the municipal taxes which may be considered a part of the rate structure for the Arkansas Louisiana Gas Company which rate was fixed by said order, the city hereby recognizes and expects that the Arkansas Louisiana Gas Company will cause the additional taxes levied in Section 4.04.03 hereof together with collection costs to be passed on to its customers within the city of Jonesboro. Such additional charges may be reflected on monthly statements as "city taxes". (Ord. No. 1948, Sec. 3.)

4.12.05 Effect upon franchise, rate schedule.

- A. Nothing herein shall be construed to alter or change the terms or conditions of the present franchise under which the gas company is operating in the city of Jonesboro, Arkansas.
- B. Nothing herein shall be construed to alter or change the present rate schedule under which the gas company is now operating except by order of the Arkansas Public Service Commission or other legally constituted bodies. (Ord. No. 1948, Secs. 4 and 5.)

CHAPTER 4.16

CABLE TELEVISION FRANCHISE

Sections:

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4.16.01 Title. This ordinance shall be known and may be cited as Jonesboro Cable TV Ordinance. (Ord. No. 3296, Sec. 1)

4.16.02 Preamble. This ordinance was passed after the City Council, acting through its appointed committee, solicited and received comments from interested parties and upon careful consideration of Grantee's qualifications, including its legal character, financial and technical qualifications, and the adequacy and feasibility of its undertakings. (Ord. No. 3296, Sec. 2)

4.16.03 Definitions. For the purpose of this ordinance and when not inconsistent with the context, words used herein in the present tense include the future; words in plural include the

singular, and vice versa. The word "shall" is always mandatory. The captions supplied herein for each section are for convenience only. Said captions have no force of law, are not part of the section, and are not to be used in construing the language of the section. The following terms and phrases, as used herein, shall be given the meaning set forth below:

City is the city of Jonesboro, a municipal corporation organized and existing under the laws of the state of Arkansas.

Grantee is TCA Cable partners, a general partnership organized and existing under the laws of the state of Delaware and authorized to conduct business in the state of Arkansas, and it is the grantee of rights under this franchise. Grantee does business as, and provides service under the name, Cox communications.

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City Council is the City Council of the city of Jonesboro or its designated representatives.

Federal Communications Commission or **FCC** is the present federal agency of that name as constituted by the Communications Act of 1934, or any successor agency created by the United States Congress.

Person is any individual, firm, partnership, association, corporation, company or organization of any kind.

Gross Subscriber Revenues shall include any and all compensation or receipts derived by grantee from the operation of its cable system to provide cable service within the city limits including but not limited to basic and expanded basic service, digital, premium and pay-per-view service, installation, disconnection and re-installation charges, income from advertising and leased channels, and revenue from other cable services, as that term is defined in 47 U.S.C. 522(6). It shall not include any receipts from sale of equipment, converter rentals or any customer paid taxes imposed upon the services furnished by the Grantee.(Ord. No. 3296, Sec. 3)

4.16.04 Grant of authority. Subject to the compliance by grantee with its obligations under this agreement, there is hereby granted by the City to Grantee the right and privilege to construct, erect, operate and maintain in, upon, along, across, above, over or under the streets, alleys, public utility easements, public ways and public places now laid out or dedicated throughout the entire city as now constituted or as may become subject to the city's jurisdiction during the period of this franchise, all poles, wires, cables, underground conduits, manholes and other conductors and fixtures necessary for the maintenance and operation in the City of a cable television system for the transmission of television and other communication signals including those required by the FCC or other regulatory entity, either separately or upon or in conjunction with any public utility maintaining the same in the City, with all the necessary and desirable appliances and appurtenances pertaining thereto. Without limiting the generality of the foregoing, this franchise and grant shall and does hereby include the right in, over, under and upon the streets, sidewalks, alleys, public utility easements and public grounds and places in the

city to install, erect, operate or in any way acquire the use of, as by leasing and licensing, all lines and equipment necessary to a cable television system and the right to make connections to subscribers and the right to repair, replace, enlarge and extend said lines, equipment and connections. Grantee shall utilize existing light, power or telephone poles when economically and technically feasible and shall pay an annual rental when required to the entity owning such poles and if such entity is the city Water and Light System, that System shall be considered as a separate entity from the city of Jonesboro for the purpose of this agreement. The rental shall be as agreed upon between the grantee and the entity concerned. The rights herein granted for the purposes herein set forth shall not be exclusive and the city reserves the right to grant a similar use of said streets, alleys, public utility easements, public ways and places to any person at any time during the period of this franchise, provided, however, that in the event the City grants authority to a third party to provide multi-channel video services within the City and such authority contains terms that are more beneficial or less burdensome than those contained in the

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franchise, franchisee may adopt the more beneficial or less burdensome terms and conditions by notifying the City in writing, and such terms and conditions shall supersede those contained herein. (Ord. No. 3296, Sec. 4)

4.16.05 Police power. Grantee shall at all times during the term of this franchise be subject to all lawful exercise of the police power of the city. The right is hereby reserved to the city to adopt, in addition to the provisions herein contained and any other existing applicable ordinances, such additional applicable ordinances as it shall find necessary in the exercise of its police power; provided, however, that such additional ordinances shall be reasonable, shall not conflict with or alter in any manner the rights granted herein, and shall not conflict with the laws of the state of Arkansas, the laws of the United States of America or the rules, regulations and policies of the FCC. (Ord. No. 3296, Sec. 5)

4.16.06 Indemnification. Grantee shall indemnify and save the City harmless from all loss sustained by the city on account of any suit, judgment, execution, claim or demand whatsoever, whether litigated or not, against the City arising out of the operation and maintenance by grantee of the cable television system in the City except that Grantee shall not incur any such liability for libel, slander, obscenity, incitement, invasion of privacy, false or misleading advertising or similar causes of action for any program carried on any channel or channels designated for public, educational or governmental use. The indemnification provided by the grantee hereunder shall include reasonable attorney's fees. Grantee shall carry property damage and personal injury insurance with some responsible insurance company or companies qualified to do business in the state of Arkansas. The amounts of such insurance to be carried for liability due to property damage shall be Five Hundred Thousand Dollars (\$500,000.00) as to any one occurrence; and against liability due to injury to or death of person, Five Hundred Thousand Dollars (\$500,000.00) as to any one person and Two Million Dollars (\$2,000,000.00) as to any one occurrence. The City shall notify Grantee, in writing, within ten (10) days after the presentation of any claim or demand, either by suit or otherwise, made against the City arising out of the operation and maintenance of grantee's cable television system. Where any such claim or demand against the City is made by suit or other legal action, written notice thereof shall be given by the City to grantee not less than five (5) days prior to the date upon which an answer to

such legal action is due or within ten (10) days after the claim or demand is made upon the city, whichever is the shorter period. Failure by the City to notify grantee properly in accordance with the foregoing of any such claim, suit, or demand against the City shall release Grantee from its obligation to indemnify the city as provided herein unless it is shown that the failure to so notify is due to an unavoidable casualty or misfortune. (Ord. No. 3296, Sec. 6)

4.16.07 Construction and maintenance.

- A. All structures, lines and equipment erected by Grantee within the city shall be so located and maintained as to cause minimum interference with the proper use of streets, alleys, public utility easements and other public ways and places and to cause minimum interference with the rights or reasonable convenience of property owners, and so as not to endanger or interfere with the lives of persons or to

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interfere with any improvements the City shall deem proper to make. Grantee shall comply with all lawful ordinances of the city now or hereafter in force. Existing poles, posts, conduits, and other such structures of any electric power system, telephone company or other public utility located in the City shall be made available to grantee for leasing or licensing upon reasonable terms and rates and shall be used to the extent practicable in order to minimize interference with travel and avoid unnecessary duplication of facilities. If other utilities elect to go underground in a specific area of the City, grantee will also place its cables underground. To the extent that existing poles, posts, conduits, and other such structures are not available, or are not available under reasonable terms and conditions, including excessive cost or unreasonable limitation upon the use of Grantee's cable television system, Grantee shall have the right to purchase, lease, or in any other manner acquire land, rights-of-way, or public utility easements upon or under which to erect and maintain its own poles, conduits, and other such structures as may be necessary for the construction and maintenance of its cable television system.

- B. In case of any disturbance by grantee of pavement, sidewalk, driveway or other surfacing, grantee shall, at its own cost and expense and in a manner approved by the city, replace and restore all paving, sidewalk, driveway or surface so disturbed in as good condition as before said work was commenced within thirty (30) working days after the disturbance is completed.
- C. In the event that at any time during the period of this franchise the city shall lawfully elect to alter or change any street, alley, public utility easement, or other public way requiring the relocation of grantee's facilities, then in such event grantee, upon reasonable notice by the city, shall remove, relay and relocate the same at its own expense; provided, however, that where public funds are allocated for such relocation pursuant to law, grantee shall not be required to pay the cost.

- D. Grantee shall, on the request of any person holding a building moving permit issued by the city, temporarily raise or lower, its lines to permit the moving of the building. The expense of such temporary removal shall be paid by the person requesting the same, and grantee shall have the authority to require such payment in advance.
- E. Grantee shall have the authority to trim trees upon and overhanging all streets, alleys, public utility easements, sidewalks and public places of the city so as to prevent the branches of such trees from coming into contact with Grantee's facilities.
- F. All poles, lines, structures and other facilities of Grantee in, on, over and under the streets, sidewalks, alleys, public utility easements and public grounds or places of the city shall be kept by grantee at all times in a safe and substantial condition. (Ord. No. 3296, Sec. 7)

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4.16.08 FCC rules applicable. This franchise is governed by and subject to all applicable rules, regulations and policies of the Federal Communications Commission, the Cable Communications Policy Act of 1984, and by the laws of the state of Arkansas. Should there be any modifications of the provisions of the Rules and Regulations of the Federal Communications Commission or state or federal law, that are inconsistent with this franchise, the City and Grantee agree that this franchise shall be appropriately amended within one (1) year after the effective date of the FCC's adoption of the modifications or upon renewal of this franchise, whichever occurs first. (Ord. No. 3296, Sec. 8)

4.16.09 Franchise terms. This franchise shall take effect, and be in full force from and after acceptance by the grantee as provided in Section 4.16.15, and the same shall continue in full force and effect for a term of fifteen (15) years, provided that there will be a review of the terms hereof and the Grantee and Grantor's performance hereunder at the end of each three (3) year period. Such review shall take place within three (3) months after the end of each three (3) year period, and as a result of such review, the parties may negotiate any matters pertaining to this franchise; including but not limited to the following items:

- A. Grantee's failure to provide basic cable TV service to a resident of the City who desires such service, if there is evidence to that effect.
- B. The nature and/or quality of Grantee's service if a substantial number of credible complaints relating thereto have been received.
- C. The Grantee's handling of complaints, changes, charges or other dealings with subscribers if such conduct has been marginal or worse.
- D. The City's failure to comply with any terms of this agreement in a timely, businesslike manner.
- E. Major technical advances in cable television and the telecommunications industry

in general, to the extent such advances are applicable to the services provided pursuant to this franchise.

Any matter subject to negotiation shall be resolved by agreement and incorporated herein by written agreement. (Ord. No. 3296, Sec. 9)

4.16.10 Forfeiture. If Grantee should violate any of the terms, conditions or provisions of this franchise or if Grantee should fail to comply with any lawful provisions of any ordinance of the city regulating the use by Grantee of the streets, alleys, public utility easements, or public ways of the city and should Grantee further continue to violate or fail to comply with the same for a period of thirty (30) days after Grantee shall have been notified in writing by the city to cease and desist from any such violation or failure to comply so specified, then Grantee may be deemed to have forfeited and annulled and shall thereby forfeit and annul all the rights and privileges granted by the franchise; provided, however, that such forfeiture shall be declared only

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by written decision of the City Council after an appropriate public proceeding before the City Council affording Grantee due process and full opportunity to be heard and to respond to any such notice of violation or failure to comply; and provided further that the City Council may, in its discretion and upon a finding of violation or failure to comply, impose a lesser penalty than forfeiture of this franchise or excuse the violation or failure to comply upon a showing by grantee of mitigating circumstances. Grantee shall have the right to appeal any finding of violation or failure to comply and any resultant penalty to any court of competent jurisdiction. In the event that forfeiture is imposed upon Grantee, it shall be afforded a period of six (6) months within which to sell, transfer or convey this cable television system to a qualified purchaser at fair market value. During this six (6) month period, which shall run from the effective date of the final order or decision of the City Council imposing forfeiture, including any appeal, Grantee shall have the right to operate this cable television system pursuant to the provisions of this franchise. Pursuant to 47 U.S.C. 547(b), the City may purchase the system after termination of the franchise for cause at an equitable price. If grantee has not removed its facilities within twelve (12) months from the effective date of the final order or decision imposing forfeiture, including any appeal, the city shall have the right to dismantle grantee's facilities at grantee's expense. (Ord. No. 3296, Sec. 10)

4.16.11 Surrender right. Grantee may surrender this franchise at any time upon filing with the Clerk/Treasurer of the City a written notice of the intention to do so at least six (6) months before the surrender date. On the surrender date specified in the notice, all of the rights and privileges and all of the obligations, duties and liabilities of Grantee in connection with this franchise shall terminate. If Grantee has not removed its facilities from the city's right-of-way within twelve (12) months of said written notice, the City has the right to dispose of said property as it deems appropriate or to retain same as the absolute property of the City without accounting therefore to the grantee and the expenses of such removal shall be charged to and paid by grantee, without credit for the value, if any. (Ord. No. 3296, Sec. 11)

4.16.12 Transfers. All of the rights and privileges and all of the obligations, duties and

liabilities created by this franchise shall pass to and be binding upon the successors of the City and the successors and assigns of Grantee; and the same shall not be assigned or transferred without the written approval of the City Council, which approval shall not be unreasonably withheld; provided, however, that this section shall not prevent the assignment or hypothecation of the franchise by Grantee as security for debt without such approval; and provided further, that transfers or assignments of this franchise between any parent and subsidiary corporation or between entities of which at least fifty percent (50%) of the beneficial ownership is held by the same person, persons or entities shall be permitted without the prior approval of the City Council. (Ord. No. 3296, Sec. 12.)

4.16.13 Franchise fee. In consideration of the terms of this franchise, grantee agrees to pay the City a sum of money equal to five percent (5%) of Grantee's gross subscriber revenues per annum, as defined in subsection F of Section 4.16.03 of this agreement. Such sum shall be paid pro-rata four (4) times per year with payment due within forty-five (45) business days of the end of each quarter. It is further agreed that if during the term of this agreement, an increase

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over five percent (5%) in such franchise fees is allowed by law or regulation, the Grantee and the City shall within one hundred twenty (120) days of the effective date of the change in the law or regulation enter into negotiations to determine if a change in the franchise fee due herein is appropriate.

The above mentioned franchise fees are in lieu of privilege licenses and similar taxes but not such taxes as ad valorem or vehicle license fees. (Ord. No. 3296, Sec. 13)

4.16.14 Receiver sales prohibited. As a condition of this franchise, Grantee agrees that it shall not engage in the business of sales, leases, rentals or repair of television or radio receivers, either directly or indirectly; provided, however, that this paragraph shall not apply to converters, decoders, home interactive terminals and other devices as may be used in furnishing any programming or services via Grantee's cable television system. (Ord. No. 3296, Sec. 14)

4.16.15 Acceptance. This ordinance shall become effective when accepted by Grantee and shall then be and become a valid and binding contract between the City and Grantee; provided, however, that this ordinance shall be void unless Grantee shall, within ninety (90) days after the final passage of this ordinance, file with the City Clerk of the city a written acceptance of this ordinance and the franchise herein granted, agreeing that it will comply with all of the provisions and conditions hereof and that it will refrain from doing all of the things prohibited by this ordinance. (Ord. No. 3296, Sec. 15)

4.16.16 Lock device. Grantee shall upon the request of a subscriber supply a device by which that subscriber can prohibit viewing of programming on channels and at times specified by the subscriber. Grantee may charge for this device. (Ord. No. 3296, Sec. 16)

4.16.17 Rate for basic service. Grantee's rates shall be established pursuant to federal law and FCC regulations. (Ord. No. 3296, Sec. 17)

4.16.18 Unlawful acts.

- A. It shall be unlawful for any person to make any unauthorized connection, whether physically, electrically, acoustically, inductively or otherwise, with any part of Grantee's cable television system for the purpose of enabling himself or others to receive any television signals, radio signals, pictures, programs, sounds or any other information or intelligence transmitted over grantee's cable system without full payment to Grantee or its lessee.
- B. It shall be unlawful for any person, without the consent of the owner, to willfully tamper with, remove or injure any cable, wires or other equipment used for the distribution of television signals, radio signals, pictures, programs, sounds, or any other information or intelligence transmitted over Grantee's cable system.

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- C. It shall be a misdemeanor punishable by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment for a term not to exceed six (6) months or both, for any person to violate any of the provisions of this section.
- D. In the event of conviction in any court, Grantee may terminate service to the subscriber and/or household until said conviction is reversed by a higher court. (Ord. No. 3296, Sec. 18)

4.16.19 Free services and public - educational - governmental channels. The Grantee shall furnish, free of charge, one (1) service connection and complimentary expanded basic service to each of the following locations: each public school located within the corporate limits of the city of Jonesboro, the public library, the City Hall, the Justice Complex, each of the fire department stations within the corporate limits of the city of Jonesboro and one (1) connection each to the Dean B. Ellis Library and Carl R. Reng Student Center at Arkansas State University. In addition, Grantee shall provide one (1) complimentary cable modem and associated residential service to each public school within the corporate limits of the city of Jonesboro, the public library, City Hall, the Justice Complex, and the Central Fire Station. Cable modem service shall be provided on the same terms and conditions as Grantee's basic residential service offering.

In addition to the above, after an upgrade of the cable system is complete such that the number of active channels is more than 70, or December 31, 2003, whichever occurs sooner, the Grantee shall provide:

- A. One (1) channel on the basic service (basic tier) for non-commercial educational access programming produced by the Radio-Television Department of Arkansas State University. This channel shall be solely for the use of Arkansas State University, except that said department of ASU may relinquish use of such channel to the Grantee at times when channel is not being used by the Department

of Radio-TV of Arkansas State University. Any such use by the Grantee shall not be inconsistent with the goals and purposes of Arkansas State University and shall not be such as to bring discredit upon or otherwise impair the image of Arkansas State University.

- B. One (1) channel on the basic service (basic tier) for non-commercial public access programming and shall provide suitable studio facilities (to include not less than two cameras as well as adequate switching, monitoring, lighting and audio equipment) to permit production and transmission of programs to the public by interested, not-for-profit groups and organizations and individual citizens. The City shall establish appropriate rules and procedures for use of this access channel notwithstanding, however, that such groups and individuals shall have the right to appeal said rules and procedures through appropriate avenues established by City ordinance. Grantee shall provide qualified personnel, in a number no less than one (1), to assist groups and individuals who wish to make use of the public access channel, in use of the same. At Grantee's discretion the cost of the studio,

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equipment, and personnel may be passed through to Grantee's subscribers as a line item on subscriber bills as permitted by federal law and FCC regulation.

- C. One (1) channel on the basic service (basic tier) for non-commercial governmental access programming. The City shall establish appropriate rules and procedures for use of the governmental access channel. Throughout the term of this franchise, Grantee shall continue to provide the City the ability to air live non-commercial public, educational, and governmental access programming from the City Council chambers located in the Huntington Building at 900 W. Monroe Ave., Jonesboro, AR, that can be viewed on the governmental access channel. (Ord. No. 3296, Sec. 19)

4.16.20 Insurance. Grantee shall at all times during the existence of this franchise carry:

- A. The liability insurance set forth in Section 4.16.06 of this ordinance;
- B. Workers' Compensation insurance in compliance with the laws of the state of Arkansas;
- C. Automobile liability insurance on all vehicles owned by Grantee with limits of not less than One Hundred Dollars/Three Hundred Thousand Dollars (\$100/\$300,000.00) and automobile liability property damage insurance with a limit of not less than One Hundred Thousand Dollars (\$100,000.00). (Ord. No. 3296, Sec. 20)

4.16.21 Reserved

4.16.22 Equipment. Subject to applicable FCC regulations which specify "must carry"

stations to the Grantee, the Grantee shall provide at its expense all equipment and facilities except converters necessary to provide subscribers in the City a basic program of not less than twenty (20) channels.

The quality, both visual and aural, of the programs transmitted to subscribers by grantee, shall meet FCC and CATV engineering standards and be essentially the same as if the subscriber were located in the normal viewing area of the original broadcast, subject only to such degradation as may be caused by the subscriber's TV set, the satellite relay or other equipment beyond the control and not the responsibility of Grantee. Grantee shall not be charged with default hereunder for failures caused by storms, lightning, earthquakes and other acts of God or nature. However, Grantee shall use its best efforts to recover and restore service as soon as possible in cases of disruption for such causes.

Where subscribers are without service due to acts of God or nature for more than twenty-four (24) hours, upon notice to grantee, the subscriber shall receive a credit for the period during which he or she did not receive service. (Ord. No. 3296, Sec. 22)

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4.16.23 Financial records. Grantee shall maintain accurate books and records of its operation covered by this agreement. Such books and records shall be adequate to permit a qualified accountant to prepare a report showing grantee's income, profit or loss, return on investment, margin of profit on sales, expenses as determined by prorating all subscribers in grantee's system, and other financial data sufficient to make a fair determination of the amount of Grantee's gross receipts and their sources, what they are used for and whether grantee is or should be with competent management, making a reasonable profit under this agreement.

Once each three (3) years, during the review period as set forth herein, Grantee shall cause to be conducted at Grantee's expense, an independent audit of its books and records by a CPA satisfactory to the city, and a copy of the audit report shall be furnished to the Mayor who shall treat the report as private, confidential information of the grantee. The City may not unreasonably withhold its concurrence in the selection of the CPA selected by the Grantee for this purpose.

The Grantee shall provide the city with a certification of revenues attested to by an officer of the Grantee which shall accompany each payment as set forth in Section 4.16.13 of this franchise. (Ord. No. 3296, Sec. 23)

4.16.24 Grantee's office. Grantee shall maintain an office in the city, with a telephone, at which bills may be paid, services may be requested, records and accounts will be kept, and complaints may be registered. Grantee will respond promptly within normal business hours to requests for service and to service complaints. The term "service complaints" refers to complaints relating to faulty TV reception by subscribers. Other complaints will be promptly investigated by Grantee within normal business hours, and the complaining party notified of the result of such investigation. (Ord. No. 3296, Sec. 24)

4.16.25 Notice of changes. Grantee agrees to give subscribers notice in advance of the effective date of any substantial change in its service, installation, or other charges except in case of an emergency. (Ord. No. 3296, Sec. 25)

4.16.26 Complaint committee. The Mayor's office shall establish a Complaint Commission of two (2) City officials and one (1) of Grantee's subscribers (three (3) individuals) to consider complaints pertaining to grantee's cable TV system, its operation, service, charges, etc. Such complaints may be lodged with the City Clerk. The Committee may act on the complaint as filed and, in any event, will refer it to Grantee if the complaining party has not previously given Grantee a chance to resolve the matter. The Committee may request the complaining party or parties to come to a Committee meeting and furnish additional details. The Committee may invite a representative of Grantee to participate in the information-gathering phase of any complaint. The Committee shall work informally with Grantee's representatives to try to resolve a complaint; but may also refer the matter in writing and in reasonable detail to the Mayor's office for formal presentation to the Grantee.

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If said Committee is unable to arrive at an agreement with Grantee pertaining to a complaint after the above procedures have been adhered to, they shall, with a majority vote of the Committee, instruct Grantee to correct said complaint. Failure to do so will result in a fine of Twenty-Five Dollars (\$25.00) per day commencing the seventh (7th) day after Grantee has been notified by the Committee. (Ord. No. 3296, Sec. 26)

CHAPTER 4.20

TELEPHONE FRANCHISE

Sections:

- | | |
|---------|--------------------------|
| 4.20.01 | Granted |
| 4.20.02 | Fee |
| 4.20.03 | In lieu of other charges |
| 4.20.04 | Moving of lines |
| 4.20.05 | Trimming trees |
| 4.20.06 | Attachments |
| 4.20.07 | No exclusive privileges |

4.20.01 Granted. The Southwestern Bell Telephone Company, its successors and assigns (herein referred to as "Telephone Company"), shall continue to operate its telephone system and all business incidental to or connected with the conducting of a telephone business and system in the city of Jonesboro, state of Arkansas, (herein referred to as "City"). The plant construction

and appurtenances used in or incident to the giving of telephone service and to the maintenance of a telephone business and system by the Telephone Company in said city shall remain as now constructed, subject to such changes as may be considered necessary by the city in the exercise of its inherent powers and by the Telephone Company in the conduct of its business and said Telephone Company shall continue to exercise its right to place, remove, construct and reconstruct, extend and maintain its said plant and appurtenances as the business and purpose for which it is or may be incorporated may from time to time require, along, across, on, over, through, above and under all the public streets, avenues, alleys and the public grounds and places within the limits of said city as the same from time to time may be established. (Ord. No. 1743, Sec. 1)

4.20.02 Fee. The Telephone Company shall pay to the city an annual sum of One Hundred Thirty Thousand Dollars (\$130,000.00) in 1981 and each year thereafter to be paid in four (4) quarterly payments on or before March 31, June 30, September 30, and December 31 of each year. (Ord. No. 1743, Sec. 2)

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4.20.03 In lieu of other charges. The annual payment herein required shall be in lieu of all other license, charges, fees or impositions (other than the usual general or special ad valorem taxes) which may be imposed by the city under authority conferred by law. The Telephone Company shall have the privilege of crediting such sums with any unpaid balance due said Company for telephone services rendered or facilities furnished to said city. (Ord. No. 1743, Sec. 3)

4.20.04 Moving of lines. The Telephone Company, on the request of any person, shall remove or raise or lower its wires temporarily to permit the moving of houses or other structures. The expense of such temporary removal, raising or lowering of wires shall be paid by the part or parties requesting the same and the Telephone Company may require such payment in advance. The Telephone Company shall be given not less than forty-eight (48) hours advance notice to arrange for such temporary wire changes. (Ord. No. 1743, Sec. 4)

4.20.05 Trimming trees. Permission is hereby granted to the Telephone Company to trim trees upon and overhanging streets, alleys, sidewalks and public places of said city so as to prevent the branches of such trees from coming in contact with the wires and cable of the Telephone Company, all the said trimming to be done under the supervision and direction of any city official to whom said duties have been or may be delegated. (Ord. No. 1743, Sec. 5)

4.20.06 Attachments. Nothing in this ordinance contained shall be construed to require or permit any electric light or power wire attachments by the city or for the city. If light or power attachments are desired by the city or for the city, then a separate non-contingent agreement shall be a prerequisite to such attachments. (Ord. No. 1743, Sec. 6)

4.20.07 No exclusive privileges. Nothing herein contained shall be construed as giving

to the Telephone Company any exclusive privileges nor shall it affect any prior or existing rights of the Telephone Company to maintain a telephone system within the city. (Ord. No. 1743, Sec. 7)

CHAPTER 4.24

AMBULANCE SERVICE

Sections:

4.24.01	Joint city-county service
4.24.02	Medical commissioners
4.24.03	Authorization
4.24.04	Standard of service
4.24.05	Guidelines
4.24.06	Meeting the criteria

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4.24.01 Joint city-county service There is hereby created a joint city-county emergency ambulance service to serve Jonesboro and Craighead County. The ambulance service shall be operated under the supervision of medical commissioners from both the city of Jonesboro and Craighead County as set forth herein. (Ord. No. 1365, Sec. 1.)

4.24.02 Medical commissioners There is hereby created the position of three medical commissioners to be appointed by the Mayor and approved by the City Council to serve on the Medical Ambulance Board in conjunction with three county commissioners and the director of emergency services of all hospitals located in the city of Jonesboro and one representative of the Craighead County Medical Society to supervise the operation and providing of said ambulance service. The appointment of said commissioners shall be for the term of two years, provided, however, the first members appointed to said commission shall serve the terms of two, four, and six years respectively, with the term of each member to be determined by the Council at his appointment. Successor members shall be appointed for the full term of two years. In the event of a vacancy occurring on said commission of city representatives, it shall be filled by appointment by the Mayor subject to approval by the City Council. (Ord. No. 1365, Sec. 2.)

4.24.03 Authorization The Mayor and the City Clerk are hereby authorized upon approval of the Council to enter into any and all agreements with the county of Craighead and/or other qualified persons, firms, corporations, or otherwise to furnish ambulance service for the city of Jonesboro and Craighead County. (Ord. No. 1365, Sec. 3.)

4.24.04 Standard of service No person or firm shall furnish, operate, maintain, conduct, advertise or in any way engage in or profess to engage in the business of providing emergency or non-emergency transport of patients upon the streets and highways of the city of Jonesboro

unless that person or firm shall provide a standard of service equal to the specific standards of paramedic as defined by the Rules and Regulations pertaining to Emergency Medical Services as promulgated by the Arkansas State Board of Health, Little Rock, Arkansas. (Ord. No. 2735, Sec. 1.)

4.24.05 Guidelines No person or firm shall furnish, operate, maintain, conduct, advertise or in any way engage in or profess to engage in the business of providing emergency or non-emergency transport of patients upon the streets and highways of the city of Jonesboro unless that person or firm shall provide a standard of service equal to those set out in the following guidelines:

- A. An ambulance service must operate four (4) paramedic level ambulances between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.
- B. An ambulance service must operate two (2) paramedic level ambulances between the hours of 5:00 p.m. and 8:00 a.m., Monday through Friday, and 24 hours a day on Saturday and Sunday;
- C. An ambulance service must have on (1) paramedic and one (1) EMT-A on duty per operational paramedic level ambulance;
- D. An ambulance service must have one (1) dispatcher on duty at the service base at all times;
- E. An ambulance service must have dispatchers who are certified dispatchers or EMT-A certified or higher;
- F. An ambulance service must have all ambulances stationed at the ambulance base location shown on the privilege license, with the exception of company business, crew meal breaks, or service repairs;
- G. An ambulance service must notify the city's 911 Coordinator of the number of units available to respond in case of disaster situation. Any changes in the number of units available for such disaster situations response must be reported to the 911 Coordinator within 24 hours of such changes;
- H. An ambulance service must furnish to the city proof of \$1,000,000 professional liability insurance coverage;
- I. An ambulance service must furnish to the city proof of \$1,000,000 liability insurance coverage for vehicles;
- J. An ambulance service providing services in an emergency capacity or non-emergency capacity must be licensed by the ADOH at a paramedic level;

- K. An ambulance service providing services in an emergency capacity must employ personnel certified by the ADOH at a paramedic, EMT-I, or EMT-A level of certification;
- L. An ambulance service must provide all city 911, fire, police and other stand-by calls at no charge to the city. Normal and customary rates may be charged to any patient transported;
- M. An ambulance service must notify the 911 operator or another ambulance service to respond within two (2) minutes of any 911 call received, in the event such ambulance service is unable to perform such 911 emergency call;
- N. Any new ambulance service requesting to operate in the city of Jonesboro after the passage of this ordinance must be in operation for one (1) year prior to being placed on 911 emergency call rotation in order to give the new service adequate time to learn the location of streets and landmarks in the city of Jonesboro;
- O. An ambulance service must have on-hand extrication equipment such as, Jaws of Life, cutter, and spreader, etc., that are compatible with the city's extrication equipment; ambulance services that are operating in the city of Jonesboro at the

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time of passage of this ordinance shall have one (1) year in which to obtain the extrication equipment. (Ord. No. 2735, Sec. 2.)

4.24.06 Meeting the criteria Any ambulance service meeting all the criteria under 4.24.05 shall be entitled, at the service's option, to participate in the city of Jonesboro's 911 service fifteen (15) days after the service certifies to the city that it has complied with this ordinance unless the city notifies the service of a specific defect in personnel, equipment, or services, within that fifteen (15) day period. (Ord. No. 2735, Sec. 3.)

CHAPTER 4.28

NORTHEAST ARKANSAS TRANSIT AUTHORITY

Sections:

- 4.28.01 Public transit authority
- 4.28.02 Finances
- 4.28.03 Adopted by reference

4.28.01 Public transit authority The city of Jonesboro is hereby authorized to become part of a public transit authority to be known as the Northeast Arkansas Transit authority

(NEAT) which shall consist of the city of Jonesboro, Craighead County, and any others that desire to join. (Ord. No. 3396, Sec. 1.)

4.28.02 Finances The city of Jonesboro, nor any other entity, may be financially or otherwise obligated except upon specific approval of the respective governing bodies. (Ord. No. 3396, Sec. 2.)

4.28.03 Adopted by reference The interlocal agreement attached hereto and incorporated herein as if set out word for word is hereby approved and the Mayor is authorized to sign said agreement. (Ord. No. 3396, Sec. 3.)

Unofficial Copy