

ORDINANCE 0-89-13

AN ORDINANCE TO MAKE THE THEFT OF CABLE TELEVISION SERVICE UNLAWFUL AND TO PRESCRIBE THE PENALTY FOR THE THEFT OF SUCH SERVICES; AND FOR OTHER PURPOSES:

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

Section 1: As used in this section, "cable television company" means any company franchised by the City of Conway which performs the service of receiving and amplifying the signals broadcast by one or more television stations and redistributing such signals by wire, cable or other device or means for accomplishing such redistribution, to members of the public who subscribe to such service.

Section 2: It shall be unlawful for any person to,

a: Make any unauthorized connection, whether physically, electrically, acoustically, inductively or otherwise, with any part of the cable television companys system for the purpose of enabling himself or others to receive any television signals or any other signal transmitted over the cable television companys system.

b: Tamper or otherwise interfere with or connect to any cables, wires or other devices used for the distribution of cable television without authority from the operator of the cable television system.

c: Assist or instruct any other person in obtaining, or attempting to obtain any cable television service without the payment for such service to the cable company operator.

Section 3: Any person violating the provisions of the Ordinance shall, upon conviction, be guilty of a misdemeanor punishable by a fine of not more than Five Hundred Dollars (\$500.00), or by imprisonment for a term of not to exceed ninety (90) days, or both.

Section 4: In a prosecution for a violation of this Ordinance, the existence on the property and in the possession of the defendant of:

a: Any connection, wire, conductor or device, which connected in such a manner as would permit the receipt of cable television service without service being reported for payment to the cable television company; or

b: The existence on the property and in the actual possession of the defendant of any device designed in whole or in part to facilitate the performance of any of the illegal acts set out in Section 2 shall constitute prima facie evidence of the defendants intent to violate the provisions of this ordinance. It shall be presumed that any person who receives television service to their residence, dwelling or business shall be liable for the conduct of other persons at such residence, dwelling or business for any violation of the provisions of this ordinance.

Section 5: Severability


If any provision, paragraph, word, section or article of the Ordinance is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections or articles shall not be affected and shall continue in full force and effect.

Section 6: Conflict

All other ordinances and parts of other ordinances inconsistent or conflicting with any part of this ordinance are hereby repealed to the extent of such inconsistency or conflict.

PASSED May 9th, 1989


MAYOR

ATTEST: 
CITY CLERK