

MUNICIPAL ORDER 1-2025
CITY OF WOODLAND HILLS, KENTUCKY

AN ORDER REVOKING THE CITY'S PARTICIPATION IN THE COMMONWEALTH'S
MULTICHANNEL VIDEO EXCISE TAX COLLECTION DISTRIBUTION SYSTEM
AND AUTHORIZING THE MAYOR TO NOTIFY THE DEPARTMENT OF
REVENUE

WHEREAS, in 2005, the General Assembly passed legislation removing the authority of cities to collect franchise fees from cable and telecommunications providers and imposing centrally collected excise taxes and gross revenue taxes on said providers; and

WHEREAS, the Commonwealth's distribution system resulted in Kentucky cities only being held-harmless for approximately 85% of the franchise fees they would have received from cable and telecommunications franchises; and

WHEREAS, on June 15, 2017, the Kentucky Supreme Court overturned that legislation and affirmed that the Kentucky Constitution allows cities to collect franchise fees directly from cable and telecommunications providers; and

WHEREAS, the KY Department of Revenue requires the City send written notification to the KY Department of Revenue and all the City's eligible franchisees of its desire to opt-out of its centralized collection system to collect franchise fees directly from said franchisees; and

NOW, THEREFORE, BE IT ORDERED by the Board of Commissioners of the City of Woodland Hills, Kentucky, as follows:

The Commission does hereby revoke its participation in the Commonwealth's Multichannel Video Programming and Communications Services Tax distribution system, asks the Department of Revenue to instruct all of City's eligible franchisees to make the required franchise payments, effective March 1st, 2025, and authorizes the Mayor to so notify the Department of Revenue and said franchisees on behalf of the City.

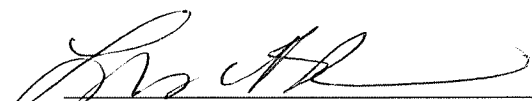
Dated this 25 day of February, 2025

BY:



Mayor

ATTEST:



City Clerk

City of Woodland Hills, Kentucky
ORDINANCE NUMBER 1 SERIES 2025
AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A UNIFORM
FRANCHISE AGREEMENT

WHEREAS, Louisville/Jefferson County Metro Government publicly advertised bid proposals from parties interested in obtaining franchises to erect, install or maintain communication facilities or provide communication services by use of said communication facilities within the confines of Louisville Metro, Kentucky, which includes all the area in Jefferson County, Kentucky,

AND WHEREAS, Lumos Fiber of Kentucky LLC (hereinafter "Provider"), with its principal office located at 4100 Mendenhall Oaks Parkway, Suite 300, High Point, NC 27265, submitted a bid proposal to Louisville Metro for a communications services franchise pursuant to the requirements of Chapter 116 of the Louisville Metro Code of Ordinances and was approved as the winning bidder by the City of Louisville Council meeting of the 12th day of December 2024,

AND WHEREAS, The City of Woodland Hills, being located within the confines of Louisville Metro (Jefferson County), also desires to approve a non-exclusive franchise with Lumos Fiber of Kentucky LLC, since a portion of the project will be located upon rights of way owned by the City of Woodland Hills, but which are still in the geographic area of the bid notice,

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF WOODLAND HILLS, KENTUCKY:

SECTION 1:

That the City of Woodland Hills hereby recognizes, adopts the bid process and all the related findings of Louisville/Jefferson County Metro Government supporting the franchise approval of Lumos Fiber of Kentucky LLC, contained in the record of such approval at the Louisville Metro Council meeting. Further, based on the findings herein, the certain non-exclusive franchise agreement for telecommunication services in Jefferson County, by and between the City of Woodland Hills and Lumos Fiber of Kentucky LLC, be and hereby is approved by the City Commission. Further the City Mayor is hereby authorized to sign the Agreement, along with any other documents required to effectuate the terms of the referenced Agreement, attached, and fully incorporated herein as Exhibit One.

SECTION 2:

This Ordinance shall take effect upon its reading, passage, approval, and publication according to law.

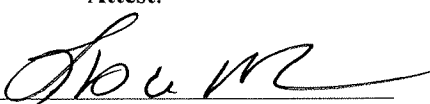
Introduced and read at a meeting of the Commissioners of Woodland Hills, Kentucky, at a meeting held on the 4th day of February, 2025.

Read passed and approved by the Commissioners of Woodland Hills, Kentucky at a meeting held on the 25th day of February, 2025.

Approved:


Sean Killeen, Mayor

Attest:


Lisa Baldwin, City Clerk

"Aye" Votes 3

"Nay" Votes 0