

ORDINANCE NUMBER O- 16114 (New Series)

Adopted on JAN 17 1984

AN ORDINANCE OF THE CITY OF SAN DIEGO AMENDING CHAPTER VII, ARTICLE 3, DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 73.0105 AND 73.0109, RELATING TO THE RULES, REGULATIONS AND STANDARDS OF SERVICE QUALITY FOR CABLE TELEVISION SYSTEMS OPERATING IN THE CITY OF SAN DIEGO.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter VII, Article 3, Division 1 of the San Diego Municipal Code be amended by amending Sections 73.0105 and 73.0109 to read as follows:

SEC. 73.0105 GENERAL REQUIREMENTS

(a) Local Service Office. Each franchisee shall maintain an office within The City of San Diego which shall have a local telephone number listed in the directory of the Pacific Telephone Company, and be operated so that all manner of subscriber inquiries may be handled during regular office hours, and that repair calls may be received at any time. An office shall be open during reasonable business hours and for at least four (4) hours per week of extended operation either on weekday evenings after 5 p.m., or on weekends, to be scheduled at the discretion of the franchisee.

(b) through (d) - No changes.

(e) All programming carried on a cable television system including Los Angeles or any other distant station

shall be maintained in a manner that fully complies with the provisions of this ordinance. Any change made by grantee in its programming, except those of an emergency nature beyond grantee's control, which involves channel carriage including, but not necessarily limited to, additions, deletions or changes in channel assignment shall not become effective until grantee has notified its subscribers at least fourteen (14) days in advance. Notification may be made in writing or by notices on the cable system.

(f) through (j) - no changes.

SEC. 73.0109 COMPLAINT PROCEDURE

(a) through (c) - no changes.

(d) The grantee shall commence all repairs and adjustments within 72 hours after notice and complete all repairs or adjustments promptly, but in no event longer than 7 days after notice, except for unavoidable delays, without fault and beyond control of the grantee (financial inability excepted).

(e) - no changes.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: John W. Witt, City Attorney

By C. M. Fitzpatrick  
C. M. Fitzpatrick  
Senior Chief Deputy

CMF:ps  
12/05/83  
Or.Dept:Prop.  
O-84-110  
Form=r.none

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Adopted on \_\_\_\_\_

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(b) through (d) - No changes.

(e) All programming carried on a cable television system including Los Angeles or any other distant station

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(e) - no changes.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

**SEC. 73.0105 GENERAL REQUIREMENTS**

(a) Local Service Office. Each franchisee shall maintain an office within the City of San Diego, ~~which office shall be open during reasonable business hours~~, have a local telephone number listed in the directory of The Pacific Telephone and Telegraph Company, and be so operated that complaints and requests for repair or adjustments may be received at any time.

(b) The grantee shall provide to each subscriber written notice of the procedures for reporting and resolving complaints at the time of the initial subscription to the cable system and at any other time the grantee makes a change in his office location, his telephones or his complaint procedures. Present subscribers shall be so notified within 90 days of the adoption of this ordinance.

(c) If a subscriber or prospective subscriber is unable to obtain satisfaction from the grantee in the resolution of a problem or in the initiating of service, he may file a written complaint with the City Manager of The City of San Diego, 202 "C" Street, 92101. The letter should include the complainant's name, address and telephone number, the name of the cable television system involved, the nature of the problem and a chronological history of his and the company's actions relative to the complaint. Upon receipt of such a written complaint the City Manager shall take such action as is reasonably necessary to investigate and resolve the circumstances surrounding the complaint.

(d) Carriage of Local Stations. All local stations carried on a Cable Television System shall have as high a picture quality as any other station carried on the Cable Television System. However, a Cable Television System franchise grantee shall not be required to upgrade the quality of the off-the-air signal received to comply with this section.

(e) All programming carried on a cable television system including Los Angeles or any other distant stations shall be maintained in a manner that fully complies with the provisions of this ordinance.

(f) System Maps and Layout. The grantee shall have at all times up-to-date route maps of suitable scale showing all receiving pickup locations and the location of all amplifiers and trunk and distribution lines. Lines to individual outlets need not be shown. The scale of the maps shall be sufficient to clearly show the required details, and in no event less than 1 inch = 400 feet.

(g) System Construction Standards. The system shall be installed and maintained in accordance with standard good engineering practices and shall conform when applicable with the National Electrical Safety Code, Bureau of Standards Handbook No. 130, Rules for Overhead Line Construction (General Order No. 95) and Rules for Construction of Underground Communications Systems (General Order No. 128) of the California Public Utilities Commission, the California Administrative Code, Title 24, Part 3, The City of San Diego Municipal Code, and any other governmental agency standards or codes which are adopted in the future which directly or indirectly apply to cable television system construction standards.

(h) Grounding. Trunk, distribution, and customer drops shall be properly grounded, but in no case less than the first and every tenth pole plus each power location. Each ground shall consist of a minimum of 8' ground rod connected with No. 8 copper wire or equivalent.

(i) Power Supply r.f. Attenuation. Each cable powering point shall be equipped with appropriate lightning protective devices, and shall provide not less than 40 dB r.f. attenuation over the frequency range of 5 to 300 MHz.

(j) Shielding. Shielding shall be such as to restrict radiation as prescribed in Section 76.605(a) (12) of the FCC Rules and Regulations.

(Added 7-7-70 by Ord. 10335 N.S.)

(Amended 4-6-81 by Ord. 0-15480 N.S.)

**SEC. 73.0109 COMPLAINT PROCEDURES**

(a) The grantee shall keep a record of all complaints from subscribers. The record shall identify the subscriber and his address, the location and date of the complaint, and a technician's report on the disposition of the complaint including the following items, as applicable.

- (1) Carrier levels at the service drop terminal.
- (2) Carrier levels and carrier to noise ratio at the customer's receiving outlet. (Note: since interruption of service to other customers must be avoided, it is recognized these noise measurements may not be entirely accurate.)
- (3) If the complaint is caused by defects in customer's TV set, including inadequate shielding or grounding, explain.
- (4) If the complaint involves direct pick-up, describe tests to determine whether there is leakage into the cable system. A code reference to the test procedure used is acceptable if the procedure instruction is on file in the cable television office records and the City Communications and Electrical Division's records.
- (5) Make and model and effectiveness of the antenna switch installed, if any.
- (6) If the complaint involves visible crosshatch or herringbone interference, describe fully, including probable causes and corrective steps. (Note: such interference also may be present on signals received directly without cable.)
- (7) Visual check for cross-modulation (without interrupting service to customers.)
- (8) Check for problems originating at the head-end.
- (9) Other relevant remarks, including corrective action taken.

(b) Upon request of the City Manager, grantee shall, within ten (10) days after receiving such request, send a written report to Manager with respect to any complaint. Such report shall provide a full explanation of the investigation, findings, and corrective steps taken. When

the complaint concerns technical performance, such report shall include the items in subsection (a) of Section 73.0109, as applicable.

(c) The grantee shall acknowledge complainants' requests for repair or adjustments promptly, but in no event longer than 16 hours after notice.

(d) The grantee shall ~~complete~~ all repairs ~~or~~ adjustments promptly, but in no event longer than 7 days after notice, except for unavoidable delays, without fault and beyond control of the grantee (financial inability excepted).

(e) The grantee shall limit failure to a minimum by locating and correcting malfunctions promptly, but in no event longer than 24 hours after notice, except for unavoidable delays, without fault and beyond control of the grantee (financial inability excepted).

(Added 7-7-70 by Ord. 10335 N.S.)  
(Amended 4-6-81 by Ord. 0-15480 N.S.)

**SEC. 73.0110 DATA FORMS AND REPORTS**

(a) Cable Television Systems franchise holders shall provide the City Communications and Electrical Division with copies of the following documents:

- (1) Data taken in accordance with the monthly Cable Television Performance Report.
- (2) "Annual Report of Cable Television Systems" (FCC Form 325) shall be submitted after filing same in accordance with FCC Rules and Regulations, Part 76, Subpart 1, Paragraph 76.403.

(3) Any other reports submitted to other regulatory agencies related to the performance of the Cable Television System.

(Added 4-6-81 by Ord. 0-15480 N.S.)

**SEC. 73.0111 CONSTITUTIONALITY**

If any section, subsection, sentence, clause or phrase of this article is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this article. The Council hereby declares that it would have adopted the article and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

(Added 7-7-70 by Ord. 10335 N.S.)  
(Renumbered 4-6-81 by Ord. 0-15480 N.S. formerly Section 73.0110.)

Passed and adopted by the Council of The City of San Diego on JAN 17 1984,  
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK  
 Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR  
 City Clerk of The City of San Diego, California.

(Seal)

By Barbara Berridge, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

JAN 3 1984, and on JAN 17 1984

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

CHARLES G. ABDELNOUR  
 City Clerk of The City of San Diego, California.

(Seal)

By Barbara Berridge, Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number	<u>0-16114</u> Adopted <u>JAN 17 1984</u>



RECEIVED  
CITY CLERK'S OFFICE

CERTIFICATE OF PUBLICATION

1984 FEB -1 AM 10:48

SAN DIEGO, CALIF.

CITY OF SAN DIEGO  
ATTN: BARBARA BERRIDGE  
202 C St., 12th Floor  
SAN DIEGO, CA 92101

IN THE MATTER OF

NO.

ORDINANCE NO. O-16114

**ORDINANCE NO. O-16114**  
**(New Series)**  
AN ORDINANCE OF THE CITY OF SAN DIEGO AMENDING SECTION 17.02 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 17.02.01 AND 17.02.02 TO THE RULES, REGULATIONS AND PROCEDURES OF SERVICE QUALITY FOR TELEVISION SYSTEMS OPERATING IN THE CITY OF SAN DIEGO.  
This ordinance amends television regulations to require extended open house for business and repair office. Requires 14 days advance notice to subscribers concerning program changes not caused by emergency. Requires commencement of repairs within 72 hours of notification and completion within 7 days.  
A printed copy of the Ordinance is available for inspection in the City Clerk's Office, City of San Diego, 12 Floor, City Administration Building, 202 "C" Street, San Diego, CA 92101.  
Adopted JANUARY 3, 1984.  
Passed and adopted by the Council of The City of San Diego on JANUARY 17, 1984.  
CERTIFICATED BY:  
BARBARA BERRIDGE, Deputy  
City Clerk of The City of San Diego, California.  
PUBLISHED BY:  
BARBARA BERRIDGE, Deputy  
City Clerk of The City of San Diego, California.  
Publication, 30, 1984 80-1505

I, Charlene Land, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

ORDINANCE NO. O-16114  
(New Series)

5" x 8.87 = 44.35

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

January 30, 1984

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 30th day of Jan., 19 84.

*Charlene Land*

00115 (Signature)