

1 AN ACT concerning community antenna television systems.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Counties Code is amended by changing
5 Section 5-1095 as follows:

6 (55 ILCS 5/5-1095) (from Ch. 34, par. 5-1095)

7 Sec. 5-1095. Community antenna television systems;
8 satellite transmitted television programming.

9 (a) The County Board may license, tax or franchise the
10 business of operating a community antenna television system
11 or systems within the County and outside of a municipality,
12 as defined in Section 1-1-2 of the Illinois Municipal Code.

13 When an area is annexed to a municipality, the annexing
14 municipality shall thereby become the franchising authority
15 with respect to that portion of any community antenna
16 television system that, immediately before annexation, had
17 provided cable television services within the annexed area
18 under a franchise granted by the county, and the owner of
19 that community antenna television system shall thereby be
20 authorized to provide cable television services within the
21 annexed area under the terms and provisions of the existing
22 franchise. In that instance, the franchise shall remain in
23 effect until, by its terms, it expires, except that any
24 franchise fees payable under the franchise shall be payable
25 only to the county for a period of 5 years or until, by its
26 terms, the franchise expires, whichever occurs first. After
27 the 5 year period, any franchise fees payable under the
28 franchise shall be paid to the annexing municipality. In any
29 instance in which a duly franchised community antenna
30 television system is providing cable television services
31 within the annexing municipality at the time of annexation,

1 the annexing municipality may permit that franchisee to
2 extend its community antenna television system to the annexed
3 area under terms and conditions that are no more burdensome
4 nor less favorable to that franchisee than those imposed
5 under any community antenna television franchise applicable
6 to the annexed area at the time of annexation. The
7 authorization to extend cable television service to the
8 annexed area and any community antenna television system
9 authorized to provide cable television services within the
10 annexed area at the time of annexation shall not be subject
11 to the provisions of subsection (e) of this Section.

12 (b) "Community antenna television system" as used in
13 this Section, means any facility which is constructed in
14 whole or in part in, on, under or over any highway or other
15 public place and which is operated to perform for hire the
16 service of receiving and amplifying the signals broadcast by
17 one or more television stations and redistributing such
18 signals by wire, cable or other means to members of the
19 public who subscribe to such service except that such term
20 does not include (i) any system which serves fewer than 50
21 subscribers or (ii) any system which serves only the
22 residents of one or more apartment dwellings under common
23 ownership, control or management, and commercial
24 establishments located on the premises of such dwellings.

25 (c) The authority hereby granted does not include the
26 authority to license or franchise telephone companies subject
27 to the jurisdiction of the Illinois Commerce Commission or
28 the Federal Communications Commission in connection with
29 furnishing circuits, wires, cables or other facilities to the
30 operator of a community antenna television system.

31 The County Board may, in the course of franchising such
32 community antenna television system, grant to such franchisee
33 the authority and the right and permission to use all public
34 streets, rights of way, alleys, ways for public service

1 facilities, parks, playgrounds, school grounds, or other
2 public grounds, in which such county may have an interest,
3 for the construction, installation, operation, maintenance,
4 alteration, addition, extension or improvement of a community
5 antenna television system.

6 Any charge imposed by a community antenna television
7 system franchised pursuant to this Section for the raising or
8 removal of cables or lines to permit passage on, to or from a
9 street shall not exceed the reasonable costs of work
10 reasonably necessary to safely permit such passage. Pursuant
11 to subsections (h) and (i) of Section 6 of Article VII of the
12 Constitution of the State of Illinois, the General Assembly
13 declares the regulation of charges which may be imposed by
14 community antenna television systems for the raising or
15 removal of cables or lines to permit passage on, to or from
16 streets is a power or function to be exercised exclusively by
17 the State and not to be exercised or performed concurrently
18 with the State by any unit of local government, including any
19 home rule unit.

20 The County Board may, upon written request by the
21 franchisee of a community antenna television system, exercise
22 its right of eminent domain solely for the purpose of
23 granting an easement right no greater than 8 feet in width,
24 extending no greater than 8 feet from any lot line for the
25 purpose of extending cable across any parcel of property in
26 the manner provided for by the law of eminent domain,
27 provided, however, such franchisee deposits with the county
28 sufficient security to pay all costs incurred by the county
29 in the exercise of its right of eminent domain.

30 A franchise agreement between a county and a community
31 antenna television system may not authorize the franchise
32 holder to impose a fee exceeding \$1.50 upon a consumer for
33 the delinquent payment of a bill for community antenna
34 television services or a fee exceeding \$10 for sending a

1 worker to a consumer's residence to disconnect the consumer's
2 service for nonpayment or delinquent payment. A payment shall
3 not be deemed delinquent unless the bill remains unpaid for
4 more than 30 days after the consumer has received the bill.
5 This limitation on the imposition of delinquent fees and
6 disconnection fees under a community antenna television
7 system franchise agreement is a denial and restriction of
8 home rule powers and functions under subsection (h) of
9 Section 6 of Article VII of the Illinois Constitution.

10 Except as specifically provided otherwise in this
11 Section, this Section is not a limitation on any home rule
12 county.

13 (d) The General Assembly finds and declares that
14 satellite-transmitted television programming should be
15 available to those who desire to subscribe to such
16 programming and that decoding devices should be obtainable at
17 reasonable prices by those who are unable to obtain
18 satellite-transmitted television programming through duly
19 franchised community antenna television systems.

20 In any instance in which a person is unable to obtain
21 satellite-transmitted television programming through a duly
22 franchised community antenna television system either because
23 the municipality and county in which such person resides has
24 not granted a franchise to operate and maintain a community
25 antenna television system, or because the duly franchised
26 community antenna television system operator does not make
27 cable television services available to such person, any
28 programming company that delivers satellite-transmitted
29 television programming in scrambled or encrypted form shall
30 ensure that devices for decryption of such programming are
31 made available to such person, through the local community
32 antenna television operator or directly, for purchase or
33 lease at prices reasonably related to the cost of manufacture
34 and distribution of such devices.

1 (e) The General Assembly finds and declares that, in
2 order to ensure that community antenna television services
3 are provided in an orderly, competitive and economically
4 sound manner, the best interests of the public will be served
5 by the establishment of certain minimum standards and
6 procedures for the granting of additional cable television
7 franchises.

8 Subject to the provisions of this subsection, the
9 authority granted under subsection (a) hereof shall include
10 the authority to license, franchise and tax more than one
11 cable operator to provide community antenna television
12 services within the territorial limits of a single
13 franchising authority. For purposes of this subsection (e),
14 the term:

15 (i) "Existing cable television franchise" means a
16 community antenna television franchise granted by a
17 county which is in use at the time such county receives
18 an application or request by another cable operator for a
19 franchise to provide cable antenna television services
20 within all or any portion of the territorial area which
21 is or may be served under the existing cable television
22 franchise.

23 (ii) "Additional cable television franchise" means
24 a franchise pursuant to which community antenna
25 television services may be provided within the
26 territorial areas, or any portion thereof, which may be
27 served under an existing cable television franchise.

28 (iii) "Franchising Authority" is defined as that
29 term is defined under Section 602(9) of the Cable
30 Communications Policy Act of 1984, Public Law 98-549.

31 (iv) "Cable operator" is defined as that term is
32 defined under Section 602(4) of the Cable Communications
33 Policy Act of 1984, Public Law 98-549.

34 Before granting an additional cable television franchise,

1 the franchising authority shall:

2 (1) Give written notice to the owner or operator of
3 any other community antenna television system franchised
4 to serve all or any portion of the territorial area to be
5 served by such additional cable television franchise,
6 identifying the applicant for such additional franchise
7 and specifying the date, time and place at which the
8 franchising authority shall conduct public hearings to
9 consider and determine whether such additional cable
10 television franchise should be granted.

11 (2) Conduct a public hearing to determine the
12 public need for such additional cable television
13 franchise, the capacity of public rights-of-way to
14 accommodate such additional community antenna television
15 services, the potential disruption to existing users of
16 public rights-of-way to be used by such additional
17 franchise applicant to complete construction and to
18 provide cable television services within the proposed
19 franchise area, the long term economic impact of such
20 additional cable television system within the community,
21 and such other factors as the franchising authority shall
22 deem appropriate.

23 (3) Determine, based upon the foregoing factors,
24 whether it is in the best interest of the county to grant
25 such additional cable television franchise.

26 (4) If the franchising authority shall determine
27 that it is in the best interest of the county to do so,
28 it may grant the additional cable television franchise.
29 Except as provided in paragraph (5) of this subsection
30 (e), no such additional cable television franchise shall
31 be granted under terms or conditions more favorable or
32 less burdensome to the applicant than those required
33 under the existing cable television franchise, including
34 but not limited to terms and conditions pertaining to the

1 territorial extent of the franchise, system design,
2 technical performance standards, construction schedules,
3 performance bonds, standards for construction and
4 installation of cable television facilities, service to
5 subscribers, public educational and governmental access
6 channels and programming, production assistance,
7 liability and indemnification, and franchise fees.

8 (5) Unless the existing cable television franchise
9 provides that any additional cable television franchise
10 shall be subject to the same terms or substantially
11 equivalent terms and conditions as those of the existing
12 cable television franchise, the franchising authority may
13 grant an additional cable television franchise under
14 different terms and conditions than those of the existing
15 franchise, in which event the franchising authority shall
16 enter into good faith negotiations with the existing
17 franchisee and shall, within 120 days after the effective
18 date of the additional cable television franchise, modify
19 the existing cable television franchise in a manner and
20 to the extent necessary to ensure that neither the
21 existing cable television franchise nor the additional
22 cable television franchise, each considered in its
23 entirety, provides a competitive advantage over the
24 other, provided that prior to modifying the existing
25 cable television franchise, the franchising authority
26 shall have conducted a public hearing to consider the
27 proposed modification. No modification in the terms and
28 conditions of the existing cable television franchise
29 shall oblige the existing cable television franchisee (1)
30 to make any additional payment to the franchising
31 authority, including the payment of any additional
32 franchise fee, (2) to engage in any additional
33 construction of the existing cable television system or,
34 (3) to modify the specifications or design of the

1 existing cable television system; and the inclusion of
2 the factors identified in items (2) and (3) shall not be
3 considered in determining whether either franchise
4 considered in its entirety, has a competitive advantage
5 over the other except to the extent that the additional
6 franchisee provides additional video or data services or
7 the equipment or facilities necessary to generate and or
8 carry such service. No modification in the terms and
9 conditions of the existing cable television franchise
10 shall be made if the existing cable television franchisee
11 elects to continue to operate under all terms and
12 conditions of the existing franchise.

13 If within the 120 day period the franchising
14 authority and the existing cable television franchisee
15 are unable to reach agreement on modifications to the
16 existing cable television franchise, then the franchising
17 authority shall modify the existing cable television
18 franchise, effective 45 days thereafter, in a manner, and
19 only to the extent, that the terms and conditions of the
20 existing cable television franchise shall no longer
21 impose any duty or obligation on the existing franchisee
22 which is not also imposed under the additional cable
23 television franchise; however, if by the modification the
24 existing cable television franchisee is relieved of
25 duties or obligations not imposed under the additional
26 cable television franchise, then within the same 45 days
27 and following a public hearing concerning modification of
28 the additional cable television franchise within that 45
29 day period, the franchising authority shall modify the
30 additional cable television franchise to the extent
31 necessary to insure that neither the existing cable
32 television franchise nor the additional cable television
33 franchise, each considered in its entirety, shall have a
34 competitive advantage over the other.

1 No county shall be subject to suit for damages based upon
2 the county's determination to grant or its refusal to grant
3 an additional cable television franchise, provided that a
4 public hearing as herein provided has been held and the
5 franchising authority has determined that it is in the best
6 interest of the county to grant or refuse to grant such
7 additional franchise, as the case may be.

8 It is declared to be the law of this State, pursuant to
9 paragraphs (h) and (i) of Section 6 of Article VII of the
10 Illinois Constitution, that the establishment of minimum
11 standards and procedures for the granting of additional cable
12 television franchises as provided in this subsection (e) is
13 an exclusive State power and function that may not be
14 exercised concurrently by a home rule unit.

15 (Source: P.A. 90-14, eff. 7-1-97; 90-285, eff. 7-31-97.)

16 Section 10. The Illinois Municipal Code is amended by
17 changing Section 11-42-11 as follows:

18 (65 ILCS 5/11-42-11) (from Ch. 24, par. 11-42-11)

19 Sec. 11-42-11. Community antenna television systems;
20 satellite transmitted television programming.

21 (a) The corporate authorities of each municipality may
22 license, franchise and tax the business of operating a
23 community antenna television system as hereinafter defined.
24 In municipalities with less than 2,000,000 inhabitants, the
25 corporate authorities may, under the limited circumstances
26 set forth in this Section, own (or lease as lessee) and
27 operate a community antenna television system; provided that
28 a municipality may not acquire, construct, own, or operate a
29 community antenna television system for the use or benefit of
30 private consumers or users, and may not charge a fee for that
31 consumption or use, unless the proposition to acquire,
32 construct, own, or operate a cable antenna television system

1 has been submitted to and approved by the electors of the
2 municipality in accordance with subsection (f). Before
3 acquiring, constructing, or commencing operation of a
4 community antenna television system, the municipality shall
5 comply with the following:

6 (1) Give written notice to the owner or operator of
7 any other community antenna television system franchised
8 to serve all or any portion of the territorial area to be
9 served by the municipality's community antenna television
10 system, specifying the date, time, and place at which the
11 municipality shall conduct public hearings to consider
12 and determine whether the municipality should acquire,
13 construct, or commence operation of a community antenna
14 television system. The public hearings shall be
15 conducted at least 14 days after this notice is given.

16 (2) Publish a notice of the hearing in 2 or more
17 newspapers published in the county, city, village,
18 incorporated town, or town, as the case may be. If there
19 is no such newspaper, then notice shall be published in
20 any 2 or more newspapers published in the county and
21 having a general circulation throughout the community.
22 The public hearings shall be conducted at least 14 days
23 after this notice is given.

24 (3) Conduct a public hearing to determine the means
25 by which construction, maintenance, and operation of the
26 system will be financed, including whether the use of tax
27 revenues or other fees will be required.

28 (b) The words "community antenna television system"
29 shall mean any facility which is constructed in whole or in
30 part in, on, under or over any highway or other public place
31 and which is operated to perform for hire the service of
32 receiving and amplifying the signals broadcast by one or more
33 television stations and redistributing such signals by wire,
34 cable or other means to members of the public who subscribe

1 to such service; except that such definition shall not
2 include (i) any system which serves fewer than fifty
3 subscribers, or (ii) any system which serves only the
4 residents of one or more apartment dwellings under common
5 ownership, control or management, and commercial
6 establishments located on the premises of such dwellings.

7 (c) The authority hereby granted does not include
8 authority to license, franchise or tax telephone companies
9 subject to jurisdiction of the Illinois Commerce Commission
10 or the Federal Communications Commission in connection with
11 the furnishing of circuits, wires, cables, and other
12 facilities to the operator of a community antenna television
13 system.

14 The corporate authorities of each municipality may, in
15 the course of franchising such community antenna television
16 system, grant to such franchisee the authority and the right
17 and permission to use all public streets, rights of way,
18 alleys, ways for public service facilities, parks,
19 playgrounds, school grounds, or other public grounds, in
20 which such municipality may have an interest, for the
21 construction, installation, operation, maintenance,
22 alteration, addition, extension or improvement of a community
23 antenna television system.

24 Any charge imposed by a community antenna television
25 system franchised pursuant to this Section for the raising or
26 removal of cables or lines to permit passage on, to or from a
27 street shall not exceed the reasonable costs of work
28 reasonably necessary to safely permit such passage. Pursuant
29 to subsections (h) and (i) of Section 6 of Article VII of the
30 Constitution of the State of Illinois, the General Assembly
31 declares the regulation of charges which may be imposed by
32 community antenna television systems for the raising or
33 removal of cables or lines to permit passage on, to or from
34 streets is a power or function to be exercised exclusively by

1 the State and not to be exercised or performed concurrently
2 with the State by any unit of local government, including any
3 home rule unit.

4 The municipality may, upon written request by the
5 franchisee of a community antenna television system, exercise
6 its right of eminent domain solely for the purpose of
7 granting an easement right no greater than 8 feet in width,
8 extending no greater than 8 feet from any lot line for the
9 purpose of extending cable across any parcel of property in
10 the manner provided by the law of eminent domain, provided,
11 however, such franchisee deposits with the municipality
12 sufficient security to pay all costs incurred by the
13 municipality in the exercise of its right of eminent domain.

14 A franchise agreement between a municipality and a
15 community antenna television system may not authorize the
16 franchise holder to impose a fee exceeding \$1.50 upon a
17 consumer for the delinquent payment of a bill for community
18 antenna television services or a fee exceeding \$10 for
19 sending a worker to a consumer's residence to disconnect the
20 consumer's service for nonpayment or delinquent payment. A
21 payment shall not be deemed delinquent unless the bill
22 remains unpaid for more than 30 days after the consumer has
23 received the bill. This limitation on the imposition of
24 delinquent fees and disconnection fees under a community
25 antenna television system franchise agreement is a denial and
26 restriction of home rule powers and functions under
27 subsection (h) of Section 6 of Article VII of the Illinois
28 Constitution.

29 (d) The General Assembly finds and declares that
30 satellite-transmitted television programming should be
31 available to those who desire to subscribe to such
32 programming and that decoding devices should be obtainable at
33 reasonable prices by those who are unable to obtain
34 satellite-transmitted television programming through duly

1 franchised community antenna television systems.

2 In any instance in which a person is unable to obtain
3 satellite-transmitted television programming through a duly
4 franchised community antenna television system either because
5 the municipality and county in which such person resides has
6 not granted a franchise to operate and maintain a community
7 antenna television system, or because the duly franchised
8 community antenna television system operator does not make
9 cable television services available to such person, any
10 programming company that delivers satellite-transmitted
11 television programming in scrambled or encrypted form shall
12 ensure that devices for description of such programming are
13 made available to such person, through the local community
14 antenna television operator or directly, for purchase or
15 lease at prices reasonably related to the cost of manufacture
16 and distribution of such devices.

17 (e) The General Assembly finds and declares that, in
18 order to ensure that community antenna television services
19 are provided in an orderly, competitive and economically
20 sound manner, the best interests of the public will be served
21 by the establishment of certain minimum standards and
22 procedures for the granting of additional cable television
23 franchises.

24 Subject to the provisions of this subsection, the
25 authority granted under subsection (a) hereof shall include
26 the authority to license, franchise and tax more than one
27 cable operator to provide community antenna television
28 services within the corporate limits of a single franchising
29 authority. For purposes of this subsection (e), the term:

30 (i) "Existing cable television franchise" means a
31 community antenna television franchise granted by a
32 municipality which is in use at the time such
33 municipality receives an application or request by
34 another cable operator for a franchise to provide cable

1 antenna television services within all or any portion of
2 the territorial area which is or may be served under the
3 existing cable television franchise.

4 (ii) "Additional cable television franchise" means
5 a franchise pursuant to which community antenna
6 television services may be provided within the
7 territorial areas, or any portion thereof, which may be
8 served under an existing cable television franchise.

9 (iii) "Franchising Authority" is defined as that
10 term is defined under Section 602(9) of the Cable
11 Communications Policy Act of 1984, Public Law 98-549, but
12 does not include any municipality with a population of
13 1,000,000 or more.

14 (iv) "Cable operator" is defined as that term is
15 defined under Section 602(4) of the Cable Communications
16 Policy Act of 1984, Public Law 98-549.

17 Before granting an additional cable television franchise,
18 the franchising authority shall:

19 (1) Give written notice to the owner or operator of
20 any other community antenna television system franchised
21 to serve all or any portion of the territorial area to be
22 served by such additional cable television franchise,
23 identifying the applicant for such additional franchise
24 and specifying the date, time and place at which the
25 franchising authority shall conduct public hearings to
26 consider and determine whether such additional cable
27 television franchise should be granted.

28 (2) Conduct a public hearing to determine the
29 public need for such additional cable television
30 franchise, the capacity of public rights-of-way to
31 accommodate such additional community antenna television
32 services, the potential disruption to existing users of
33 public rights-of-way to be used by such additional
34 franchise applicant to complete construction and to

1 provide cable television services within the proposed
2 franchise area, the long term economic impact of such
3 additional cable television system within the community,
4 and such other factors as the franchising authority shall
5 deem appropriate.

6 (3) Determine, based upon the foregoing factors,
7 whether it is in the best interest of the municipality to
8 grant such additional cable television franchise.

9 (4) If the franchising authority shall determine
10 that it is in the best interest of the municipality to do
11 so, it may grant the additional cable television
12 franchise. Except as provided in paragraph (5) of this
13 subsection (e), no such additional cable television
14 franchise shall be granted under terms or conditions more
15 favorable or less burdensome to the applicant than those
16 required under the existing cable television franchise,
17 including but not limited to terms and conditions
18 pertaining to the territorial extent of the franchise,
19 system design, technical performance standards,
20 construction schedules, performance bonds, standards for
21 construction and installation of cable television
22 facilities, service to subscribers, public educational
23 and governmental access channels and programming,
24 production assistance, liability and indemnification, and
25 franchise fees.

26 (5) Unless the existing cable television franchise
27 provides that any additional cable television franchise
28 shall be subject to the same terms or substantially
29 equivalent terms and conditions as those of the existing
30 cable television franchise, the franchising authority may
31 grant an additional cable television franchise under
32 different terms and conditions than those of the existing
33 franchise, in which event the franchising authority shall
34 enter into good faith negotiations with the existing

1 franchisee and shall, within 120 days after the effective
2 date of the additional cable television franchise, modify
3 the existing cable television franchise in a manner and
4 to the extent necessary to ensure that neither the
5 existing cable television franchise nor the additional
6 cable television franchise, each considered in its
7 entirety, provides a competitive advantage over the
8 other, provided that prior to modifying the existing
9 cable television franchise, the franchising authority
10 shall have conducted a public hearing to consider the
11 proposed modification. No modification in the terms and
12 conditions of the existing cable television franchise
13 shall oblige the existing cable television franchisee (1)
14 to make any additional payment to the franchising
15 authority, including the payment of any additional
16 franchise fee, (2) to engage in any additional
17 construction of the existing cable television system or,
18 (3) to modify the specifications or design of the
19 existing cable television system; and the inclusion of
20 the factors identified in items (2) and (3) shall not be
21 considered in determining whether either franchise
22 considered in its entirety, has a competitive advantage
23 over the other except to the extent that the additional
24 franchisee provides additional video or data services or
25 the equipment or facilities necessary to generate and or
26 carry such service. No modification in the terms and
27 conditions of the existing cable television franchise
28 shall be made if the existing cable television franchisee
29 elects to continue to operate under all terms and
30 conditions of the existing franchise.

31 If within the 120 day period the franchising
32 authority and the existing cable television franchisee
33 are unable to reach agreement on modifications to the
34 existing cable television franchise, then the franchising

1 authority shall modify the existing cable television
2 franchise, effective 45 days thereafter, in a manner, and
3 only to the extent, that the terms and conditions of the
4 existing cable television franchise shall no longer
5 impose any duty or obligation on the existing franchisee
6 which is not also imposed under the additional cable
7 television franchise; however, if by the modification the
8 existing cable television franchisee is relieved of
9 duties or obligations not imposed under the additional
10 cable television franchise, then within the same 45 days
11 and following a public hearing concerning modification of
12 the additional cable television franchise within that 45
13 day period, the franchising authority shall modify the
14 additional cable television franchise to the extent
15 necessary to insure that neither the existing cable
16 television franchise nor the additional cable television
17 franchise, each considered in its entirety, shall have a
18 competitive advantage over the other.

19 No municipality shall be subject to suit for damages
20 based upon the municipality's determination to grant or its
21 refusal to grant an additional cable television franchise,
22 provided that a public hearing as herein provided has been
23 held and the franchising authority has determined that it is
24 in the best interest of the municipality to grant or refuse
25 to grant such additional franchise, as the case may be.

26 It is declared to be the law of this State, pursuant to
27 paragraphs (h) and (i) of Section 6 of Article VII of the
28 Illinois Constitution, that the establishment of minimum
29 standards and procedures for the granting of additional cable
30 television franchises by municipalities with a population
31 less than 1,000,000 as provided in this subsection (e) is an
32 exclusive State power and function that may not be exercised
33 concurrently by a home rule unit.

34 (f) No municipality may acquire, construct, own, or

1 operate a community antenna television system unless the
2 corporate authorities adopt an ordinance. The ordinance must
3 set forth the action proposed; describe the plant, equipment,
4 and property to be acquired or constructed; and specifically
5 describe the manner in which the construction, acquisition,
6 and operation of the system will be financed.

7 The ordinance may not take effect until the question of
8 acquiring, construction, owning, or operating a community
9 antenna television system has been submitted to the electors
10 of the municipality at a regular election and approved by a
11 majority of the electors voting on the question. The
12 corporate authorities must certify the question to the proper
13 election authority, which must submit the question at an
14 election in accordance with the Election Code.

15 The question must be submitted in substantially the
16 following form:

17 Shall the ordinance authorizing the municipality to
18 (insert action authorized by ordinance) take effect?

19 The votes must be recorded as "Yes" or "No".

20 If a majority of electors voting on the question vote in
21 the affirmative, the ordinance shall take effect.

22 Not more than 30 or less than 15 days before the date of
23 the referendum, the municipal clerk must publish the
24 ordinance at least once in one or more newspapers published
25 in the municipality or, if no newspaper is published in the
26 municipality, in one or more newspapers of general
27 circulation within the municipality.

28 (Source: P.A. 90-285, eff. 7-31-97; 91-648, eff. 1-1-00.)