

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 372
Committee Substitute Favorable 6/8/11
Third Edition Engrossed 6/9/11

Short Title: Winston-Salem Franchises.

(Local)

Sponsors:

Referred to:

March 17, 2011

1 A BILL TO BE ENTITLED
2 AN ACT CONCERNING UTILITY FRANCHISES IN THE CITY OF WINSTON-SALEM,
3 AND TO OTHER INCORPORATED MUNICIPALITIES AS TO THEIR TERRITORY
4 WITHIN FORSYTH COUNTY.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 160A-319 reads as rewritten:

7 "**§ 160A-319. Utility franchises.**

8 (a) A city shall have authority to grant upon reasonable terms franchises for a telephone
9 system and any of the enterprises listed in G.S. 160A-311, except ~~a cable television system-~~
10 ~~systems and those enterprises listed in G.S. 160A-311(2) and (3).~~ A franchise granted by a city
11 authorizes the operation of the franchised activity within the city. No franchise shall be granted
12 for a period of more than 60 years, except that a franchise for solid waste collection or disposal
13 systems and facilities shall not be granted for a period of more than 30 years. Except as
14 otherwise provided by law, when a city operates an enterprise, or upon granting a franchise, a
15 city may by ordinance make it unlawful to operate an enterprise without a franchise.

16 (b) For the purposes of this section, "cable television system" means any system or
17 facility that, by means of a master antenna and wires or cables, or by wires or cables alone,
18 receives, amplifies, modifies, transmits, or distributes any television, radio, or electronic signal,
19 audio or video or both, to subscribing members of the public for compensation. "Cable
20 television system" does not include providing master antenna services only to property owned
21 or leased by the same person, firm, or corporation, nor communication services rendered to a
22 cable television system by a public utility that is regulated by the North Carolina Utilities
23 Commission or the Federal Communications Commission in providing those services."

24 **SECTION 2.** This act applies only to the City of Winston-Salem and to the area of
25 any other incorporated municipality as to its territory within Forsyth County.

26 **SECTION 3.** This act is effective when it becomes law.

