

Board Policies Regarding Service Charge Fees for Property Entirely Surrounded by the District

- A) The District broadcasts television signals through a translator on a regular basis. If any person residing on or occupying property located in an area entirely surrounded by the District intentionally receives and uses those signals, the owner of that property is liable to the District for a service charge. The owner of the property shall be deemed to have contracted with the District for use of the translator signals.
- B) The District shall prepare a verified report for every property entirely surrounded by the District every five years which shall disclose that the property has been physically inspected and that there are reasonable grounds to believe that the property is intentionally receiving and using the signal. The report shall include the following information:
- a) The date when the property was inspected;
 - b) The reasons to believe the property is intentionally receiving and using the signal;
and
 - c) Whether the property has been billed in the past.
- C) The District shall notify each owner of property it has determined is liable for a service charge at least 30 days prior to imposition of any service charge. The notice shall be by mail and shall include a written declaration which the owner may verify by signing and returning to the District office stating that the owner is exempt from the service charge for one of the following reasons:
- a) The property already receives adequate regional television signals from another

source and is not using District signals;

- b) The property is so situated as to preclude use of the signals; or
 - c) A television is not used on the property and there are no plans to do so.
- D) A verified declaration returned to the District under Policy C shall exempt the property in question and shall be valid for one year from its signing, unless the owner of the property informs the District of a change of circumstances which should subject the owner to a service charge.
- E) The District Board of Directors may enter into an agreement with the owner of property that is not within the District for the payment of service charges for use of the translator signals of the District when:
- a) The electors of the District, at an election called for that purpose, have authorized the District Board of Directors to make such agreements; and
 - b) The property is within a city that is surrounded by the District and is served by a community antenna system regulated by the Federal Communications Commission.
- F) If the District does not receive a verified declaration under Policy C within 30 days of mailing the verified report and service charge letter, the District shall mail a second letter to the property owner. The District shall not mail a verified report and service charge letter 60 days prior to the completion of the LB-50 for the Member Tax Year.