

1 **Section 1.** There is hereby imposed and each and every Local Access Telephone Service Carrier
2 (“Telephone Company”) shall pay to the City a Franchise Fee in an amount equal to 7.32% of the respective
3 Telephone Company's local exchange access line charges collected within the City's corporate limits during
4 the previous month.

5 **Section 2.** An additional condition of this franchise is that any removal of trees, or underbrush, of any
6 kind, to maintain the integrity of utility lines shall be done without the use of any toxic substance or poison,
7 and instead cutting trees, or mowing or other such means shall be the only means to remove underbrush.

8 **Section 3.** Payments to the City by the Telephone Company for the Franchise Fee shall be made
9 monthly by the 20th day of each month.

10 **Section 4.** On a monthly basis, by the 20th day of each month, the auditor for each Telephone Company
11 shall certify to the City that Telephone Company’s access line revenues collected during the previous month
12 in Little Rock.

13 **Section 5.** The City recognizes and accepts the purposes and results of an Order of the Arkansas Public
14 Service Commission entered on February 7, 1980, in Docket U-30132 relating to the treatment by the
15 Telephone Company of all City special fees.

16 **Section 6.** It is acknowledged that Ordinance No. 11,345 (amended by Ordinance No. 14,981), which
17 set out the terms and conditions of the present privilege authority, is the controlling document over current
18 Local Access Telephone Service Franchises. Ordinance No. 11,345 specifically provided that nothing
19 contained therein was to be construed as giving AT&T any exclusive privileges. Ordinance No. 14,981
20 amended Ordinance No. 16,557 to change the method of calculating the fee to that method presently
21 employed and to add a section detailing the City’s utility relocation policy to be complied with. That Utility
22 Relocation Policy shall remain in effect under this ordinance. The Telephone Company shall also be subject
23 to the Utility Relocation Policy set forth in Little Rock, Ark., Rev. Code §§2-350 to 357 (1988).

24 **Section 7.** Nothing herein contained shall be construed as altering or amending any other rights or
25 obligations of the City or each Telephone Company as provided for in Ordinance No. 11,345 except the
26 language of Section 2 of Ordinance No. 11,345 pertaining to the method of calculating the Telephone
27 Company's annual Franchise Fee.

28 **Section 8.** Nothing in this ordinance shall prevent the City from collecting from Telephone Companies
29 previously due but unpaid Franchise Fees.

30 **Section 9. *Effective Date.*** Because an ordinance of this nature remains in effect until abandoned, and
31 in light of the language of the current Section 1 of this ordinance, it is noted that the Franchise Fees set
32 forth in Section 1 of this ordinance shall be in full force and on January 1, 2026.

33 **Section 10. *Severability.*** In the event any title, section, paragraph, item, sentence, clause, phrase, or
34 word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or

1 adjudication shall not affect the remaining portions of the ordinance which shall remain in full force and
2 effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of the
3 ordinance.

4 **Section 11. *Repealer.*** All ordinances and parts of ordinances that conflict herewith are hereby
5 repealed; provided, however, only to the extent that the same are in direct conflict herewith. Except as
6 provided, nothing herein shall be construed to alter or change the terms or conditions of the present franchise
7 under which AT&T is operating, as set forth in Ordinance No. 11,345 (December 17, 1962), Ordinance No.
8 14,981 (November 5, 1985), and Ordinance No. 16,557 (December 21, 1993)

9 **PASSED: October 6, 2025**

10 **ATTEST:**

APPROVED:

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Allison Segars, City Clerk

Frank Scott, Jr., Mayor

14 **APPROVED AS TO LEGAL FORM:**

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Thomas M. Carpenter, City Attorney

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