

## Chapter 28

### CABLE AND VIDEO CUSTOMER PROTECTION LAW

- 28.01 Customer Service and Privacy Protection Law
- 28.02 Enforcement
- 28.03 Penalties
- 28.04 Customer Credits

#### 28.01 CUSTOMER SERVICE AND PRIVACY PROTECTION LAW

A. ADOPTION: The regulations of the Cable and Video Customer Protection Law, 220 ILCS 5/70-501 *et seq.*, are hereby adopted by reference and made applicable to the cable or video providers offering services within the Village's boundaries.

B. AMENDMENTS: Any amendment to the Cable and Video Customer Protection Law that becomes effective after the effective date of this Chapter shall be incorporated into this Chapter by reference and shall be applicable to cable or video providers offering services within the Village's boundaries. However, any amendment that makes its provisions optional for adoption by municipalities shall not be incorporated into this Chapter by reference without formal action by the Board of Trustees.

#### 28.02 ENFORCEMENT

Pursuant to law, the Village declares its intent to enforce all of the customer service and privacy protection standards of the Cable and Video Protection Law with respect to complaints received from residents within the Village.

#### 28.03 PENALTIES

A. PENALTY: In addition to the penalties provided by law, the schedule of penalties found in 220 ILCS 5/70-501(r)(1) shall be applicable for any material breach of the Cable and Video Protection Law by cable or video providers. The monetary penalties shall apply on a competitively neutral basis and shall not exceed \$750 for each day of the material breach and shall not exceed \$25,000 for each occurrence of a material breach per customer.

For purposes of this Section, material breach means any substantial failure of a cable or video provider to comply with

service quality and other standards specified in any provision of the law.

A material breach, for the purpose of assessing penalties, shall be deemed to occur for each day that a material breach has not been remedied by the cable or video service provider after the notice pursuant to Section 28.03-B.

B. NOTICE: The Village shall give the cable or video provider written notice of any alleged material breaches of the law and allow such provider at least 30 days from the receipt of the notice to remedy the specified material breach.

#### **28.04 CUSTOMER CREDITS**

The credits provided in 220 ILCS 5/70-501(s) shall be applied on the statement issued to the customer for the next billing cycle following a violation or the discovery of a violation of this Chapter. The cable or video provider shall be responsible for providing the credits and the customer is under no obligation to request the credit.

*Established December 13, 2007*