

Antenna Television System not located in the streets, shall, at the election of Howard County become the property of Howard County at a cost not to exceed its then book value (i.e., cost less accumulated depreciation according to the generally accepted accounting principles, with a reduction for any damages incurred by Howard County in connection with such cancellation). Such book value if Howard County be obligated for more than half the expenses. The determination of a majority of the arbitrators shall be binding on the parties. In the event that an arbitrable matter arises contemporaneously under another franchise, involving the same issue as that to be arbitrated under a franchise granted pursuant to this Act, the Grantee shall not claim or assert that it is prejudiced by or otherwise to seek to prevent or hinder, the presentation of the arbitrable matter under such other franchise for determination by a single panel.

**14.727. Subsequent Action by the State or Federal Authorities.**

(a) Should the State of Maryland or the FCC require the Grantee to perform or refrain from performing any act the performance or non-performance of which is inconsistent with any of the provisions of this Act, the Grantee shall not notify the Council and the Council shall thereupon, if it determines that a material provision herein is affected, have the right to modify any of the provisions herein to such reasonable extent as may be necessary to carry out the full intent and purposes of this Act.

(b) In the event that the Grantee is required by the FCC to deliver signals in addition to those for which dial locations are provided, or for which channels are available, the Company shall apply to the Council for additional use and dial locations and the Council shall have the discretion to grant such application on such terms as it deems reasonable.

(c) The imposition by the Congress of the United States of copyright liability on the Grantee shall not in any way affect the rate and compensation agreements in Section 14.711 and Section 14.712 herein.

**14.728. Penalties.**

For violation of material provisions of this Act penalties shall be chargeable to the Grantee, and payable to Howard County, as follows:

(a) For failure to submit plans indicating expected dates of installation of various parts of the Community Antenna Television System . . . \$100.00 per day.

(b) For failure to commence operations in accordance with Section 14.705 . . . \$200.00 per day.

(c) For failure to complete construction and installation of the Community Antenna Television System in accordance with Section 14.705 . . . \$500.00 per day.

(d) For failure to supply data requested by the Council in connection with installation, construction, customers, finances or financial reports, or rate review in accordance with Section 14-714 and Section 14.715 . . . \$50.00 per day.

(e) For persistent failure to comply with reasonable recommendations of the Council relating to rates or services as provided in Sections 14.710, 14.711 and 14.712; and/or interconnections, as provided in Section 14.705 and such other reasonable requests or recommendations as may be made pursuant to authority granted by this Act . . . \$50.00 per day.