



## RESTAURANTS, BARS, NIGHTCLUBS, AND SIMILIAR ESTABLISHMENTS Rate Schedule & Statement of Operating Policy for Calendar Year 2018

Licensee Business Name:   
 Premise Address:

Instructions: Enter the corresponding Rate Per Occupant according to the use of music in your business

Music Type	Rate Per Occupant	Fee
<b>1. Live Music</b> <i>(check no more than one box if applicable)</i>		
<u>Frequency Per Week</u>		
4 - 7 nights	\$6.10 <input type="checkbox"/>	
3 nights or less	\$5.09 <input type="checkbox"/>	
	<b>Enter the rate checked above here:</b>	<b>\$ _____</b>
<b>2. Recorded Music*</b> <i>(check no more than one box if applicable)</i>		
If Live Music is not used	\$3.56 <input type="checkbox"/>	
If Live Music is also used (must also check a box in Section 1).	\$2.36 <input type="checkbox"/>	
	<b>Enter the rate checked above here:</b>	<b>\$ _____</b>
<b>3. Enhancements to Recorded Music*</b> <i>(check box if applicable, must also check a box in Section 2)</i>		
	\$2.05 <input type="checkbox"/>	
	<b>Enter the rate checked above here:</b>	<b>\$ _____</b>
<b>4. Admission or Cover Charge*</b> <i>(check box if applicable)</i>		
	\$2.05 <input type="checkbox"/>	
	<b>Enter the rate checked above here:</b>	<b>\$ _____</b>
<b>5. Television and/or Radio*</b> <i>(check box if applicable, Skip this Section if you checked a box on line 1 or 2).</i>		
	\$1.35 <input type="checkbox"/>	
	<b>Enter the rate checked above here:</b>	<b>\$ _____</b>
<b>6. Total Rate Per Occupant (Add lines 1 - 5)</b>		<b>\$ _____</b>
<b>7. Total Premises Occupancy</b> Enter 1,000 if Occupancy is greater than 1,000 (If premises occupancy is not established by the local fire or similar authority, use the following formula: Total Square footage of entire premise _____ /20 = Occupancy).		
<b>8. Occupancy Fee</b>		
A. Multiply line 7 by line 6.	8a \$ _____	
B. Enter the amount from line 8a, or \$380.00, whichever is higher. (if no boxes are checked in Sections 1 - 5, enter \$0)		8b \$ _____
<b>9. Jukebox Fee*</b> <i>(skip this Section if our jukebox is currently licensed separately)</i>		
	\$179.00 <input type="checkbox"/>	<b>\$ _____</b>
<b>10. Annual License Fee (Add the amounts from Boxes 8b and 9)</b>		<b>\$ _____</b>

\*See notes on Page 2 for explanation

I certify that the information contained herein is true and correct. (complete only upon change in Operating Policy

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_

*Print Name*



## **NOTES TO RATE SCHEDULE**

**Recorded Music (Line 2).** ). This fee applies for the performance of music by mechanical or electronic devices, including, but not limited to, tapes, records, compact discs and other digital audio formats (e.g. MP3), videocassette, DVD and other digital audiovisual formats. This fee applies for performances by jukeboxes that do not meet the definition of "Coin-Operated Phonorecord Player" as defined below.

**Enhancements to Recorded Music (Line 3).** This fee applies for the use of added features to recorded music such as, but not limited to, karaoke, DJs, emcees, dancing, shows, acts or games.

**Admission or Cover Charge (Line 4).** This fee applies if an admission, cover, or similar charge exists at any time for a part or the entire premises.

**Television and/or Radio (Line 5).** The use of televisions and/or radios that are utilized for the reception of broadcast, satellite or cable programming when no live music (Line 1) or recorded music (Line 2) is performed and paid for under this license, and when such television and/or radio performances do not meet the exemption provided for in 17 U.S.C. Section 110(5).

**Jukebox Fee (Line 9).** This fee applies for performances by means of devices, commonly called "jukeboxes," that meet the definition of "Coin-Operated Phonorecord Player" as set forth in the U.S. Copyright Law and that are not otherwise licensed through a compulsory license, a license from the Jukebox License Office, or an ASCAP license other than this license. The U.S. Copyright Law currently defines a Coin-Operated Phonorecord Player as a machine or device that (1) is employed solely for the performance of nondramatic musical works by means of phonorecords [compact discs, for example] upon being activated by the insertion of coins, currency, tokens, or other monetary units or their equivalent; (2) is located in an establishment making no direct or indirect charge for admission; (3) is accompanied by a list comprised of the titles of all the musical works available for performance on it, and is affixed to the machine or device or posted in the establishment in a prominent position where it can be readily examined by the public; and (4) affords a choice of works available for performance and permits the choice to be made by the patrons of the establishment in which it is located [as distinguished from the establishment's employees or performers].

## **ADJUSTMENTS TO ANNUAL FEES**

### **FEES FOR SEASONAL PERFORMANCES**

If the Premises is only open seasonally, the fees due for periods up to four (4) months of operation are one-half (1/2) the annual license fees (Line 10). For each additional month or partial month the fee is increased by one twelfth (1/12) the annual license fees (Line 10). In no event shall the seasonal performances be more than the annual license fee (Line 10) or less than \$380.00, if any boxes in Sections 1-5 are checked, or less than \$179.00, if only the box in Section 9 is checked.

### **FEES FOR OCCASIONAL PERFORMANCES**

For policies in effect for any three (3) or fewer days/nights per month, the annual fee is the applicable annual fee for the policy as if such highest policy were in effect for three (3) or less days/nights per week. For policies in effect for any six (6) or fewer days/nights per calendar year, the fee is one-third (1/3) the applicable annual fee for the policy as if such policy were in effect for three (3) or less days/nights per week. In no event shall the occasional performances be less than \$380.00, if any boxes in Sections 1-5 are checked, or less than \$179.00, if only the box in Section 9 is checked.

## **DISCOUNTS**

### **One Year Payment**

Full payment of applicable annual licenses fees (Line 10) upon the execution of the Agreement, but no later than thirty (30) day of invoice, and for subsequent terms no later than thirty (30) days after the anniversary date of the Agreement entitles Licensee to a 10% discount on such annual license fees.

### **Two Year Payment**

Full payment of applicable annual license fees (Line 10) for two (2) years upon execution of the Agreement, but no later than thirty (30) day of invoice, and for subsequent terms no later than thirty (30) days after the anniversary date of the Agreement entitles LICENSEE to a 15% discount on such aggregated two-year annual license fee payment. For purposes of calculating the two-year payment, fees for the second year shall equal the fees for the first year (Line 10) but shall be subsequently adjusted upon the release of the second-year rates.

## **LICENSE FEES FOR 2019 SEASON AND THEREAFTER**

The license fees for each calendar year commencing 2019 shall be the license fee for the preceding calendar year, adjusted in accordance with the increase in the Consumer Price Index, All Urban Consumers - (CPI-U) between the preceding October and the next preceding October.