

ORDINANCE NO. #UC93-0001

An Ordinance entitled "An Ordinance providing for A Basic 911 Emergency Telephone Reporting System, as defined in said Ordinance."

BE IT ORDAINED BY UNION COUNTY, SOUTH DAKOTA:

Pursuant to SDCL 34-45 et.seq. Union County hereby establishes A Basic 911 Emergency Telephone Reporting System

I. JURISDICTIONAL SERVICE AREA

The Basic 911 system is to be provided for a service area including the following described jurisdictional area: all of the area within the legal boundaries of the limits of Union County, South Dakota except those areas that have telephone service with 232, 966 and 763 prefixes.

II. INSTALLATION, OPERATION AND SURCHARGE

The Union County Board of Commissioners shall be responsible for the costs incurred for installation, maintenance or operation of the system. In order to pay for the costs incurred, the Commission may impose a uniform monthly Basic 911 emergency surcharge. The initial surcharge rate shall be \$0.75 (seventy-five cents) for each local exchange access line, and is hereby established effective April 1, 1993. The remittance shall be made to the Union County Auditor.

III. SURCHARGE USE AND PROCEDURE

The proceeds of the surcharge shall be utilized to pay for nonrecurring and recurring costs of the Basic 911 related service. This charge may be imposed at any time subsequent to the execution of an agreement with the provider of such service at the discretion of the Commission. No such charge may be imposed upon more than one hundred local exchange access lines or the equivalent per customer billing.

At least once every calendar year, prior to September first, the Board of Commissioners shall review the current charge and establish, by resolution, a rate of charge to be effective on the next January first, not to exceed the amount authorized.

Immediately upon making such determination and fixing such rate, the Commission shall publish its new rate, and shall notify by registered mail every local exchange access company at least ninety days before such new rate will become effective.

All funds collected from the surcharge shall be credited to a special fund, apart from the general fund of the County, for payment of nonrecurring and recurring costs and for the general operational expense of the Basic 911 related service, including, but not limited to, the personnel costs of the dispatchers or the monthly contract costs billed by the public safety answering point.

Any amount collected within a given year shall be carried forward to the next year.

If the Basic 911 system is discontinued, any money remaining in the fund after all payments to the service supplier pursuant to this section have been made shall be transferred proportionately to the general funds of each participating public agency or transferred to an Enhanced 911 service if it be established.

IV. SERVICE AGREEMENTS

The Commission may enter into an agreement directly with the service supplier or may contract or cooperate with any public agency or with other states or their political subdivisions for the administration of a Basic 911 system as provided by law.

V. AMENDMENT

Union County, by and through its Board of Commissioners, reserves the right to amend this ordinance at any time and in any way, specifically the right to make additions and deletions of service areas covered by this ordinance.

VI. SEVERABILITY AND SAVING CLAUSE

If any provision of this ordinance shall be held invalid, it shall not affect any other provision of this ordinance that can be given effect without the invalid provision, and for this saving purpose, the provisions of this ordinance are hereby declared to be severable.

Adopted on this 16th day of February, 199³, as witnessed by:

Passed First Reading 2-2-93
Passed Second Reading 2-16-93
Adopted 2-16-93
First date of Publishing 2-18-93
Second date of Publishing 3-4-93
Effective Date 4-1-93

M.C. Bak
M.C. Bak, Chairman
Union County Commissioners
Carol Klumper
Carol Klumper, Union County Auditor