



HAND COUNTY AUDITOR

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ORDINANCE #93-2

AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF AN ENHANCED 911 EMERGENCY TELEPHONE REPORTING SYSTEM.

WHEREAS, the Hand County Commission hereinafter referred to as "Commission" believes that the establishment of an enhanced 911 emergency reporting telephone service is in the best interests of the residents of the County; and

WHEREAS, the Commission, for the public welfare, desires to establish, maintain, and control an enhanced 911 emergency reporting telephone service; and

WHEREAS, SDCL 34-45 provides authority for the parameters of the establishment, management, and control of a 911 emergency reporting telephone service by a governing body or through cooperative agreement among governing bodies;

THEREFORE, BE IT ORDAINED BY THE HAND COUNTY COMMISSION AS FOLLOWS:

SECTION ONE

Enhanced 911 System Established

An enhanced 911 emergency telephone reporting system as the same is defined in SDCL 34-45 et al is hereby authorized and established. Management and control of said system shall be vested in the Commission or its authorized designate.

SECTION TWO

Jurisdictional Service Area

The 911 system established by this ordinance shall cover the service area including all of the area within the legal boundaries of the limits of Hand County, including those areas within the County which may be within the limits of incorporated municipalities.

SECTION THREE

The Commission 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 911 emergency surcharge. The initial surcharge rate shall be 75 cents (\$.75) per month for each local exchange access line, and is hereby established effective January 1, 1994. The remittance shall be made to the Hand County Treasurer.

SECTION FOUR

Surcharge Use and Procedure

The proceeds of the surcharge shall be utilized to pay the nonrecurring and recurring costs of the 911 related service. This charge may be imposed at any time 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 Commission shall review the current charge and establish a rate of charge to be effective on the next January first not to exceed the amount authorized by law.

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 the payment of nonrecurring and recurring costs and for the general operational expense of the 911 related service, including but not limited to the personal costs of the dispatchers or the monthly contract costs billed by the public safety answering point. Such funds shall be administered by the Hand County Commission or its designate.

Any amount collected in excess of expenses within a given year shall be carried forward to the next year.

If the 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 fund of each participating public agency.

SECTION FIVE

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 911 system as provided by law.

Adopted this 2 day of November, 1993.

Delmar B. Gerdes
Delmar B. Gerdes, Chairman
Hand County Commission

(ATTEST)

Betty Morford
Betty Morford, Hand County Auditor

1st Reading: October 21, 1993

2nd Reading: November 2, 1993

Adoption: November 2, 1993

Published: November 21, 1993

*20 days after publication, becomes law