

ORDINANCE NO. 152-90

CONSOLIDATED EMERGENCY COMMUNICATION SYSTEM

SECTION 1.0:

CREATION OF EMERGENCY COMMUNICATION SYSTEM: There is hereby created, for the purpose of providing for the public health, safety, and welfare of the public, a consolidated emergency communication system, also known as a 911 telephone system, in Bonneville County, State of Idaho, all as permitted and sanctioned by Idaho Code Title 31, Chapter 48. The purpose for the creation of the emergency communication system is to provide a county wide 911 telephone system.

SECTION 2.0:

DEFINITION:

(a) "Administrator" means the person, officer, or agency designated to operate a consolidated emergency communication system, and to receive funds for such operation.

(b) "Consolidated Emergency Communication System" or "Emergency Communication System" means facility, equipment, and dispatching services directly related to establishing, maintaining, and enhancing a 911 emergency communications service.

(c) "Governing Board" means the Board of County Commissioners of the Bonneville County.

(d) "911 Service Area" shall mean the entire area of Bonneville County in which area the residents have voted to establish a consolidated emergency communication system.

SECTION 3.0:

FINANCING OF SYSTEM: The financing of the consolidated emergency communication system shall, in whole, be by line user fee in an amount not greater than \$1.00 per month to be used to fund an emergency telephone system, commonly known as 911 service.

SECTION 4.0:

SERVICE AREA: The service area for the emergency communication system shall be the entirety of Bonneville County as described at Idaho Code Section 31-112.

SECTION 5.0:

GOVERNING BOARD: The governing board of the emergency communication system shall be the board of county commissioners for Bonneville County as duly elected.

SECTION 6.0:

ADMINISTRATOR: The administrator for the emergency communication system shall be such person, officer, or agency designated to operate the emergency communication system as appointed by the governing board.

SECTION 7.0:

NET SAVINGS: The net savings from the operating expenditures realized by Bonneville County from the implementation of the consolidated emergency communication system shall be used by Bonneville County for the reduction of the ad valorem tax charges of said taxing district.

SECTION 8.0:

TELEPHONE LINE USER FEE: The telephone line user fee shall be a uniform amount not to exceed \$1.00 per month per exchange access line, trunk line, network access register, or equivalent, and such fee shall be used exclusively to finance the initiation, maintenance, or enhancement of the consolidated emergency communication system within Bonneville County. The fee for collection of the monthly telephone line user fee shall be collected from customers on a monthly basis by all telecommunication entities which provide local telephone line service within Bonneville County, and may be listed as a separate item on customers' monthly billings.

SECTION 8.1:

LINE USER FEE COLLECTION: All such telephone companies shall remit such fee to the County Treasurer's office or to the Administrator as designated by the Governing Board. From every remittance to the governing board made on or before the date when the same becomes due, the telephone

company required to remit the same, shall be entitled to deduct and retain 3/4 of one percent (.75%) of the collected amount as the cost of administration for collecting the charge. Local exchange companies will be allowed to list the charge on a separate item in the telephone subscriber's bill, and shall not be obligated to take any legal action to enforce the collection of any charge, nor be held liable for such uncollected amounts.

SECTION 9.0:

ESTABLISHMENT OF JOINT POWERS BOARD FOR OPERATION OF EMERGENCY COMMUNICATION SERVICE: Within One Hundred Eighty (180) days following voter approval of a telephone line users fee, the Governing Board or Administrator may establish a joint powers agreement as provided in Idaho Code Title 67, Chapter 23. Such joint powers Board or Administrator shall be responsible for establishing, maintaining, and governing a consolidated emergency communication system. Providing an emergency communication service shall be considered a government function.

SECTION 10.0:

AUTHORIZATION OF GOVERNING BOARD TO APPOINT OFFICIAL: The Governing Board in the absence of an agreement to form a joint powers Board or Administrator as provided in Section 9.0 herein, are authorized to appoint an Official or Administrator to maintain and govern a consolidated emergency communication system.

SECTION 11.0:

RIGHT TO FEE NOT AFFECTED BY NON-SERVICE: Any governmental entity within Bonneville County that has an already established emergency communication system using 911 call access, upon resolution duly adopted and approved and presented to the joint powers Board or in their absence to the Board of County Commissioners, may ask that their existing emergency communication system area be excluded and such area shall be excluded from the county wide emergency communication service, but such exclusion shall not affect the right of the board of county commissioners to levy a fee as herein provided. Whenever any area is excluded pursuant to this subsection, the board of county commissioners shall remit to the excluded entity, One Hundred percent (100%) of the fee collected in the excluded area as provided herein. Any area excluded pursuant to this section may be subsequently included upon resolution duly appointed and approved and presented to

the joint powers Board or, in their absence, the Board of County Commissioners.

SECTION 12.0:

TREASURER'S ACCOUNT: The Bonneville County Treasurer is authorized to establish a fund to be designated the "Emergency Communication Fund" in which all fees collected pursuant to this ordinance shall be deposited and such fund shall be used exclusively for the purposes of this ordinance. The monies collected and the interest earned in this fund shall be apportioned by the County Commissioners, or Governing Board, for expenses incurred by the emergency communication system as set forth in an annual budget prepared by the joint powers Board, or in their absence, the County Commissioners, and incorporated into the annual county budget.

SECTION 13.0:

PAY PHONES CONVERSION: Every provider of telephone services or other owner of pay station telephone within Bonneville County must convert every pay station telephone to permit dialing 911 or the telephone company operator without deposit of a coin or other charge to the caller. Said conversion must be completed by or before the time the emergency telephone system is operational.

SECTION 14.0:

VOTER APPROVAL: The governing board shall cause to have placed upon a general or primary county wide ballot the following question, which must be approved by 60% of the majority of votes cast in favor of the question, prior to the implementation of the emergency communication system.

QUESTION:

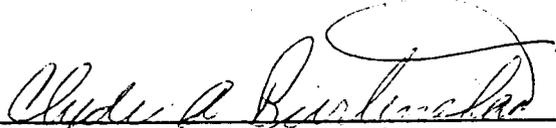
"Shall the governing board of Bonneville County be authorized to institute a telephone line user fee in an amount no greater than one dollar (\$1.00) per month to be used to fund an emergency telephone system, commonly known as 911 service?"

SECTION 15.0:

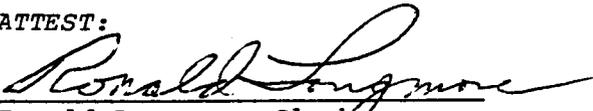
VOTER NON-APPROVAL: In the event that the voters of Bonneville County shall reject the creation of the emergency communication system, the Board of County Commissioners shall either (1) adopt by resolution creating county wide consolidated emergency communication system on a non-telephone line user fee, or (2) terminate the consolidated emergency communication system. The termination of the consolidated emergency communication system shall cause this ordinance to become null and void.

PASSED AND APPROVED by the Board of County Commissioners, Bonneville County, ID, this 5th day of September, 1990.

BONNEVILLE COUNTY BOARD OF COMMISSIONERS


Clyde A. Burtenshaw, Chairman

ATTEST:


Ronald Longmore, Clerk

(SEAL)