

1264

AN ORDINANCE ENTITLED
911 EMERGENCY TELEPHONE REPORTING SYSTEM

WHEREAS, The Moody County Commission hereafter referred to as "Commission" believes a 911 emergency reporting service is in the best interests of the residents of the County; and

WHEREAS, The Commission for the public welfare wish to establish, manage and control a 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; Then therefore

BE IT RESOLVED BY THE MOODY COUNTY COMMISSION: That a 911 emergency telephone reporting system is established with management and control of said system vested in the commission or its authorized designate.

SECTION ONE - JURISDICTIONAL SERVICE AREA

The 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 Moody County.

SECTION TWO - INSTALLATION OPERATION AND SURCHARGE

The commission shall be responsible for the costs incurred for the 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) for each local access line, and is hereby established effective MARCH 1 1995. The remittance shall be made to the Moody County Treasurer.

SECTION THREE - SURCHARGE, USE AND PROCEDURE

The proceeds of the surcharge shall be utilized to pay for nonrecurring and recurring costs of the 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 100 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.

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 be come effective.

All funds collected from the surcharge shall be credited to the 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 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. Said fund shall be administered by the Moody County commission pursuant to the intergovernmental Agreement approved and as amended.

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 funds of each participating public agency.

SECTION FOUR - 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 subdivision for the administration of a 911 system as provided by law.

SECTION FIVE - SEVERABILITY AND SAVING CLAUSE

If any provision of this ordinance shall be held invalid, it shall not affect any other provisions 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.

First Reading NOV. 16, 1994

Second Reading DEC. 6, 1994

Adopted this 6 day of DECEMBER 1994

MOODY COUNTY, SOUTH DAKOTA

James L. Gable Chairman
MOODY COUNTY BOARD OF COMMISSIONERS