

## CHAPTER 3 – ASSESSMENTS & TAXATION

### ARTICLE 7 – 911 EMERGENCY TELEPHONE SERVICE SURCHARGE

#### SECTIONS:

Sections 3-7-101 to 199, inclusive. General Provisions.

3-7-101. Establishment and Jurisdictional Service.

3-7-102. Installation, Operation and Surcharge.

3-7-103. Surcharge use and procedure.

3-7-104. Service Agreements.

3-7-105. Effective Date.

3-5-106 to 199, inclusive. Reserved.

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**Sections 3-7-101 to 199, inclusive. General provisions.**

#### **Section 3-7-101 Establishment and Jurisdictional Service**

A 911 emergency telephone reporting system be and the same is, established with the management and control of the system vested in the City Commission or its authorized designee. The 911 system is to be provided for the jurisdictional service area: all that area which, at any time, is located within the corporate limits of the City.

#### **Section 3-7-102 Installation, Operation and Surcharge**

The City Commission shall be responsible for the costs incurred for the installation, maintenance and/or operation of the system. In order to pay for such costs as may be incurred, the City Commission may impose a uniform monthly 911 emergency surcharge. The initial surcharge rate shall be fixed at one dollar and twenty-five cents (\$1.25) or as set by State of SD Legislature for each local exchange access line, such surcharge to be effective on or after the 1st day of January 2020. No surcharge shall be imposed upon more than one hundred (100) local exchange access lines or the equivalent per customer billing. All remittance of the surcharge shall be made payable to the order of the City.

#### **Section 3-7-103 Surcharge use and procedure**

1. 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 or services in the discretion of the City Commission.

2. At least once each calendar year, prior to the first day of September, the City 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 state statute.
3. Immediately upon making such determination and fixing said rate, the City Commission shall publish its new rate, and shall notify by registered mail each local exchange access company. The notice provided herein shall be given not less than ninety (90) days prior to the effective date of any change in the surcharge rate.
4. All funds received from the surcharge shall be credited to a special fund, separate and apart from the general fund of the City, for payment of nonrecurring and recurring costs, and to pay for the general operational expense of the 911 related service or services, including but not limited to personnel costs of the dispatchers or the monthly contract costs billed by the public safety answering point or service provider. The fund shall be administered by the City Commission.
5. Any funds collected in excess of expenses within a given year shall be carried forward to the next year.
6. If, and in the event that, the 911 system is discontinued, any funds remaining in this account after all payments to the service supplier pursuant to this section shall have been made shall be transferred to the general fund of the City, or proportionately to the general funds of each participating public agency should the City Commission exercise its other powers to enter into intergovernmental agreements relating to the 911 emergency telephone service. 7.2104

### **Section 3-7-104 Service Agreements**

The City 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.

### **Section 3-7-105 Effective Date**

This ordinance shall become effective on January 1, 2020.

### **Section 3-7-106 to 199 inclusive, Reserved.**

**Source:** Ord. No. 1804, 2019.