

Fremont County, Idaho hereby publishes the following as a summary of Ordinance No. 92-03, commonly referred to as the E-911 Service Ordinance. The ordinance provides as follows:

Section 1.0 provides for the creation of an emergency communication system.

Section 2.0 provides definitions for the ordinance.

Section 3.0 provides for financing of the system by means of a \$1.00 surcharge telephone line user fee.

Section 4.0 defines the service area of the system as being all of Fremont County, Idaho.

Section 5.0 establishes the Board of County Commissioners as the governing board.

Section 6.0 allows the governing board to appoint an administrator for the system.

Section 7.0 provides for the collection and use of any net savings realized under the system.

Section 8.0 provides for a telephone line user fee, and the collection thereof by telephone companies.

Section 8.1 provides further for the collection and remittance of the fee collected by the telephone companies to the Fremont County Treasurer.

Section 9.0 allows for the creation of a joint powers board.

Section 10.0 authorizes the governing board to appoint an administrator in the absence of a joint powers board.

Section 11.0 provides for the creation of a Treasurer's Account.

Section 12.0 provides for pay phone conversion under the system.

Section 13.0 provides the creation of the E-911 system financed by a telephone line user fee to be submitted for a vote to the County electors at the next general election.

Section 14.0 provides for the consequences of a vote of non-approval.

Section 15.0 provides for the effective date hereof.

Passed this 28 day of September, 1992.

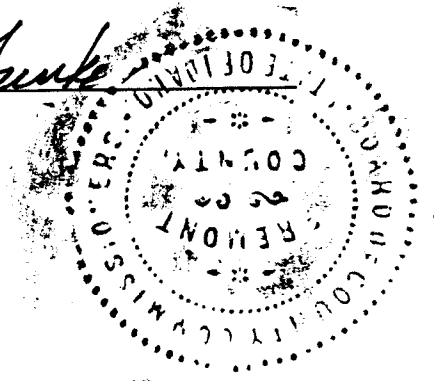
The full text of the preceding summarized ordinance is available at the office of the Fremont County Clerk, Courthouse, St. Anthony, Idaho, Monday through Friday, between the hours of 9:00 a.m. to 5:00 p.m.

The preceding summary of Ordinance No. 92-03, is true and complete and provides adequate notice to the public.

Dated this 28 day of September, 1992.

BOARD OF COUNTY COMMISSIONERS  
FREMONT COUNTY, IDAHO

*Mickie Funke*  
MICKIE FUNKE  
CLERK



ORDINANCE NO. 92-03

AN ORDINANCE PROVIDING FOR THE CREATION OF A CONSOLIDATED EMERGENCY COMMUNICATIONS SYSTEM; PROVIDING DEFINITIONS THEREFORE; PROVIDING FOR THE FINANCING THEREOF; DESCRIBING THE SERVICE AREA THEREOF; ESTABLISHING THE GOVERNING BOARD AND ADMINISTRATOR THEREOF; ESTABLISHING A TELEPHONE LINE USER FEE; PROVIDING FOR THE ESTABLISHMENT OF A JOINT POWERS AGREEMENT AND GOVERNING BOARD; AUTHORIZING THE GOVERNING BOARD TO APPOINT AN OFFICIAL OR ADMINISTRATOR; PROVIDING FOR THE CLERK TO CREATE A COMMUNICATION FUND; PROVIDING FOR THE CONVERSION OF PAY PHONES; PROVIDING FOR A PUBLIC VOTE TO BE HELD ON THE TELEPHONE LINE USER FEE; PROVIDING FOR THE EFFECT OF VOTER NON-APPROVAL; AND, PROVIDING FOR THE EFFECTIVE DATE HEREOF.

## 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 Fremont 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 Fremont County.

(d) "911 Service Area" shall mean the entire area of Fremont 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 Fremont County as described at Idaho Code Section 31-124.

## SECTION 5.0:

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

## 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 may be appointed by the governing board.

## SECTION 7.0:

NET SAVINGS: The net savings, if any, from the operating expenditures realized by Fremont County from the implementation of the consolidate emergency communication system shall be used by Fremont 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 Fremont 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 Fremont 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 surcharge 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:

CLERK'S ACCOUNT: The Fremont County Clerk is authorized to establish a dedicated 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. All monies collected and not so expended shall be held in trust by the Clerk pending commencement of the budget year for FY 1994.

SECTION 12.0:

PAY PHONES CONVERSION: Every provider of telephone services or other owner of pay station telephone within Fremont 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 13.0:

VOTER APPROVAL: The governing board shall cause to have placed upon the general 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 Fremont 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 14.0:

VOTERS NON-APPROVAL: In the event that the voters of Fremont 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.

SECTION 15.0:

EFFECTIVE DATE: This ordinance shall be in full force and effect from and after its passage, all as provided by law.

PASSED AND APPROVED by the Board of County Commissioners, Fremont County, ID, this 29 day of September, 1992

FREMONT COUNTY BOARD OF COMMISSIONERS

Grant Chandler  
Grant Chandler, Chairman

ATTEST:

Mickie Funke  
Mickie Funke, Clerk

