

ORDINANCE NO. 997

AN ORDINANCE GRANTING AUTHORIZATION BY
THE CITY OF GOLDEN FOR THE JEFFERSON
COUNTY EMERGENCY TELEPHONE SERVICE
AUTHORITY BOARD TO ESTABLISH AN E911
SERVICE USER CHARGE OF UP TO AND
INCLUDING FORTY CENTS PER TELEPHONE
SERVICE SUBSCRIBER LINE

WHEREAS, in October of 1983, the 27 cities and fire protection districts within Jefferson County and the County entered into an Intergovernmental Agreement to implement an enhanced emergency telephone service system ("E911") for the benefit of the people throughout Jefferson County; and

WHEREAS, pursuant to the terms of the Intergovernmental Agreement, an Emergency Telephone Service Authority Board (hereinafter "Authority Board") was appointed to perform those acts necessary for the provision and administration of the E911 system; and

WHEREAS, the Emergency Telephone Service Act, C.R.S., Sections 29-11-101, et seq., (hereinafter the "Act") authorizes governing bodies to impose an emergency telephone charge upon each exchange access facility (telephone service subscriber line) to pay for the installation costs and the directly related costs of the continued operation of the E911 service, which charge may not exceed two percent of the service provider's tariff rate for emergency telephone service within Jefferson County; and

WHEREAS, Mountain Bell, the service provider, has advised the Authority Board that the two percent statutory maximum established by Section 29-11-102 (2), C.R.S., presently amounts to a charge of approximately 45 cents per exchange access facility; and

WHEREAS, pursuant to the Authority Board's request, the parties to the Intergovernmental Agreement previously authorized the Authority Board to begin collecting a monthly charge of 17 cents per exchange access facility throughout Jefferson County to pay for the costs of installing and operating E911; and

WHEREAS, the Authority Board has advised the parties to the Intergovernmental Agreement that the 17 cents charge per exchange access facility presently authorized is insufficient to pay for the initial purchase of equipment, network services and continued operation of the E911 system; and

WHEREAS, the Authority Board has also advised that it believes that it is necessary that the power to raise and lower the service charge, within certain limits, be delegated to the Authority Board by the parties to the Intergovernmental Agreement in order to enable the Authority Board to properly, safely and efficiently administer the E911 system within Jefferson County; and

WHEREAS, the Authority Board has requested that the parties to the Intergovernmental Agreement authorize the Authority Board to impose and collect an emergency telephone charge per exchange access facility, whenever and for such period of time as the Authority Board deems appropriate, in an amount up to and including 40 cents per exchange access facility or two percent of the tariff rate as defined in Section 29-11-102 (2), C.R.S., whichever at any point in time is lower, subject to the condition that prior to establishing, raising or lowering the service charge the Authority Board shall first give public notice of its intention to change the rate in the official newspaper of the City of Golden and hold a public hearing thereon at which any interested person may be present and appear.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO:

Section 1. The City of Golden hereby authorizes the Jefferson County Emergency Telephone Service Authority Board to impose and collect an emergency telephone charge as defined by Section 29-11-101 (1), C.R.S., in an amount of up to and including either 40 cents per telephone exchange access facility or two percent of the service provider tariff rate as defined in Section 29-11-102 (2), C.R.S., whichever is at any point in time the lower, subject to the condition that prior to establishing or raising or lowering such charge the Authority Board shall first give public notice of its intent in the official newspaper of the City of Golden and hold a public hearing thereon at which any interested person may be present and appear.

Section 2. Any ordinances or portions of ordinances in conflict herewith are hereby repealed.

Introduced, read and ordered published this 14th day of November, 1985.

Adopted, approved and ordered published this 2nd day of December, 1985.

Dr. Ruth A. Maurer
Mayor

ATTEST:

Sharon L. Bennetts
City Clerk

Approved as to form:

Russell J. Sindt
City Attorney

I, Sharon L. Bennetts, City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing ordinance was introduced on first reading and read at a regular meeting of the City Council of said city, held on the 14th day of November, 1985 and was published as a proposed ordinance in the Golden Transcript, legal newspaper, as the law directs seven days or more prior to its passage. A public hearing was held and on the 2nd day of December, 1985, the said proposed ordinance was read on second reading and passed by the City Council and ordered published in the aforesaid newspaper as the law directs.

Witness my hand and official seal of the City of Golden, Colorado, this 3rd day of December, 1985.

(SEAL)

Attest: _____
Sharon L. Bennetts, City Clerk
of the City of Golden, Colorado