

MONTGOMERY COUNTY, INDIANA

ORDINANCE NO. 2011-02

**ORDINANCE OF MONTGOMERY COUNTY COUNCIL
INCREASING THE ENHANCED EMERGENCY TELEPHONE
SYSTEM (E-911) FEE**

WHEREAS, Section 36.02 (C)(1) of the Montgomery County Code provides that a fee shall be imposed upon all telephone service users in Montgomery County to fund the administration of the emergency telephone system and that the amount of the fee shall be determined by the Montgomery County Council from time to time;

AND WHEREAS, increased expenses in the administration of the emergency telephone system and decreased revenues because of declining numbers of land lines have caused the Montgomery County Commissioners to request an increase in the uniform monthly fee from \$1.60 to \$2.50;

AND WHEREAS, without an increase in the uniform monthly fee provided for under the Montgomery County Code, the revenues from the monthly fees will be inadequate to support the administration of the system;

AND WHEREAS, this fee has not been changed since March 2005;

AND WHEREAS, Indiana Code §36-8-16-5 provides that the Council may, by ordinance, change the rate once per calendar year;


AND WHEREAS, the rate must be uniform and may not exceed ten percent (10%) of the average monthly telephone access line charges in Montgomery County;

AND WHEREAS, the ten percent (10%) of the average monthly telephone access line charges in Montgomery County exceeds the \$2.50 proposed rate;

AND WHEREAS, because of the critical importance of enhanced emergency telephone systems in Montgomery County, it is in the best interests of the citizens of Montgomery County that this fee be increased to \$2.50 in order to adequately fund this service.

IT IS, THEREFORE, ORDAINED by the Montgomery County Council that the uniform monthly fee to be charged to all service users for enhanced emergency telephone is hereby increased to \$2.50.

IT IS FURTHER ORDAINED that each service supplier providing service in Montgomery County shall on behalf of the County collect a fee from those users to whom it provides exchange telephone service in the County. This service supplier shall collect the fee for

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Kathy Traugher
Montgomery County Recorder IN
Recorded as Presented


each month or part of a month and exchange excess facility and service, as part of its normal billing process. The service supplier may list the fee as a separate entry on each bill. If the service supplier receives partial payment from the service user, the service supplier shall supply the payment against the amount the service user owes the service supplier first.

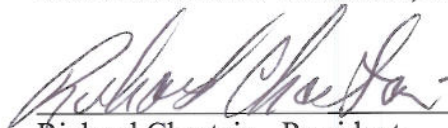
IT IS FURTHER ORDAINED that this Ordinance shall be in full force and effect on the first day of the second month after the month of its adoption by the Montgomery County Council. Each service supplier shall commence collecting the enhanced emergency telephone system increased fee from its service users within thirty (30) days after the effective date of this Ordinance.

IT IS FURTHER ORDAINED that a copy of this Ordinance shall be published in the Montgomery County Code as a Special Ordinance and listed in the Table of Special Ordinances.

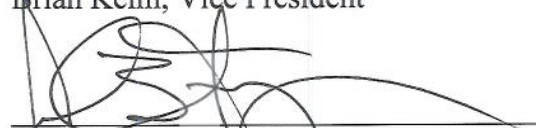
All other provisions of Section 36.02 shall remain in full force and effect.

Approved this 12 ^{July} day of ~~August~~, 2011.

COUNTY COUNCIL OF
MONTGOMERY COUNTY, INDIANA

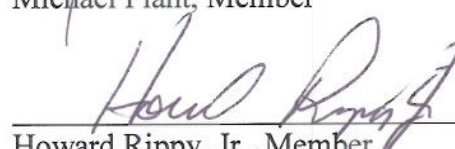

Richard Chastain, President

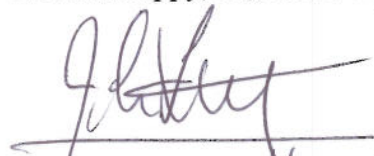

Brian Keim, Vice President

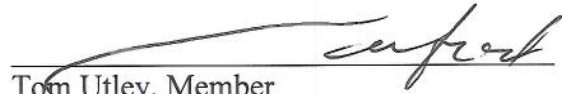

John Frey, Member


Aaron Morgan, Member


Michael Plant, Member


Howard Rippy, Jr., Member


John T. Utley, Member


Tom Utley, Member

ATTEST:


Michelle Cash, County Auditor