CHEROKEE COUNTY

"911 COMMUNICATIONS ORDINANCE OF 2005"

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CHEROKEE COUNTY;

Section 1. Short Title.

This ordinance shall be known and may be cited and referred to as "911 Communication Ordinance of 2005".

Section 2. Definitions.

As used in this ordinance:

(1) "911 System" for "911 Service" means an emergency telephone system that provides the user of the public telephone system the ability to reach a public safety answering point by dialing the digits 911. The term "911 System" or "911 Service" also includes "Enhanced 911 Service", which means an emergency telephone system that provides the user of the public telephone system with 911 calls to appropriate public safety answering points by selective routing based on the geographical location from which the call originated and provides the capability for automatic number identification and automatic location identification.

(2) "911 Charge" means a contribution to Cherokee County for the 911 service start up equipment costs, subscriber notification costs, addressing costs, billing costs, and non-recurring and recurring costs by the service supplier providing 911 service.

(3) "Exchange access facility" means the access from a particular telephone subscriber's premises to the telephone system of a service supplier provided access lines, PBX trunks and centrex network access registers, all as defined by tariffs of the telephone company as approved by the North Carolina Utilities Commission. Exchange access facilities do not include service supplier owned and operated telephone pay station lines, or Wide Area Telecommunication Service (WATS), Foreign Exchange (FX) or incoming only lines.

(4) "Public Safety Telephone Act" means the Public Safety Telephone Service and Wireless Telephone Service Act as contained in Chapter 62A of the North Carolina General Statues.

(5) "Service Supplier" means a person or entity who provides exchange telephone service to a telephone subscriber.

(6) "Telephone Subscriber" or "Subscriber" means a person or entity to whom exchange

telephone service, either residential or commercial, is provided and in return for which the person or entity is billed on a monthly basis. When the same person, business, or organization has several telephone access lines, each exchange access facility shall constitute a separate subscription.

(7) Effective August 15, 2005, there is imposed a monthly 911 service charge, in the amount specified in subsection (8) of this ordinance, upon each exchange access facility subscribers whose exchange access lines are in the served by 911 service in Cherokee County.

(8) The monthly 911 charge as set by the Cherokee County Board of Commissioners upon recommendation of the Cherokee County 911 Communications Advisory Board for each exchange access line or lines that are located in Cherokee County and served by the 911 service shall be $1.50 per line.

(9) Service suppliers will be responsible for collecting and remitting to the County the 911 charges as provided by the Public Safety Telephone Act. Service suppliers shall be entitled to a one percent (1%) administrative fee as compensation for collecting the charges.

(10) Administration and collection activities to enforce and give effect to the provisions of this ordinance shall be conducted pursuant to the provisions of the Public Safety Telephone Act.

Section 3. Effective Date.

(1) The effective date for the charge of $1.50 per line for 911 service in Cherokee County shall be Monday, August 15, 2005.

This ordinance is enacted, this the 15th day of August, 2005

Dana Jones, Chairman
Cherokee County Board of County Commissioners

ATTEST:

R. Scott Lindsay, Clerk
Cherokee County Board of County Commissioners