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# SALT LAKE CITY COUNCIL STAFF REPORT

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**DATE:** October 3, 2006

**SUBJECT:** Amend Ordinance 5.04.210 relating to E911 fees to adopt a fee increase, authorized by the Utah State Legislature.

**STAFF REPORT BY:** Jennifer Bruno, Policy Analyst

**AFFECTED COUNCIL DISTRICTS:** Citywide

**ADMINISTRATIVE DEPT:  
AND CONTACT PERSON:** Chris Dunn

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## **POTENTIAL MOTIONS:** (For use during the formal meeting)

1. **["I move that the Council"]** Adopt an ordinance amending section 5.04.210 of the Salt Lake City Code, increasing 911 Emergency Service Fees, from 61 cents to 65 cents.
2. **["I move that the Council"]** Not adopt an ordinance amending section 5.04.210 of the Salt Lake City Code, increasing 911 Emergency Service Fees, from 61 cents to 65 cents.

## **KEY ELEMENTS:**

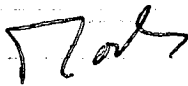
- A. The Administration is recommending the Council adopt an ordinance amending section 5.04.210 relating to 911 Emergency Services, that would increase the allowable fees collected by the City to increase from 61 cents per user per month, to 65 cents per user per month. The additional 4 cents are proposed to be deposited into the statewide unified E-911 Emergency Service Fund, to implement "Phase I" technology (see item C below).
- B. In 2004, the State passed a bill authorizing cities to raise their E-911 fees from 53 to 65 cents. Currently, Salt Lake City is the only city not charging the full maximum of 65 cents. This has created issues as the State is attempting to negotiate with voice-over-internet-protocol (VOIP) providers. A standard statewide rate would resolve this issue.
- C. The state's Emergency Service Fund will then allow for cost recovery of implementing "Phase I" technology, which will assist in locating a 911 caller using a cell phone.
- D. The City's share of E-911 fees will continue to be used to pay the costs of installing, maintaining and operating the City's 911 emergency telephone system.

## **BUDGET RELATED FACTS:**

- A. The Administration has not estimated any increased revenue to the City from the increase in fees. The additional revenue realized by the increase in fees will go to a pooled state fund for statewide E-911 projects (referenced in item A above).

## COUNCIL TRANSMITTAL

**TO:** Rocky J. Fluhart  
Chief Administrative Officer



**DATE:** September 19, 2006

**FROM:** Chief Chris Burbank  
Chief of Police

**SUBJECT:** Ordinance Amending E911 Emergency Service Fee

**STAFF CONTACT:** Director Chris Dunn

**DOCUMENT TYPE:** Ordinance

**RECOMMENDATION:** Pass an amendment to Ordinance 5.04.210. relating to the increase of emergency E911 fees. (Need to add 2004 ordinance #)

**BUDGET IMPACT:** Increases the 911 collection rate from .61 cents to .65 cents per user, per month. This increase will standardize our ordinance with other municipalities in the state.

**BACKGROUND AND DISCUSSION:** In 2006 the State Legislature passed HB 36 Second Substitute, Management, Enhancement, and funding of 911 System. This bill requested a unified state rate of .65 cents per month, which allows cost recovery for implementing Phase I technology. This requested change is to correct the previous ordinance rate structure.

SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2004  
(Amending 911 Emergency Service Fee)

AN ORDINANCE AMENDING SECTION 5.04.210, *SALT LAKE CITY CODE*,  
RELATING TO 911 EMERGENCY SERVICE FEES.

WHEREAS, § 53-10-601 through § 53-10-606 Utah Code Ann., as enacted by the 2004 Legislature, § 69-2-5 Utah Code Ann., as amended by Chapter 253 Laws of Utah 2003, § 63-55-269 Utah Code Ann. and § 69-2-5.6 Utah Code Ann. (1953), authorize the establishment of a Statewide Unified E-911 Emergency Service system, and authorize local governments to increase the local levy on telephone services to pay for 911 emergency services from a maximum of 53 cents per month to a maximum of 65 cents per month, ~~effective July 1, 2004, with subsequent modifications taking effect on July 1, 2006 and July 1, 2011; and~~

WHEREAS, the aforementioned state statutes allow a public agency of a county, city, or town within which 911 emergency telephone service is provided to levy monthly an emergency services telephone charge on:

(i) each local exchange service switched access line within the boundaries of the county, city, or town; and

(ii) each revenue producing radio communications access line with a billing address within the boundaries of the county, city, or town;

to pay for the provision of 911 emergency telephone service within the governing body's jurisdiction, and to pay the directly related cost of a 911 system.

Now, therefore, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. That Section 5.04.210, *Salt Lake City Code*, pertaining to 911 emergency service fees be, and the same hereby is, amended to read as follows:

**5.04.210 911 Emergency Service Fee:**

A. Purpose: Section 69-2-5 of the Utah Code Annotated provides for the establishment and funding of a 911 emergency services telephone system, including wireless and land-based telephone services. Under the Emergency Telephone Service Law, the City may levy monthly an emergency services telephone charge on each local exchange service switched access line and each revenue producing radio communications access line with a billing address within the boundaries of the area served by the City. Notification of intent to levy the emergency services telephone charge must be given to the Public Service Commission at least thirty (30) days prior to the effective date. The City provides 911 emergency services telephone service and wants to levy an emergency services telephone charge in the amount of ~~fifty three cents (\$0.53) per month~~ as-allowed by State law.

B. Levy: Effective July 1, 1998, the City Council levies an emergency services telephone charge in the amount of fifty three cents (\$0.53) per month on each basic local exchange access line and each revenue producing radio communications access line with a billing address within the boundaries of the area served by the City, as authorized by section 69-2-5 et seq., Utah Code Annotated, or its successor, effective July 1, 1998. Effective July 1, 2004, the levy noted herein shall increase to sixty five cents (\$0.65) per month. Effective July 1, 2006, the levy noted herein shall decrease to sixty one cents (\$0.61) per month. Effective July 1, 2011, the levy noted herein shall decrease to fifty three cents (\$0.53) per month.

Effective July 1, 2004, four cents (\$0.04) of the amount of the charge levied under this Section, less the collection costs of the City and Tax Commission permitted by Utah Code Ann. § 69-2-5(3)(h) and Utah Code Ann. § 53-10-604(2)(b), shall be deposited monthly in the statewide unified E-911 Emergency Service Fund created in Utah Code Ann. § 53-10-603, for the purposes outlined in that section.

C. Notify Public Service Commission: The Chief of the Salt Lake City Police Department, or his/her designee, is directed to notify the Utah State Public Service Commission of the entities upon which the City will levy the charge in accordance with applicable laws.

D. Special Emergency Telephone Service Fund: All monies received by the City from the 911 emergency services telephone charge shall be deposited in a special emergency telephone service fund. All monies in the emergency telephone service fund shall be expended by the City to pay the costs of establishing, installing, maintaining and operating a 911 emergency telephone system or integrating a 911 system into an established public safety dispatch center. Revenues derived for the funding of 911 emergency telephone service may only be used for that portion of the costs related to the operation of the 911 emergency telephone system.

SECTION 2. This ordinance shall take effect immediately upon the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this \_\_\_\_\_ day of \_\_\_\_\_,

20046.

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

(SEAL)

| Bill No. \_\_\_\_\_ of 20046.

Published: \_\_\_\_\_.

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## H.B. 36 Enrolled

Corrected Version

### MANAGEMENT, ENHANCEMENT, AND

### FUNDING OF 911 SYSTEM

2004 GENERAL SESSION

STATE OF UTAH

**Sponsor: Brad L. Dee**

#### LONG TITLE

##### **General Description:**

This bill imposes a fee on wireless and land-based telephones to create a statewide unified emergency 911 system capable of geographically locating a wireless telephone user's location in an emergency.

##### **Highlighted Provisions:**

This bill:

- . creates a 13 cent per month state fee on telephone services for unified statewide E-911 emergency services;
- . provides for the administration, collection, and enforcement of telephone E-911 emergency fees by the State Tax Commission;
- . deposits the telephone fees into a restricted account in the General Fund for unified statewide E-911 emergency services;
- . repeals the advisory Utah 911 Committee in the Bureau of Communications in the Department of Public Safety;
- . creates a new state Utah 911 Committee in the Department of Public Safety to develop state standards for the unified E-911 emergency system and to administer the fund;
- . establishes criteria for the use of the fund to ensure implementation of land-based and wireless E-911;
- . requires the Utah 911 Committee to report annually to the Executive Appropriations Committee;

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- . authorizes local governments to increase the local levy on telephone services for 911

emergency services from a maximum of 53 cents per month to a maximum of 65 cents per month;

- . allows exchange carriers some cost recovery for implementing Phase I technology and collecting and administering the levy;
- . reduces the 13 cent state E-911 emergency service fee in 2006 to eight cents;
- . sunsets the state imposed fee on July 1, 2011; and
- . makes technical changes.

**Monies Appropriated in this Bill:**

This bill appropriates for fiscal year 2004-05:

- . \$3.9 million from the Statewide Unified E-911 Emergency Service Fund to the Utah 911 Committee; and
- . \$250,000 from the Statewide Unified E-911 Emergency Service Fund to the Automated Geographic Reference Center in the Division of Information Technology Services.

**Other Special Clauses:**

This bill takes effect May 3, 2004, except:

- . the effect of the local and state fee increase is delayed until July 1, 2004;
- . the amount of the state imposed fee is amended on July 1, 2006; and
- . the state imposed fee sunsets on July 1, 2011.

**Utah Code Sections Affected:**

AMENDS:

**69-2-5**, as last amended by Chapter 253, Laws of Utah 2003

ENACTS:

**53-10-601**, Utah Code Annotated 1953

**53-10-602**, Utah Code Annotated 1953

**53-10-603**, Utah Code Annotated 1953

**53-10-604**, Utah Code Annotated 1953

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**53-10-605**, Utah Code Annotated 1953

**53-10-606**, Utah Code Annotated 1953

**63-55-269**, Utah Code Annotated 1953

**69-2-5.6**, Utah Code Annotated 1953

REPEALS:

**53-10-503**, as enacted by Chapter 269, Laws of Utah 2002

*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **53-10-601** is enacted to read:

**Part 6. Coordination of Statewide 911 Emergency Communications**

**53-10-601. Utah 911 Committee.**

*(1) There is created within the division, the Utah 911 Committee consisting of the following 15 members:*

*(a) a representative from each of the following primary emergency public safety answering points:*

*(i) Salt Lake County;*

*(ii) Davis County;*

*(iii) Utah County; and*