

**TITLE 11      ENHANCED 911 EMERGENCY TELEPHONE REPORTING SYSTEM**

**CHAPTER 11.01      AN ENHANCED 911 EMERGENCY TELEPHONE REPORTING SYSTEM**

11.0101      Jurisdictional Service Area. The Enhanced 911 system is to be provided for a service area including the following described jurisdictional area: all of the area within the legal boundaries of the limits of Brown County.

11.0102      Installation, Operation, and Surcharge. The Commission shall be responsible for the costs incurred for installation, maintenance, or operation of the system. In order to pay for the costs incurred, a uniform monthly Enhanced 911 emergency surcharge may be imposed. The surcharge rate shall be one dollar and twenty-five cents (\$1.25) for each local exchange access line or any other unit of measurement as authorized by South Dakota Codified Laws. The remittance shall be made to the South Dakota Department of Revenue. In the event of any change to the maximum surcharge in the South Dakota Codified Laws, this Ordinance shall authorize imposition of any amount not to exceed the new state maximum, if done in accord with State law and this Ordinance.

11.0103      Surcharge Use and Procedure. The proceeds of the surcharge shall be utilized to pay for nonrecurring and recurring costs of the Enhanced 911 related service. No such charge may be imposed upon more than one hundred (100) local exchange access lines or the equivalent per customer billing.

At least once every calendar year, prior to September first, the Commission shall review the current charge and establish, by resolution, a rate of charge to be effective on the next January first, not to exceed the amount authorized.

All funds collected for the surcharge shall be credited to a special fund, apart from the general fund of the County, for payment of nonrecurring and recurring costs for the general operational expense of the Enhanced 911 related service, including but not limited to the personnel costs for employees and/or monthly contract costs billed by the public safety answering point.

Any amount collected in excess of expenses within any given year shall be carried forward to the next year. If an Enhanced 911 system is discontinued, any money remaining in the fund after all payments to the service supplier pursuant to this section have been made shall be transferred proportionately to the general funds of each participating public agency.

11.0104      Service Agreements. The Commission may enter into an agreement directly with the service supplier or may contract or cooperate with any public agency, or other States and/or their political subdivisions, for the administration of an Enhanced 911 system as provided by law.

11.0105      Severability and Savings Clause. If any provision of this ordinance shall be held invalid, it shall not affect any other provision of this ordinance that can be given effect without the invalid provision, and for this saving purpose, the provisions of this ordinance are hereby declared to be severable.