

ORDINANCE NO. 2017 - 05

AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT ESTABLISHING A SERVICE FEE FOR ENHANCED 911 EMERGENCY DISPATCH SERVICES TO OWNERS OF REAL PROPERTY IN BOONE COUNTY, KENTUCKY.

WHEREAS, Boone County Fiscal Court as a function of State Government and pursuant to KRS 67.083 enjoys the authority and necessary latitude and flexibility to provide and finance various governmental services within broad functional areas specified in the statute; and

WHEREAS, the establishment, maintenance, and operation of the Boone County Public Safety Communication Center (PSCC) is an essential public safety service used by residents of Boone County as well as workers and travelers while situated in the County; and

WHEREAS, Boone County Fiscal Court has determined that the current 911 service fee (E 911 service fee) of \$2.78 per telephone line per month as imposed by the County is inadequate to continue to provide reliable, quality emergency communications services due to the replacement of telephone lines by wireless telephones and other technologies; and

WHEREAS, Boone County Fiscal Court has determined that KRS 65.760 provides for alternative methods of funding the operation of enhanced 911 emergency services; and

WHEREAS, Boone County Fiscal Court has determined that a 911 service fee imposed on each individual residential unit and each individual commercial unit will result in a more fair distribution of the burden of funding this service and create a more stable funding source; and

WHEREAS, the 911 service fee imposed on residential and commercial units is intended to replace the current 911 service fee on telephone lines and the current 911 service fee is to be repealed concurrently with the imposition of the new 911 service fee; and

NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF THE COUNTY OF BOONE, COMMONWEALTH OF KENTUCKY, AS FOLLOWS:

SECTION ONE

That the Boone County, Kentucky Code of Ordinances is hereby amended to add a new section which shall read as follows:

COLLECTION OF 911 SERVICE FEE

- A. For the purposes of this Chapter, a 911 service fee shall be defined as an annual fee of \$75.00 (Seventy-five dollars and zero cents) imposed upon each occupied individual residential unit and each occupied individual commercial unit located upon each parcel of real property located within the County of Boone, as determined from the records of the Boone County Property Valuation Administrator's Office. A residential unit shall be defined as a principal residential space occupied or designed for occupancy for residential purposes. A commercial unit shall be defined as a principal non-residential building space of any size occupied or designed for occupancy by an individual non-residential business or public or private enterprise. A unit occupied as of July 1st shall be deemed occupied. A unit not occupied as of July 1st shall be deemed not occupied and shall not be subject to the 911 service fee.

- B. The 911 service fees collected shall be used for the delivery of Enhanced 911 emergency telephone service, as provided for by KRS 65.760.
- C. The 911 service fee shall be placed upon the Boone County ad valorem property tax bills prepared by the Boone County Clerk, pursuant to KRS 133.220(2) for the fiscal year beginning July 1, 2018 and continuing every year thereafter.
- D. The Fiscal Court shall appoint an Appeals Board to consider and resolve any claims of incorrect determination of occupied individual residential units or occupied individual commercial units.
- E. All 911 service fees shall be collected by the Boone County Sheriff and transferred to the Boone County Public Safety Communication Center (PSCC) on a timely basis, as determined by the Judge/Executive pursuant to Executive Order. The County Clerk and Sheriff shall be entitled to a reasonable fee to defray the actual costs of collection, preparation and disbursement of 911 service fees.

SECTION TWO

The provisions of this Ordinance are severable, and the invalidity of any provision of this Ordinance shall not affect the validity of any other provision thereof, and such other provisions shall remain in full force and effect as long as they remain valid in the absence of those provisions determined to be invalid.

SECTION THREE

Effective Date. This Ordinance shall be in full force and effect on July 1, 2018, following enactment and publication as prescribed by law.

Adopted this 18th day of April, 2017

First Reading - the 21st day of March, 2017

Second Reading - the 18th day of April, 2017 Yes 3 No 1

**GARY W. MOORE, Judge/Executive
Boone County Fiscal Court**

Attest:

**Sharon Burcham,
Fiscal Court Clerk**