

ORDINANCE NO. 04-2017-707

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

WHEREAS, Grant 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 Public Safety Answering Point (PSAP) at Kentucky State Police, Post 6, Dry Ridge is an essential public safety service used by residents of Grant County as well as workers and travelers while situated in the County; and

WHEREAS, Grant County Fiscal Court has determined that the current 911 service fee (E 911 service fee) of \$1.99 per telephone line per month as imposed by each city and 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, Grant County Fiscal Court has determined that KRS 65.760 provides for alternative methods of funding the operation of enhanced 911 emergency services; and

WHEREAS, Grant 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 will generate approximately the same revenue that was projected to be received from the telephone line fees, thus being revenue neutral; and

WHEREAS, Grant County Fiscal Court has the authority to set penalties for the failure to abide by the terms of its Ordinances; **NOW, THEREFORE**,

BE IT ORDAINED BY THE GRANT COUNTY FISCAL COURT THAT:

Ordinance No. 04-2017-707 is hereby enacted and shall read in full as follows:

COLLECTION OF 911 SERVICE FEE

(A) For the purposes of this Ordinance, a 911 service fee shall be defined as an annual fee of \$48.00 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 Grant, as determined from the records of the Grant 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 November 1 shall be deemed occupied. A unit not occupied as of November 1 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 Grant County ad valorem property tax bills prepared by the Grant County Clerk pursuant to KRS 133.220(2) for the year beginning January 1, 2017 and continuing every year thereafter.
- (D) For the year beginning January 1, 2017 only, owners of all occupied rental units shall be eligible to claim a credit of \$24.00 per unit against the annual fee due. This credit, which is the equivalent of a 6-months share of the fee, is granted to allow owners of rental property additional time to fully recover the amount of the fee from tenants. In subsequent years, the full amount of the annual 911 service fee shall be paid for all occupied units.
- (E) The Fiscal Court shall by resolution appoint an Appeals Board to consider and resolve any claims of incorrect determination of occupied individual residential units or occupied individual commercial units.
- (F) All 911 service fees shall be collected by the Grant County Sheriff and transferred to the **Treasurer of the Grant County E-911 account for payment to the Public Safety Communication Account** 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 and disbursement of 911 service fees.
- (G) The failure of any real property owner to pay the 911 service fee as set forth in this Chapter shall be punishable as a Class A Misdemeanor.

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.

This Ordinance shall take effect and be in full force from and after its passage, publication and recording, according to law.

All Ordinances in conflict with this Ordinance, or portions thereof, shall be deemed repealed from and after the effective date of this Ordinance, to the extent of such conflict.

Introduced, given first reading and ordered published this the _____ day of May, 2017.

Given second reading, passed by the Grant County Fiscal Court and ordered recorded this the _____ day of May, 2017.

GRANT COUNTY FISCAL COURT

ATTEST: _____
PAT CONRAD
GRANT FISCAL COURT CLERK

BY: _____
STEPHEN P. WOOD
GRANT COUNTY JUDGE\EXECUTIVE

First Advertisement: _____

Second Advertisement: _____