

CLAY COUNTY ORDINANCE NO. 92-1
ESTABLISHMENT AND OPERATION OF E-911 SYSTEM

BE IT ORDAINED by the Clay County Board of County Commissioners.

SECTION ONE - ESTABLISHMENT

There is hereby established, pursuant to the provisions of SDCL 34-45, for Clay County an Enhanced 911 (hereafter E-911) Emergency Reporting System with management and control of said system in the Commission.

SECTION TWO - DEFINITIONS

Terms used in this Ordinance shall be defined in accordance with SDCL 34-45-1 unless otherwise expressly defined herein.

SECTION THREE - JURISDICTIONAL SERVICE AREA

The E-911 System is to be provided for a service area including all of the area within the legal boundaries of the limits of Clay County.

SECTION FOUR - CONTRACTS

The Clay County Board of County Commissioners shall have the authority to enter into contracts with any local exchange access companies for the installation, maintenance or operation of a E-911 system. Said System may have such features, operations and costs as the Board deems appropriate.

SECTION FIVE - SURCHARGE

The Clay County Board of County Commissioners shall by resolution establish an initial surcharge upon each local exchange access line prior to the start-up of the system at a time subsequent to the execution of agreements with the providers of such service at the descretion of the Clay County Board of Commissioners. Said surcharge shall not exceed the maximums established by SDCL 34-45-4 which are seventy-five cents per line on each local exchange access line and fifty cents for each access line in an extended area service portion of the county's jurisdiction for which the E-911 System will be provided, and may not be imposed upon more than one hundred local exchange access

lines or the equivalent per customer per billing. This surcharge shall be collected monthly by service suppliers and remitted to the Clay County Treasurer in accordance with SDCL 34-45-8.

SECTION SIX - SURCHARGE OPERATION FUND

The treasurer shall keep all remittance of collected surcharges in separate fund for the purpose of paying all incremental costs associated with the installation, maintenance and operation of the E-911 System as allowed by SDCL 34-45. Base year for such consideration will be 1993. Such payments shall be made at the direction of the Board of County Commissioners.

SECTION SEVEN - ADJUSTMENT OF CHARGE

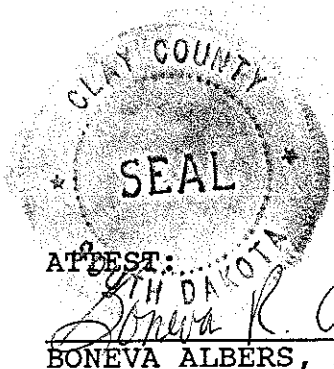
The Clay County Board of County Commissioners shall at their meeting in August of each year, review the revenues and expenses of the surcharge operation fund and establish by resolution the surcharge in an amount not to exceed the maximum surcharge provided in SDCL 34-45-4 for the following year. If the Board does not establish by resolution new rates for the following year by September 1st, then the rates for the following year shall remain unchanged from the current year rates.

SECTION EIGHT - SERVICE AGREEMENTS

The Commission may enter into an agreement directly with the service supplier or may contract or cooperate with any public agency or with other states or their political subdivision for the administration of 911 system as provided by law.

SECTION NINE - SEVERABILITY AND SAVING CLAUSE

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

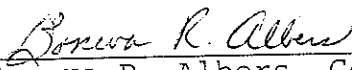


Paul M. Hasse
PAUL HASSE, CHAIRMAN
CLAY COUNTY BOARD OF
COMMISSIONERS

First Reading: November 24, 1992
Publication: December 4, 1992
Second Reading: December 15, 1992
Adoption: December 15, 1992
Effective Date: February 1, 1993

NOTICE OF ADOPTION

Notice is hereby given that pursuant to SDCL 34-45, Ordinance #92-1, Establishment and Operation of E-911 System was duly adopted by the County Board of Commissioners on 15th day of December, 1992 and will become effective on February 1, 1993.


Boneva R. Albers, County Auditor
Clay County, South Dakota

Publish: Dec. 25, 1992 &
Jan. 1, 1993

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**Boneva R. Albers, County Auditor
Clay County, South Dakota
Publish: December 25, 1992 & January 1, 1993**

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