

**CAMPBELL COUNTY FISCAL COURT
CAMPBELL COUNTY, KENTUCKY**

ORDINANCE O-04-13

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

WHEREAS, Campbell 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 Campbell County Consolidated Dispatch Center is an essential public safety service used by residents of Campbell County as well as workers and travelers while situated in the County; and

WHEREAS, Campbell County Fiscal Court has determined that the current 911 service fee (E 911 service fee) of \$3.00 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, Campbell County Fiscal Court has determined that KRS 65.760 provides for alternative methods of funding the operation of enhanced 911 emergency services; and

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units is intended to replace the current 911 service fee on telephone lines and the current 911 service fee is to be repealed concurrently with the imposition of the new 911 service fee; and

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, Campbell 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 Fiscal Court of Campbell County that the Campbell County, Kentucky Code of Ordinances is hereby amended at Chapter 91 to add a new section 91.10 which shall read as follows:

91.10 COLLECTION OF 911 SERVICE FEE

- (A) For the purposes of this Chapter, a 911 service fee shall be defined as an annual fee of \$45.00 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 Campbell, as determined from the records of the Campbell 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 Campbell County ad valorem property tax bills prepared by the Campbell County Clerk, pursuant to KRS 133.220(2) for the year beginning January 1, 2013 and continuing every year thereafter.
- (D) For the year beginning January 1, 2013 only, owners of all occupied rental units shall be eligible to claim a credit of \$22.50 per unit against the annual fee due. This credit, which is the equivalent 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 Campbell County Sheriff and transferred to the Campbell County Consolidated Dispatch Center 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.

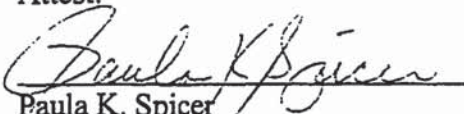
This ordinance shall take effect and be in full force from and after its passage, publication and recording, according to law.

Presented for first reading on the 10 day of July, 2013.

Passed and adopted at the second reading on the 7 day of August, 2013.


STEVE PENDERY
Judge/Executive

Attest:


Paula K. Spicer
Fiscal Court Clerk

First Advertisement: 7/25/2013
Second Advertisement: 8/15/2013

CERTIFICATION

I, Paula K. Spicer, the duly appointed Fiscal Court Clerk of the County of Campbell, Kentucky, do hereby certify that the foregoing Ordinance is a true, correct and complete copy of Ordinance O-04-13, and is on file in the office of the Fiscal Court Clerk, Newport, Kentucky.

Witness my hand and seal of said County this 14th day of August, 2013.


Paula K. Spicer
Fiscal Court Clerk

[SEAL]