

COUNTY OF SUSQUEHANNA, PENNSYLVANIA

ORDINANCE NUMBER 99-001

AN ORDINANCE AMENDING THE TIME PERIOD OF ORDINANCE 94-001, FOR THE COLLECTION OF A TELEPHONE SUBSCRIBER'S FEE FOR NON-RECURRING COST, MAINTENANCE AND OPERATION COST OF THE COUNTY 911 EMERGENCY COMMUNICATION SYSTEM FOR AN INDEFINITE PERIOD.

WHEREAS, On January 31, 1994, Ordinance Number 94-001 was duly ordained and enacted at a regular meeting of the Board of Commissioners of Susquehanna County, Pennsylvania pursuant to the Public Safety Emergency Telephone Act, (Act 78 of 1990, P.L. 340, No. 78); and

WHEREAS, Ordinance Number 94-001 set the collection of a monthly fee of One Dollar and 50/100 (\$1.50) for a period of three (3) years commencing on January 31, 1994, pursuant to the approval of the Pennsylvania Public Utility Commission; and

WHEREAS, the Public Safety Emergency Telephone Act of 1990 was amended by Act 17 of 1998; and

WHEREAS, in accordance with Section 5(h) of said Amendment, the Board of Commissioners desire to extend the collection period of the monthly fee of One Dollar and 50/100 (\$1.50) until such time as a rate change is requested by the County and approved by the Pennsylvania Public Utility Commission;

NOW THEREFORE, the board of Commissioners of the County of Susquehanna hereby enacts and ordains the following:

1. A monthly fee of One Dollar and 50/100 (\$1.50) will be applied to each Susquehanna County telephone subscriber's monthly telephone bill on a per-access-line basis. In the case of Centrex or similar multi-line telephone subscribers, except PBX subscribers with more than twenty-five (25) lines, the fee shall be adjusted as provided for in Section 7 of the Public Safety Emergency Telephone Act.
2. The imposition of and collection of the monthly fee of One Dollar and 50/100 (\$1.50) per telephone subscriber line per month shall be extended indefinitely.
3. In all other respects, Ordinance Number 94-001 is hereby affirmed, ratified, and approved.

ENACTED AND ORDAINED THIS 18TH DAY OF AUGUST 1999

ATTEST:

APPROVED:

Joan M. Kamansky
Joan M. Kamansky, Chief Clerk

Lee Smith
John
R. Calvin Alean
SUSQUEHANNA COUNTY COMMISSIONERS

COUNTY OF SUSQUEHANNA, PENNSYLVANIA
ORDINANCE NUMBER 94-001

AN ORDINANCE OF THE COUNTY OF SUSQUEHANNA, PENNSYLVANIA, PROVIDING FOR THE COLLECTION OF A FEE AGAINST TELEPHONE SUBSCRIBERS IN SUSQUEHANNA COUNTY FOR THE NON-RECURRING COSTS, MAINTENANCE AND OPERATING COSTS OF THE COUNTY 9-1-1 EMERGENCY COMMUNICATIONS SYSTEM PURSUANT TO THE PUBLIC SAFETY EMERGENCY TELEPHONE ACT (ACT 78 OF 1990, P.L. 340, NO. 78).

WHEREAS, a Special Public Meeting was held Thursday, September 16, 1993 from 7:00 p.m. to 9:00 p.m. for the purpose of receiving public comment and/or answering questions as related to Susquehanna County's proposed 9-1-1 (Act 78) Plan and Public Safety Emergency Telephone Act fee; and

WHEREAS, said meeting was duly advertised at least ten (10) days in advance of said meeting; and

WHEREAS, the County of Susquehanna's 9-1-1 Plan has been approved by the Pennsylvania Department of Community Affairs and the Pennsylvania Emergency Management Council; and

WHEREAS, the Public Safety Emergency Telephone Act (9-1-1) Fee of \$1.50 per telephone subscriber line per month for a period of three (3) years has been approved by the Pennsylvania Public Utility Commission on January 14, 1994;

BE IT ORDAINED AND ENACTED BY THE COMMISSIONERS OF THE COUNTY OF SUSQUEHANNA, AND IT IS HEREBY ORDAINED AND ENACTED BY THE AUTHORITY OF THE SAME:

SECTION 1: Amount of Fee - A monthly fee of \$1.50 will be applied to each Susquehanna County telephone subscriber's monthly telephone bill on a per access line bases. In the case of a telephone subscriber with more than 25 lines, the fee shall be adjusted as provided in Section 7.0 (b) of the Public Safety Emergency Telephone Act.

SECTION 2: Effective Date - The aforesaid assessment shall commence January 31, 1994.

SECTION 3: Collection of Fee - Commonwealth Telephone Company and North-Eastern Pennsylvania Telephone Company and any of the telephone companies who provide or may hereafter provide telephone service to subscribers in Susquehanna County are hereby authorized and directed to assess, bill and collect the sum of \$1.50 per line for each telephone subscriber in Susquehanna County and forward the same on a monthly basis to the Susquehanna County Treasurer for approved expenses under the Public Safety Emergency Telephone Act.

SECTION 4: Deposit of Fees and Restricted Use - The County Treasurer shall deposit the monies received from the telephone companies pursuant to Section 3 in an interest bearing restricted account to be used solely for the purpose of non-recurring and recurring charges as related to Susquehanna County's 9-1-1 System as authorized by the Public Safety Emergency Telephone Act.

SECTION 5: Non-Payment - The telephone companies named in Section 3 hereof shall quarterly provide a list of the names and addresses of those telephone subscribers which carry a balance that can be determined by the telephone company to be nonpayment of any charge imposed pursuant to this ordinance.

SECTION 6: Violation - Failure of any telephone subscriber to pay the fee imposed pursuant to this Ordinance shall be a violation of this Ordinance. Failure of any telephone company to perform the obligations imposed upon it by this Ordinance shall be a violation of this Ordinance.

SECTION 7: Remedies - Any subscriber, who has paid a monthly telephone charge, or portion thereof, but failed or refuses to pay the \$1.50 charge, contemplated by this Ordinance, shall be sentenced, in a summary proceeding before the District Justice serving the locality in which the subscriber resides, to pay a fine, not to exceed \$600.00, for each month such charge is not paid, together with the costs of prosecution, and, in default thereof, to be confined in the Susquehanna County jail for a period not to exceed 30 days.

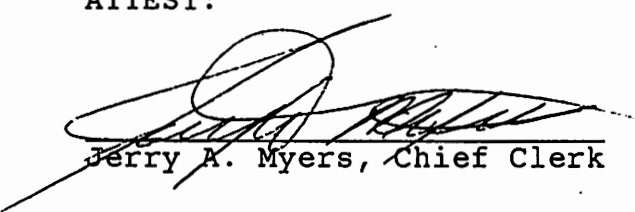
SECTION 8: Severability - The provisions of this Ordinance are independent and severable; If any of its provisions shall be held invalid or unconstitutional, such decision or determination of the Court shall not affect or invalidate any of the remaining provisions. It is hereby declared to be the legislative intent of the Commissioners of Susquehanna County that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional provision had not been included herein.

SECTION 9: Repealer - Any ordinance or resolution, or part of any ordinance or resolution conflicting with the provisions of this ordinance is hereby repealed in so far as the same affects this ordinance or is inconsistent with this ordinance.

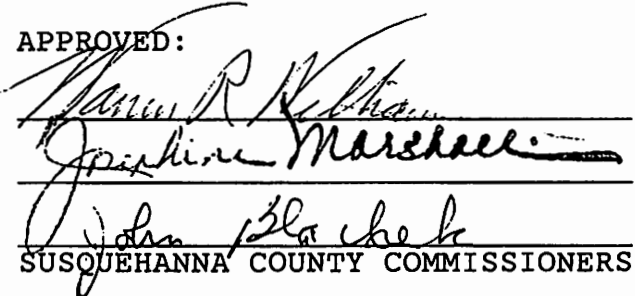
SECTION 10: This Ordinance shall become effective as of January 31, 1994.

Duly ordained and enacted at a regular meeting of the Board of Commissioners of Susquehanna County, Pennsylvania held the 31st day of January, 1994.

ATTEST:


Jerry A. Myers, Chief Clerk

APPROVED:


SUSQUEHANNA COUNTY COMMISSIONERS