

## RESOLUTION NO. 1050

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BROKEN ARROW, OKLAHOMA, ESTABLISHING THE WIRELINE NINE-ONE-ONE (9-1-1) EMERGENCY TELEPHONE FEE FOR CALENDAR YEAR 2018 AT FIVE PERCENT (5%) PURSUANT TO STATE STATUTE AND CITY ORDINANCE**

**WHEREAS**, on March 21, 1998, the Broken Arrow City Council approved Ordinance No. 1489, which is known and may be cited as the “Basic and Enhanced 911 Emergency Telephone Services;” and

**WHEREAS**, the Basic and Enhanced 911 Emergency Telephone Services Ordinance is now codified as amended in Section 22-75 of the Broken Arrow Code; and

**WHEREAS**, the Basic and Enhanced 911 Emergency Telephone Services were adopted pursuant to the Nine-One-One Emergency Number Act, codified at 63 Oklahoma Statutes §2811, *et seq.*;

**WHEREAS**, the provisions of this statute contemplate a review of the emergency telephone fee for capital costs necessary to equip the dispatch center; and

**WHEREAS**, the Act provides in part that “emergency telephone fee shall be imposed only upon the amount received from the tariff for exchange telephone service or its equivalent” and, furthermore, “No such fee shall be imposed upon more than 100 exchange access lines or their equivalent per person per location;” and

**WHEREAS**, pursuant to Statute and Ordinance set forth, collection of emergency telephone number fees at five percent (5%) commenced on June 4, 1994; and

**WHEREAS**, the amount of the fee as currently established cannot exceed five percent, and collection has contained at this rate since that time; and

**WHEREAS**, many people are terminating their wireline telephone services and using wireless phones exclusively, which is eroding the funding base for the City’s enhanced 9-1-1 system; and

**WHEREAS**, roughly half of the emergency calls received by 9-1-1 public safety agencies are now received via wireless phones, which were not the subject to the wireline fee; and

**WHEREAS**, the 9-1-1 public safety system in the City of Broken Arrow continues to operate at a substantial deficit; and

**WHEREAS**, Oklahoma House Bill 1751, signed into law June, 2005, enabled county-wide elections for a 50-cent service fee to pay for such public safety improvements and 9-1-1 operations; and

**WHEREAS**, the City of Broken Arrow recognizes the importance of the continuation of enhanced 9-1-1 services and the safety of its citizens; and

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Broken Arrow that it does hereby establish the fee of the Nine-One-One emergency telephone number fee for calendar year 2018 at five percent (5%) of the amount received from the tariff for exchange telephone service or its equivalent within the City.

**BE IT FURTHER RESOLVED**, by the Council that said emergency telephone fee for calendar year 2018 shall take effect commencing with the first billing period of each service user on or following January 1, 2018, provided, however, that no such fee shall be imposed upon more than one hundred (100) exchange access lines or their equivalent per person, per location; and provided, further that any penalties, discounts or offsets provided by state laws are likewise authorized by this Resolution.

**ADOPTED BY THE BROKEN ARROW CITY COUNCIL THIS 5<sup>TH</sup> DAY OF SEPTEMBER, 2017.**

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MAYOR

ATTEST:

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(Seal) City Clerk

APPROVED AS TO FORM:

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Assistant City Attorney