

ORDINANCE #21

AN ORDINANCE ESTABLISHING AND PROVIDING FOR THE FINANCING OF
A PUBLIC SAFETY TELEPHONE SERVICE IN SCOTLAND COUNTY

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SCOTLAND COUNTY, NORTH CAROLINA:

SECTION 1. DEFINITIONS

1. "911 System" means an emergency telephone system that provides the user of a public telephone system, the ability to reach a public safety answering point by dialing the digits 9-1-1. The term "911 System" as used here includes features that direct 911 calls to appropriate safety answering by selective routing based on the geographic location from which the call originated and provides the capability for automatic number identification and automatic location identification. This type of system is commonly referred to as "Enhanced 911".
 2. "911 Charge" means a telephone customer contribution to Scotland County Government for the 911 service start-up equipment cost, subscriber notification cost, addressing cost, billing cost, and nonrecurring and recurring installation, maintenance, service, network charges and expenses incidental to establishing and operating the 911 System, consistent with the requirements of Chapter 587 of the 1989 Session Laws of the General Assembly of North Carolina.
 3. "Exchange Access Facility" means the access from a particular telephone subscriber's premises to a telephone system of a service supplier. Exchange access facilities include: Service supplier access lines, PBX trunks and centrex network access registers, all as defined by tariffs of telephone company as approved by the North Carolina Utilities Commission. Exchange access facilities do not include service supplier owned and operated telephone pay station lines, or Wide Area Telecommunications Services (WATS), Foreign Exchange (FX), or incoming only lines.
 4. "Public Safety Telephone Act" means North Carolina General Statutes § 62A-1 et seq., or Ratified Senate Bill 509, Chapter 587 of the 1989 Session Laws of the General Assembly of North Carolina.
 5. "Service Supplier" means a person or entity who provides exchange telephone service to a telephone subscriber.
- "Telephone Subscriber" or "Subscriber" means a customer, person, or entity to whom exchange telephone service, either residential or commercial, is provided and in return for which the person or entity is billed on a monthly basis. When the same person, business, or organization has several telephone access lines, each exchange access facility shall constitute a separate subscription.

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SECTION 2. PURPOSE

The purpose of this ordinance is to establish a Public Safety Telephone Service in Scotland County and to provide the financial resources needed to purchase, install operate, and maintain it. This program is hereby undertaken in order to reduce the response time of important public safety agencies, thereby providing improved emergency medical, law enforcement, and fire protection services. It is the intent of Scotland County Government to cooperate fully with the municipalities of Laurinburg, Maxton, Gibson, Wagram, and East Laurinburg, North Carolina.

SECTION 3. AUTHORITY

The authority for the enactment of this Ordinance is found at Chapter 587 of the 1989 Session Laws of the General Assembly of North Carolina. This State enabling statute not only authorized local governments to establish public safety telephone services, but encourages them to do so.

SECTION 4. JURISDICTION

The jurisdiction of this Ordinance is the entire geographic area of Scotland County, including incorporated portions of Scotland County, except for the small geographic area served by the Hamlet 582 Exchange. The incorporated areas of Scotland County are included in the jurisdiction of this Ordinance by the specific request of the municipal governing bodies of Laurinburg, Maxton, Gibson, Wagram, and East Laurinburg as evidenced by the enactment of a resolution requesting the extension of the jurisdiction into the municipal boundaries of said towns.

SECTION 5. REVENUES

Effective March 20th, 1990, there is imposed a monthly 911 service charge, in the amount specified below, upon each exchange access facility subscribed to by telephone subscribers whose exchange access lines are in areas served by the 911 service in Scotland County.

The monthly 911 charge is 70¢ for each exchange access facility subscribed to by telephone subscriber whose exchange access line or lines are located in Scotland County which are in the area service by the 911 services, with the exception of those subscribers served by the Hamlet 582 Exchange.

Service suppliers will be responsible for collecting and remitting to the County the 911 charges as provided by the Public Safety Telephone Act. Specifically, the service supplier is hereby authorized to retain a 1% administrative fee as compensation for collecting the charges. Further, Scotland County herein acknowledges that the service supplier shall not be required to initiate formal enforcement of collection but reserves those rights granted to Scotland County Government to engage in formal collection enforcement activities as specified in Chapter 587 of the 1989 Session Laws of the General Assembly of North Carolina.

SECTION 6. DISBURSEMENTS AND EXPENDITURES

This Ordinance authorized Scotland County to make disbursements on behalf of subscribers in the unincorporated portion of Scotland County, with the exception of those customers served by the Hamlet 582 Exchange, and in behalf of subscribers located in the municipalities of Laurinburg, Gibson, Wagram, East Laurinburg, and the Scotland County portion of Maxton. All expenditures and disbursements will be made consistent with the requirements of Chapter 587 of the 1989 Session Laws of the General Assembly of North Carolina.

SECTION 7. BUDGETARY ACCOUNTING

Prior to the first expenditures of funds collected under this Ordinance, a detailed budget amendment to the Scotland County Budget Ordinance for the current fiscal year will be prepared by the County Manager and enacted by the Scotland County Board of Commissioners. Said amendment shall establish a new budgetary fund for 911 revenues and all interest earned by the investment of idle 911 funds shall remain with the 911 program.

SECTION 8. CONFLICTING REGULATIONS

Any existing Ordinance or regulation of Scotland County in conflict with this Ordinance to the extent of such conflict is hereby repealed.

SECTION 9. EFFECTIVE DATE

Except for the portion of this Ordinance dealing with the imposition of the fee, this Ordinance hereby takes effect immediately upon enactment.

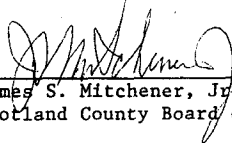
SECTION 10. PUBLIC NOTICE

Full copies of this Ordinance shall be provided free of charge to the Clerks to the Boards of the municipalities of Laurinburg, Maxton, Gibson, Wagram, and East Laurinburg. Further, Scotland County shall publish an official summary of the Ordinance every six (6) months, or more frequently upon request to municipal officials of the above named municipalities.

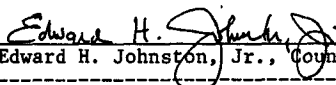
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Adopted this the 20th day of November in the year of our Lord, 1989.



James S. Mitchener, Jr., Chairman
Scotland County Board of Commissioners



Edward H. Johnston, Jr., County Attorney



Annie J. Kohnen, Deputy Clerk to the Board
