

ORDINANCE NO. 8889-12

AN ORDINANCE  
IMPOSING SURCHARGE FOR THE INSTALLATION  
OF A "9-1-1" EMERGENCY TELEPHONE SYSTEM IN THE  
CITY OF URBANA, ILLINOIS AND CERTIFYING A REFERENDUM

WHEREAS, Illinois Revised Statutes, Ch. 134, Section 31 et seq. provides for a surcharge on telecommunication carriers in order to fund a "9-1-1" emergency telephone system; and

WHEREAS, the corporate authorities of the City of Urbana, Illinois have determined that it would be in the best interests of the health and safety of the citizens of the City of Urbana to have such a "9-1-1" emergency telephone system; and

WHEREAS, the County of Champaign has previously entered into an agreement with the City of Urbana, the City of Champaign, and the University of Illinois to provide for centralized police and other emergency services dispatch system for the Cities of Urbana and Champaign, the University of Illinois and almost all of Champaign County, except for the Village of Rantoul, Illinois which has its own system.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. A surcharge is hereby imposed, subject to the provisions of Sections 2 and 3 of this ordinance, upon all telecommunication carriers engaged in the business of transmitting messages by means of electricity originating within the corporate limits of the City of Urbana, Illinois and terminating within the State of Illinois for funding of a "9-1-1" emergency telephone system.

Section 2. A referendum shall be placed by the Champaign County Clerk on the November 8, 1988 ballot for all legal voters residing in the county to vote upon the following question:

Shall the County of Champaign and the Cities of Urbana and Champaign and the Village of Rantoul jointly impose a surcharge of up to 75 cents per network connection on telecommunication carriers, which surcharge expense will be added to the monthly bill you receive for telephone or telecommunications charges, for the purpose of installing (or improving) a "9-1-1" Emergency Telephone System to be administered by a Joint Emergency Telephone System Board?

YES \_\_\_\_\_ NO \_\_\_\_\_

Section 3. If a majority of the votes cast upon this question are in favor thereof, a surcharge is hereby imposed at a rate not to exceed 75 cents per month per in-service network

connection, as hereinafter defined, said rate to be determined by the Joint Emergency Telephone Board created to administer the "9-1-1" system as specified in Section 6 of this ordinance. After the initial surcharge is determined by the Joint Emergency Telephone Board, the treasurer shall certify it to the Champaign County Clerk who shall then certify to the telecommunication carriers who are subject to the surcharge that the referendum referred to in Section 2 of the ordinance has passed and the amount of the surcharge that has been returned to the Joint Emergency Telephone Board. The Champaign County Clerk shall also notify the telecommunication carriers that the surcharge shall commence at the first of the month following the expiration of ninety (90) days from the date that he makes the certifications to the telecommunication carriers.

Section 4. For purposes of this ordinance, the following definitions shall apply:

a. Network Connections means the number of voice grade communications channels directly between a subscriber and a telecommunication carrier's public switched network without the intervention of any other telecommunication carriers switched network which would be required to carry the subscribed interpremises traffic.

b. Network Connection - Not in Service means a network connection where the subscriber's account is deemed uncollectible by the telecommunication carrier.

c. Transmitting Messages shall have the meaning ascribed to the term in Section 8-11-2 of the Illinois Municipal Code.

d. Telecommunication Carrier means any natural individual, firm, trust, estate, partnership, association, joint stock company, joint adventure, corporation, municipal corporation or political subdivision of this state, or a receiver, trustee, conservator or other representative appointed by order of any court engaged in the business of transmitting messages by means of electricity.

Section 5. A Joint Emergency Telephone System Board to administer the "9-1-1" system shall be set up by an intergovernmental agreement between the County Board of Champaign County, the City Councils of the Cities of Urbana and Champaign, the President and Board of Trustees of the Village of Rantoul pursuant to Illinois Revised Statutes, Ch. 134, Section 45.4, which shall set the amount of the surcharge and administer the monies collected.

Section 6. Future changes to the amount of the surcharge to be imposed shall be made by the Joint Emergency Telephone System Board, and certified by the treasurer, to the telecommunication carriers who are subject to the surcharge. Changes in the amount of the surcharge shall be effective on the first day of the month following the expiration of ninety (90)

days from the date the treasurer designated by the Joint Emergency Telephone System Board certifies such rate change to the telecommunication carrier.

Section 7. Every telecommunication carrier shall remit to the treasurer designated by the Joint Emergency Telephone System Board the amount of surcharge due and owing for each calendar month within thirty (30) days following the expiration of each month to which the surcharge applies, net of any network or other "9-1-1" or sophisticated "9-1-1" system charge then due the particular telecommunication carrier as shown on an itemized bill.

Section 8. Simultaneously with the remittance subscribed in 7 above each telecommunication carrier shall make a return to the Joint Emergency Telephone System Board treasurer for the period to which the remittance applies stating as follows:

1. The name of the telecommunication carrier.
2. The telecommunication carrier's principal place of business.
3. The number of network connections to which the surcharge applies.
4. The amount of surcharge due.
5. Such other reasonable and related information as the corporate authorities may require.

Section 9. The City Clerk of the City of Urbana, Illinois shall, within ten (10) days of the adoption of this ordinance, file a certified copy of the same with the Champaign County Clerk so that the proposition described in Section 2 of this ordinance can be placed on the ballot for the November 8, 1988 General Election.

Section 10. This ordinance shall be in effect immediately after it is passed and approved as provided by law.

This ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a regular meeting of said council.

PASSED by the City Council this 15<sup>th</sup> day of August, 1988.

Ruth S. Brookens  
Ruth S. Brookens, City Clerk

APPROVED by the Mayor this 22<sup>nd</sup> day of August, 1988.

Jeffrey T. Markland  
Jeffrey T. Markland, Mayor