

RESOLUTION 2004-07

**A RESOLUTION PROVIDING FOR THE IMPOSITION OF A 9-1-1
EMERGENCY TELEPHONE SURCHARGE FEE**

WHEREAS, §53-10-601 through §53-10-606 U.C.A., as enacted by the 2004 Utah Legislature, §69-2-5 U.C.A., as amended by Chapter 253, Laws of Utah 2003, §63-55-269 U.C.A., and §69-2-5.6 U.C.A. 1953, authorize the establishment of a Statewide Unified E9-1-1 Emergency Service System and authorize local governments to increase the local levy on telephone services to pay for 9-1-1 emergency services from a maximum of fifty-three (\$0.53) cents per month to a maximum of sixty-five (\$0.65) cents per month; and

WHEREAS, §53-10-601 through §53-10-606 U.C.A., as enacted by the 2004 Utah Legislature, §69-2-5 U.C.A. as amended by Chapter 253 Laws of Utah 2003, §63-55-269 U.C.A. and §69-2-5.6 U.C.A. 1953, allows a public agency of a county, city, or town within which 9-1-1 emergency telephone service is provided to levy monthly an emergency services telephone charge on:

(i) each local exchange service switched access line within the boundaries of the county, city, or town; and

(ii) Each revenue producing radio communications access line with a billing address within the boundaries of the county, city, or town; to pay for the provision of 9-1-1 emergency telephone service within the governing body's jurisdiction and to pay the directly related cost of a 9-1-1 system; and

WHEREAS, the Board of County Commissioners of Tooele County, Utah, passed a resolution imposing such a charge upon all such described access lines within the county of Tooele.

Res. 2004-07

Such collected funds are used to operate and fund the Tooele County Sheriff's Office Public Safety Communications Center operations in Tooele County, Utah; and

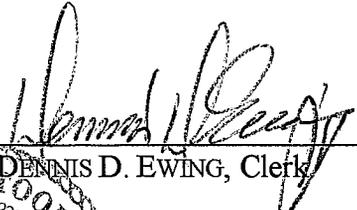
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF TOOELE COUNTY that there is hereby imposed a 9-1-1 emergency telephone tax in the amount of sixty-five cents (\$0.65) per month on each local exchange access line, wireless communications access line or other technological or radio device access line that under normal operation is designed to, or is routinely used to access 9-1-1 within Tooele County, Utah commencing on July 1, 2004.

IT IS FURTHER RESOLVED that service providers be provided written notice of such 9-1-1 tax, that the 9-1-1 tax shall be collected at the time charges for telecommunications are collected under the regular billing practice of the service provider, and that the 9-1-1 tax imposed pursuant to this resolution shall be remitted to the Utah State Tax Commission monthly. Service providers are required to collect such surcharges and remit the amounts collected monthly, together with required reporting forms. The service providers may deduct and retain four cents (\$0.04) of the monthly surcharge as cost recovery for implementing wireless enhanced Phase I technology and for collecting and administering the levy.

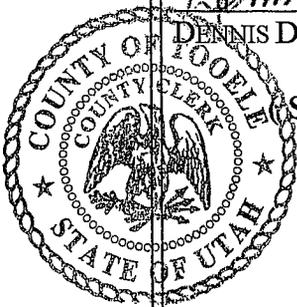
IN WITNESS WHEREOF, the Tooele County Legislative Body passed, approved and enacted this resolution this 4th day of May 2004.

ATTEST:

TOOELE COUNTY LEGISLATIVE BODY


DENNIS D. EWING, Clerk

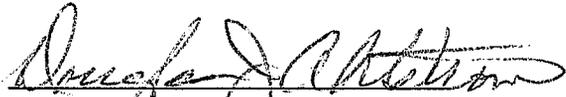

DENNIS ROCKWELL, Chairman



(SEAL)

Commissioner Rockwell voted yes
Commissioner White voted yes
Commissioner Lawrence voted yes

APPROVED AS TO FORM:



DOUGLAS J. AHLSTROM
Tooele County Attorney