

AN ORDINANCE AUTHORIZING THE IMPOSITION OF AN "E911" EMERGENCY TELEPHONE SYSTEM FEE PURSUANT TO SECTION 365.171 (13), FLORIDA STATUTES; PROVIDING FOR SHORT TITLE; PROVIDING DEFINITIONS; PROVIDING FOR THE IMPOSITION AND COLLECTION OF THE E911 EMERGENCY TELEPHONE SYSTEM FEE; PROVIDING FOR ADMINISTRATIVE FEES FOR TELEPHONE COMPANIES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 365.171(13), Florida Statutes, as added by Chapter 85-317, Laws of Florida, authorizes St. Johns County to impose a fee to be paid by local telephone exchange subscribers within its boundaries served by emergency telephone number "911" for incurring nonrecurring charges for the initial provision or subsequent addition of "911" service or equipment or both service and equipment; and

WHEREAS, the Board of County Commissioners is currently authorized to require telephone companies to spread the payment of the nonrecurring charges for the "911" service and equipment on a pro rata basis to local exchange subscribers are served by the "911" service for a period not to exceed 18 months; and

WHEREAS, the local exchange subscribers are currently authorized by law to be billed by the telephone companies on an individual exchange line basis, at a rate not to exceed fifty cents (\$.50) per month per line (up to a maximum of 25 exchange lines); and

WHEREAS, St. Johns County has tendered its Letter of Intent for the installation of an E911 Emergency Telephone System throughout St. Johns County; and

WHEREAS, the Board of County Commissioners desires that the "911" Emergency Telephone System fee be imposed and that the fee not exceed the maximum allowed by law.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

Section 1. Short Title.

This Ordinance shall be known as the E911 Emergency Telephone System Fee Ordinance.

Section 2. Applicability.

This Ordinance shall apply throughout the territorial limits of St. Johns County, Florida and the fees shall be imposed upon all local telephone exchange subscribers located therein in the manner authorized by Section 4.

Section 3. Definitions.

As used in this Ordinance, the following definitions shall apply.

(a) "911 or "E911" Emergency Telephone System Fee - The fee authorized to be imposed by county governments pursuant to Section 365.171(13), Florida Statutes, or its successor.

(b) Telephone Company - An exchange telephone service provider certified to provide exchange service within St. Johns County, Florida and providing "E911" emergency telephone service or equipment within St. Johns County, Florida.

Section 4. Imposition and Collection.

All telephone companies shall spread the payment of the nonrecurring charges for the implementation and installation of the "E911" emergency telephone system service and equipment within St. Johns County over a period of eighteen months or such other period of time as may be allowed by the then current state law and approved by resolution(s) of the County Commission and shall bill said nonrecurring charges pro rata to the local exchange subscribers within the county served by the "E911" emergency telephone service on an individual exchange line basis, at a rate to be established from time to time for such period by Resolution(s) of the Board of County Commissioners; said rate not to exceed the maximum rate allowed by law.

Section 5. Administrative Fee.

(a) All telephone companies shall collect the E911 Emergency Telephone System fee as set forth above from its subscribers in St. Johns County on a monthly basis and as an administrative fee for collecting these monies the telephone company will be paid an administrative fee equal to one percent (1%) of the fees collected

by the telephone company. The administrative fee shall be deducted by the telephone company from the E911 Emergency Telephone System fee collected from the subscribers and the remainder shall be remitted to St. Johns County each and every month.

(b) The telephone company shall furnish to St. Johns County a monthly statement as to fees collected.

(c) The telephone company shall have no obligation to take any legal action to enforce collection of the E911 Emergency Telephone System fee.

(d) The telephone company shall commence collection of this fee at the time and at the rate set forth in one or more Resolutions adopted pursuant to Section 4 herein.

Section 6. Severability.

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 7. Effective Date.

This Ordinance shall take effect on June 24, 1986, or upon receipt of official acknowledgment by the Clerk of the Board of County Commissioners from the Department of State that this Ordinance has been filed with the Department of State, which ever is later.

ENACTED this 24 day of June, 1986.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

BY: Francis N. Brubaker  
Its Chairman

ATTEST: Carl "Bud" Markel, Clerk

By: Cheryl Kent  
Deputy Clerk

Adopted regular meeting 06/24/86

Effective: 06/30/86

**The St. Augustine Record**  
 PUBLISHED EVERY AFTERNOON EXCEPT SUNDAY  
 ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA, }  
 COUNTY OF ST. JOHNS }

Before the undersigned authority personally appeared \_\_\_\_\_  
 Sandra G. Russ \_\_\_\_\_ who on oath says that he is  
 Legal Advertising Clerk \_\_\_\_\_ of the St. Augustine Record, a  
 daily newspaper published at St. Augustine in St. Johns County, Florida;  
 that the attached copy of advertisement, being a \_\_\_\_\_  
 Meeting of Board of County Commissioners \_\_\_\_\_  
 \_\_\_\_\_ in the matter of \_\_\_\_\_  
 Ordinance for "E911" Emergency Telephone System \_\_\_\_\_  
 \_\_\_\_\_ in the \_\_\_\_\_ Court,  
 was published in said newspaper in the issues of \_\_\_\_\_  
 June 2, 1986 \_\_\_\_\_

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper has heretofore been continuously published in said St. Johns County, Florida, each day, except Sundays, and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me Sandra G. Russ  
 this 4 day of June

A.D. 19 86  
 \_\_\_\_\_  
 (SEAL) Notary Public

Notary Public, State of Florida  
 My Commission Expires Aug. 4, 1989  
 Bonded thru Terry Fain + Insurance, Inc.

**COPY OF ADVERTISEMENT**

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON JUNE 24, 1986 AT 10:00 O'CLOCK A.M., IN THE COUNTY AUDITORIUM, COUNTY ADMINISTRATION BUILDING, LEWIS SPEEDWAY (COUNTY ROAD 16-A) AND U.S. #1 NORTH, ST. AUGUSTINE, FLORIDA, WILL HOLD A PUBLIC HEARING TO CONSIDER THE PASSAGE OF THE FOLLOWING ORDINANCE:  
 An ordinance authorizing the imposition of an "E911" Emergency Telephone System fee pursuant to Section 365.171(13), Florida Statutes; Providing for short title; providing definitions; providing for the imposition and collection of the E911 Emergency Telephone System fee; providing for administrative fees for telephone companies; providing for severability; and providing an effective date.  
 The proposed Ordinance is on file in the office of the Clerk of the Circuit Court, St. Johns County, Florida, St. Johns County Administration Building, Lewis Speedway, and may be examined by parties interested prior to said public hearing.  
 All parties having any interest in said Ordinance will be afforded an opportunity to be heard at the public hearing.  
 If a person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the meeting or hearing, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.  
 BOARD OF COUNTY COMMISSIONERS  
 OF ST. JOHNS COUNTY,  
 FLORIDA  
 Carl "Bud" Markel,  
 Its Clerk  
 By: Cheryl Kent  
 Deputy Clerk  
 L584 June 2, 1986



FLORIDA DEPARTMENT OF STATE

George Firestone  
Secretary of State

RECEIVED  
ST. JOHNS COUNTY, FLORIDA

'86 JUN 30 11:27

June 26, 1986

*Carl Bud Markel*  
CLERK, COUNTY COMMISSION

Honorable Carl Bud Markel  
Clerk of Circuit Court  
St. Johns County Courthouse  
Post Office Drawer 300  
St. Augustine, Florida 32084

Attention: Tami J. Teder, Deputy Clerk  
Dear Mr. Markel:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge:

1. Receipt of letter/s of June 25, 1986  
and certified copy/ies of St. Johns  
County Ordinance(s) 86-55 thru 86-57
2. Receipt of \_\_\_\_\_ County Ordinance(s)  
relative to:  
(a) \_\_\_\_\_  
which we have numbered \_\_\_\_\_  
(b) \_\_\_\_\_  
which we have numbered \_\_\_\_\_
3. We have filed ~~this~~/these Ordinance(s) in this office  
on June 26, 1986.
4. The original/duplicate copy/ies showing the filing date  
is/are being returned for your records.

Cordially,

*Liz Cloud*  
(Mrs.) Liz Cloud, Chief  
Bureau of Administrative Code

LC/mb

**FLORIDA State of the Arts**