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## ORDINANCE NO. 93

**AN ORDINANCE REPEALING ORDINANCE 79 AND ORDINANCE 61 AND IMPOSING AN EMERGENCY TELEPHONE CHARGE UPON EXCHANGE ACCESS FACILITIES AND WIRELESS COMMUNICATION ACCESS WITHIN THE TOWN OF HILLROSE, COLORADO; AUTHORIZING SERVICE SUPPLIERS TO COLLECT EMERGENCY TELEPHONE CHARGES; AND DESIGNATING THE MORGAN COUNTY COMMUNICATIONS CENTER AS THE PUBLIC SAFETY ANSWERING POINT FOR THE TOWN OF HILLROSE, COLORADO AS AGREED IN AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE COUNTY OF MORGAN AND THE TOWN OF HILLROSE, COLORADO, DATED MAY 19, 1986, AND AS THEREAFTER AMENDED.**

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF HILLROSE, COLORADO:

WHEREAS, Ordinance 79 and Ordinance 61 were previously adopted authorizing an emergency telephone system, imposing an emergency telephone charge, and authorizing telephone service suppliers providing telephone service within the Town to collect the emergency telephone charge so imposed; and

WHEREAS, the Morgan County Communications Center was designated the public safety answering point (PSAP) pursuant to an Intergovernmental Agreement between the County of Morgan and the Town of Hillrose, dated May 19, 1986, and as thereafter amended; and

WHEREAS, the Morgan County Communications Center must have the resources to purchase and update equipment, software, and training to provide enhanced 9-1-1 service for exchange access facilities and wireless communication users; and

WHEREAS, the Morgan County 911 Authority Board recently increased the rate charged to the Town of Hillrose for the provision of emergency telephone service; and

WHEREAS, emergency telephone service is in the best interests of the residents of the Town of Hillrose, Colorado.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES FOR THE TOWN OF HILLROSE:

1. Ordinance 79, passed February 2, 1988, and Ordinance 61, passed June 2, 1986, are hereby repealed in their entirety and the following Ordinance is adopted in their place.

2. Pursuant to the provisions of the Intergovernmental Agreement between the County of Morgan and the Town of Hillrose, dated May 19, 1986, and as thereafter amended, the Morgan County Communications Center is hereby designated as the PSAP for the Town of Hillrose, Colorado.

3. There is hereby imposed an emergency telephone charge upon all exchange access facilities and wireless communication access within the Town of Hillrose, Colorado, in an amount not to exceed the per month per exchange access facility or per wireless communications access rate established by the State of Colorado. Regardless of the level at which the emergency telephone charge is set, the amount of the charge imposed per exchange access facility and the amount of the charge imposed per wireless communications shall be equal. The emergency telephone charge shall be imposed only upon service users whose address is with the Town of Hillrose; however, such emergency telephone charges shall not be imposed upon any state or local governmental entity.

4. At least once each calendar year, the Board of Trustees, by resolution, shall establish a rate of charge, not to exceed the amount hereby authorized, that together with any surplus revenues carried forward will produce sufficient revenues to fund expenditures for emergency telephone services. The Board of Trustees shall make its determination by resolution of such rate no later than September 1 and shall fix the new rate to take effect commencing with the first billing period of each customer on or following the next January 1. Immediately upon making its determination and fixing such rate, the Board of Trustees shall publish the new rate, shall ensure that the new rate is entered into the Minutes of the Board of Trustees, and provide the ordinance to the Morgan County 911 Authority Board who shall notify by registered mail every service supplier at least 90 days before such new rate will become effective.

5. Service suppliers are hereby authorized to collect the emergency telephone charge from all service users within the Town of Hillrose and to remit the charges so collected to the Morgan County Treasurer in accordance with the Intergovernmental Agreement between the County of Morgan and the Town of Hillrose, dated May 19, 1986, and as thereafter amended, to be budgeted, appropriated, and disbursed in accordance therewith.

6. The Board of Trustees finds that this Ordinance is necessary to the immediate preservation of the public health or safety in the Town of Hillrose. Therefore, this Ordinance shall take effect upon adoption.

INTRODUCED, READ, PASSED, APPROVED, AND ORDERED  
PUBLISHED BY TITLE ONLY this 15th day of August, 2005.

  
JAMIE MILES-TAYLOR  
Mayor Pro-tem

ATTEST:

  
LYNN ANN GOLEMBOSKI  
Town Clerk

CERTIFICATION



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