

COUNTY OF YORK, PENNSYLVANIA

ORDINANCE AMENDING ORDINANCE NO. 93-1

AN ORDINANCE OF THE COUNTY OF YORK, PENNSYLVANIA, AMENDING THE PRIOR ORDINANCE (93-1) WHICH PROVIDED FOR THE COLLECTION OF A FEE FROM TELEPHONE SUBSCRIBERS IN YORK COUNTY FOR THE NON-RECURRING COSTS, MAINTENANCE AND OPERATING COSTS OF THE COUNTY 9-1-1 EMERGENCY COMMUNICATIONS SYSTEM, PURSUANT TO THE PUBLIC SAFETY EMERGENCY TELEPHONE ACT (ACT 78 OF 1990).

WHEREAS, a Special Public Meeting was held Thursday, November 12, 1992, from 7:00 p.m. to 9:00 p.m., for the purpose of receiving public comment and/or answering questions related to York County's proposed 9-1-1 (Act 78) Plan and Public Safety Emergency Telephone Act fee; and

WHEREAS, said meeting was duly advertised at least 10 days in advance of said meeting; and

WHEREAS, the County of York's 9-1-1 Plan has been approved by the Pennsylvania Department of Community Affairs and the Pennsylvania Emergency Management Council; and

WHEREAS, the Public Safety Emergency Telephone Act (9-1-1) Fee of \$1.25 per telephone subscriber line per month, for a period of three (3) years, has been approved by the Pennsylvania Public Utility Commission (Opinion and Order M-00930385); Now, Therefore,

BE IT ORDAINED AND ENACTED BY THE COMMISSIONERS OF THE COUNTY OF YORK, AND IT IS HEREBY ORDAINED AND ENACTED BY THE AUTHORITY OF THE SAME:

SECTION 1: AMOUNT OF FEE - A monthly fee of \$1.25 will be applied to each York County telephone subscribers monthly telephone bill on a per access line basis. In the case of a Centrex, or similar multiline telephone subscriber, except PBX subscribers with more than twenty-five (25) lines, the fee shall be adjusted as provided in Section 7 of the Public Safety Emergency Telephone Act.

SECTION 2: EFFECTIVE DATE - The aforesaid assessment shall commence March 3, 1993.

SECTION 3: COLLECTION of FEE - GTE Telephone Company, Bell of Pennsylvania, United Telephone of Pennsylvania and Commonwealth Telephone Company and any of the telephone companies who provide, or may hereafter provide, telephone service to subscribers in York County are hereby authorized and directed to assess, bill and collect the sum of \$1.25 per line per month for each telephone subscriber in York County, and to forward the same, on a monthly basis, to the York County Treasurer for approved expenses under the Public Safety Emergency Telephone Act.

SECTION 4: DEPOSIT of FEES and RESTRICTED USE - The County Treasurer shall deposit the monies received from the telephone companies, pursuant to Section 3, in an interest-bearing, restricted account, to be used solely for the purpose of non-recurring and recurring charges related to York County's 9-1-1 System.

SECTION 5: NON-PAYMENT - The telephone companies, referred to in Section 3 hereof, on or before the 1st day of February each year, shall provide a list of names and addresses of all telephone subscribers who have not paid the fee imposed by this ordinance for the previous calendar year.

SECTION 6: PENALTIES - Failure of any telephone subscriber to pay any charge imposed pursuant to this Ordinance shall be deemed a violation of this Ordinance. The County Solicitor is authorized to take such legal action, including instituting such action of law against the telephone subscriber as may be necessary for collection of the outstanding charge provided by this Ordinance, and filing a Municipal Lien for such unpaid charges.

Any subscriber, who has paid a monthly telephone charge, or portion thereof, but failed or refuses to pay the \$1.25 charge, contemplated by this ordinance, shall be sentenced, in a summary proceeding before the District Justice, serving the locality in which the subscriber resides, to pay a fine, not to exceed \$600.00, for each month such charge is not paid, together with the costs of prosecution, and, in default thereof, to be confined in the York County jail for a period not to exceed 90 days.

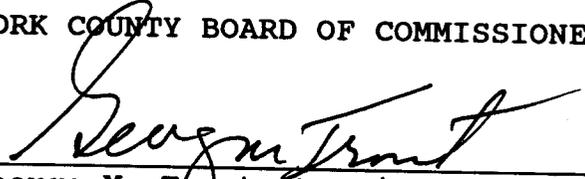
SECTION 7: SEVERABILITY - The provisions of this Ordinance are independent and severable if any of its provisions shall be held invalid or unconstitutional, such decision or determination of the Court shall not affect or invalidate any of the remaining provisions. It is hereby declared to be the legislative intent of the Commissioners of York County that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional provision had not been included herein.

SECTION 8: REPEAL - Any Ordinance or Resolution, or part of any Ordinance or Resolution, conflicting with the provisions of this Ordinance is hereby repealed in so far as the same affects this Ordinance or is inconsistent with this Ordinance.

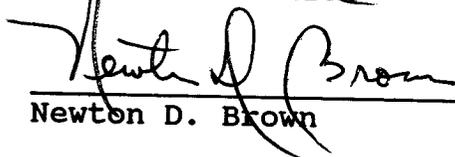
This Ordinance 93-1, which originally was enacted and ordained on March 3, 1993, is amended, to add descriptive headings and to specify penalties, this 7th day of July 1993.

ENACTED AND ORDAINED this 3rd day of March, 1993.

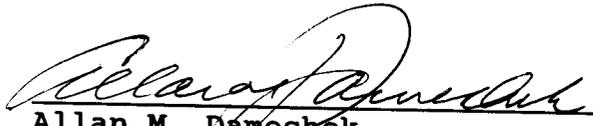
YORK COUNTY BOARD OF COMMISSIONERS


George M. Trout, President


Robert A. Minnich


Newton D. Brown

ATTEST:


Allan M. Dameshek
Administrator/Chief Clerk

