

ORDINANCE NO. 07- 11

**AN ORDINANCE RELATING TO THE OPERATION OF A JOINT ENHANCED 911-EMERGENCY TELEPHONE SYSTEM BETWEEN THE COUNTY OF MADISON, CITY OF BEREА, MADISON COUNTY AMBULANCE SERVICE, KENTUCKY STATE POLICE, MADISON COUNTY SHERIFF AND THE MADISON COUNTY CORONOR.**

**WHEREAS**, the parties to the Interlocal Cooperation Agreement attached hereto have determined that combining emergency services promotes safety and efficiency to the delivery of services to residents of the unincorporated area of Madison County and the City of Berea; and

**WHEREAS**, the legislative bodies of Richmond, Berea, and Madison County and the Kentucky State Police entered into an agreement which established a joint enhanced 911 system between the various jurisdictions; and

**WHEREAS**, such system was approved and established by Madison County Fiscal Court Ordinance 90-09, and

**WHEREAS**, the City of Richmond withdrew from said system in 1997; and

**WHEREAS**, the County of Madison and City of Berea in cooperation with the Kentucky State Police have continued to operate under the previous agreement; and

**WHEREAS**, additional agencies have agreed to enter into the combined system and local phone company providers have changed since the adoption of the prior agreement; and

**WHEREAS**, KRS 65-760 continues to provide that cities, counties and combinations thereof may establish and operate emergency telephone services and to charge a fee for same assessed upon phone bills of local telephone subscribers; and

**WHEREAS**, the content of Madison County Fiscal Court Ordinance 90-09 shall no longer be necessary upon implementation of this ordinance;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY OF MADISON,  
COMMONWEALTH OF KENTUCKY, AS FOLLOWS:**

1. That pursuant to the Interlocal Cooperation Agreement entered into by the County of Madison, City of Berea, Madison County Ambulance Service, Kentucky State Police, Madison County Sheriff and the Madison County Coroner, a subscriber charge of \$3.50 is hereby levied upon an individual exchange-line basis, limited to a maximum of twenty-five (25) exchange lines per account.
2. Any phone company that provides local service to Madison County and Berea shall collect said charge from the subscriber upon passage of this ordinance and shall remit to the county pursuant to the terms of the following paragraph.
3. Said phone companies mentioned in Paragraph 2 shall pay over to the County Treasurer, the total collected each month from all subscribers to the Treasurer of the County of Madison within 10 days after the end of the month and the Treasurer shall thereafter deposit said amount into separate account and shall pay all expenses associated with this service and pay the reasonable and necessary expenses on behalf of the board.
4. The subscriber charge shall apply to all subscribers of local telephone service within the unincorporated territory of Madison County and the city limits of Berea as they now exist or may hereafter be enlarged.
5. Ordinance #90-09, Madison County, Kentucky, is expressly repealed upon passage of this ordinance. In addition to any other ordinance found inconsistent with the context herein.
6. The provisions of this ordinance are severable. If any clause, sentence or section of this ordinance or the application thereof is found unconstitutional or otherwise unenforceable, said infirmity shall not affect or repeal the remaining provisions of this Ordinance.

THIS ORDINANCE NO. 07- 11 SHALL BECOME EFFECTIVE ON THE DATE OF THE SECOND READING AND ADOPTION.

INTRODUCED, SECONDED AND GIVEN FIRST READING APPROVAL at a duly convened meeting of the Fiscal Court of Madison County, Kentucky held on the 10 day of July, 2007.

GIVEN SECOND READING AND ADOPTED at a duly convened meeting of the Fiscal Court of Madison County, Kentucky, held on the 24 day of July, 2007, and of record in Fiscal Court Order Book \_\_\_\_\_, Page \_\_\_\_\_.

DATE ADOPTED: 7-24-2007

MOTION BY: Harold R Botner Jr.

SECONDED BY: Rodger D Barger

VOTE:	YES	NO
Magistrate Harold Botner, Jr.	<u>✓</u>	_____
Magistrate Roger Barger	<u>✓</u>	_____
Magistrate William Tudor	<u>✓</u>	_____
Magistrate Larry Combs	_____	_____
Judge Kent Clark	_____	_____

[Signature]  
MADISON COUNTY JUDGE/ EXECUTIVE

Attest:  
[Signature]  
County Clerk

PREPARED BY:

[Signature]  
Marc Robbins  
Madison County Attorney  
135 West Irvine Street, Suite 202  
Richmond, Kentucky 40475  
(859) 624-4777