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- Washoe County
- Comptrollers Office
- PO Box 11130
- Reno NV 89510

STATE OF NEVADA
COUNTY OF WASHOE

ss. Tana Ciccotti

being first duly sworn, deposes and says:
 That as the legal clerk of the RENO GAZETTE-JOURNAL, a daily newspaper published in Reno, Washoe County, State of Nevada, that the notice:
 Ordinance 1109

of which a copy is hereto attached, has been published in each regular and entire issue of said newspaper on the following dates to wit:

Dec. 21, 28, 2000

Signed *T Ciccotti*

Subscribed and sworn to before me this

DEC 29 2000

Sandra Taylor
 Notary Public



PROOF OF PUBLICATION

NOTICE OF ADOPTION

NOTICE IS HEREBY GIVEN THAT: BILL NO. 1285 - ORDINANCE NO. 1109 entitled AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS TO SET THE AMOUNT OF THE 911 SURCHARGE BY RESOLUTION IN ORDER TO ADJUST THE AMOUNT OF THE UNENCUMBERED BALANCE IN THE SURCHARGE REVENUE FUND AT FISCAL YEAR END, AND CHANGING THE TIME FOR REMITTANCE OF THE SURCHARGE TO MONTHLY TO CONFORM WITH STATE LAW.

was adopted on December 12, 2000, by Commissioners Joanne Bond, Jim Galloway, Pete Sferazza, Jim Shaw, and Ted Short, and will become effective December 28, 2000.

Typewritten copies of the ordinance are available for inspection by all interested persons at the office of the County Clerk, 75 Court Street, Reno, Nevada.

AMY HARVEY,
 Washoe County Clerk

No. 4652 Dec. 21, 28, 2000

PLEASE STAMP & SIGN FOR PAYMENT

JAN 03 2001

SUMMARY: An ordinance amending Washoe County Code by authorizing the board of county commissioners to set the amount of the 911 surcharge by resolution and changing the time for remittance of the surcharge.

BILL NO. 1285

ORDINANCE NO. 1109

AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS TO SET THE AMOUNT OF THE 911 SURCHARGE BY RESOLUTION IN ORDER TO ADJUST THE AMOUNT OF THE UNENCUMBERED BALANCE IN THE SURCHARGE REVENUE FUND AT FISCAL YEAR END, AND CHANGING THE TIME FOR REMITTANCE OF THE SURCHARGE TO MONTHLY TO CONFORM WITH STATE LAW.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN:

SECTION 1.

65.450 Telephone line surcharge; duties of telephone companies; special revenue fund; commencement date; implementation.

1. Surcharge. There is hereby imposed a fee upon access lines or trunk lines of customers receiving telephone service within Washoe County as follows:

(a) Twenty-five cents per month for each customer access line to the local exchange;

(b) Two dollars and fifty cents per month for each customer trunk line to the local exchange;

(c) Twenty-five cents per month per telephone number assigned a customer by a supplier of mobile telephone service.

2. Commencement date. The surcharge imposed pursuant to subsection 1 above shall be imposed and collected by a telephone company commencing with the first full monthly billing cycle on or after January 1, 1996.

3. Setting the surcharge amount by resolution. The surcharge imposed pursuant to subsection 1 may be changed by the board of county commissioners by the adoption of a resolution in accordance with this section. The amount of the surcharge set by such resolution shall:

(a) Not exceed twenty-five cents per month for each customer access line to the local exchange;

(b) For each customer trunk line to the local exchange, an amount per month not to exceed, but which must be equal to, 10 times the amount of the surcharge imposed for each access line to the local exchange as set forth in 3(a) above;

(c) Not exceed twenty-five cents per month per telephone number assigned a customer by a supplier of mobile telephone service.

4. Commencement date of change in surcharge set by resolution. The resolution adopted by the board pursuant to subsection 3 hereof shall set the actual amount of surcharge to be imposed and collected. The amounts so established by resolution shall take effect on the first billing period of the telephone company following the effective date of the resolution.

5. Deposit. All money collected by a telephone company pursuant to this section shall be deposited into a special revenue fund and shall be expended solely for purposes of 911 emergency telephone enhancements and improvements.

6. Retention. A telephone company may retain an amount of the collected surcharge equal to the cost to collect the surcharge.

7. Implementation. The county manager shall adopt procedures necessary to effectuate the provisions of this section, including but not limited to a schedule for transfer of the surcharge by telephone companies to the county and review of costs for collection.

Note: This subsection 5 became effective on December 1, 1995. Sections 65.400 to and including 65.460, except as otherwise provided, became effective on January 1, 1996.

SECTION 2. Section 65.455 of the Washoe County Code is hereby amended to read as follows:

65.455 Remittance of funds; schedule of penalties.

1. Except for such amount of the surcharge as a telephone company is entitled to retain to equal the cost of collection of the surcharge pursuant to NRS 244A.6737, a telephone company shall remit the surcharge it collects to the treasurer of the county not later than the 15th day of the month after the month it received payment of the surcharge from its customers.

2. A surcharge imposed and collected by a telephone company pursuant to WCC 65.450 shall be considered subject to penalty for purposes of this subsection if not remitted to the county treasurer within ninety (90) days from the date established for remittance to the county.

3. A penalty in the amount of 5% of the amount determined to be delinquent shall be assessed and made payable with the next quarterly remittance.

BUSINESS IMPACT STATEMENT

The following business impact statement was prepared pursuant to NRS 237.090 to address the proposed impact of an ordinance amending Washoe County Code Section 65.460 to allow for the setting of the amount of the enhanced 911 surcharge to comply with NRS 244A.7645.

1. The following constitutes a description of the manner in which comment was solicited from affected businesses, a summary of their response and an explanation of the manner in which other interested persons may obtain a copy of the summary.

Public hearings were held in the 1995 Nevada Legislature prior to passage of the bill which allows for the charging of the Enhanced 911 surcharge. These hearings included representatives from the telecommunications industry and representatives from interested organizations such as the Nevada Taxpayer Association. The testimony of those hearings is available from the Nevada Legislature

2. The estimated economic effect of the proposed rule on the businesses which it is to regulate, including, without limitation, both adverse and beneficial effects, and both direct and indirect effects:

Adverse effects: there are minimal if any additional adverse affects as this is the adjustment of an existing fee which is passed on to both commercial and residential customers with land-line and cellular telephone service.

Beneficial effects: the surcharge provides the revenue necessary to enhance the 911 system that are considered necessary to more effectively respond to calls requesting emergency assistance regarding public health and safety problems. The adjustment of the fee will assure that only the necessary dollars will be collected in any fiscal year as required by statute.

3. The following constitutes a description of the methods that Washoe County considered to reduce the impact of the proposed rule on businesses and a statement regarding whether any, and if so which, of these methods were used:

The proposed rule will allow for the adjustment of the surcharge in any year in which the unencumbered balance at the close of the fiscal year exceeds \$500,000. In any year this may be an increase or decrease of the surcharge depending on the needs of the Fund. The surcharge is capped at twenty-five cents and will not exceed that amount.

4. Washoe County estimates that the annual cost to the County for enforcement of the proposed rule is: negligible.

5. The proposed rule provides a new fee or increases an existing fee and the total annual amount Washoe County expects to collect is:

Not Applicable

6. The money generated by the new fee or increase in existing fee will be used by Washoe County to:

Not Applicable

7. The proposed rule includes provisions, which duplicate or are more stringent than federal, state or local standards regulating the same activity. The following explains why such duplicative or more stringent provisions are necessary.

Not Applicable

[Business Impact Note: The Board of County Commissioners hereby finds that this ordinance does not impose a direct and significant economic burden upon a business, nor does it directly restrict the formation, operation or expansion of a business.]

Proposed on the 21st day of November, 2000.

Proposed by Commissioner Joanne Bond.

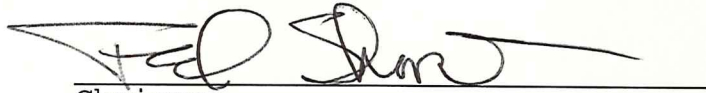
Passed on the 12th day of December, 2000.

Vote:

Ayes: Joanne Bond, Jim Galloway, Pete Sferrazza,
Jim Shaw, and Ted Short

Nays: None.

Absent: No one.



Chairman
Washoe County Commission

ATTEST:


County Clerk

This ordinance shall be in force and effect from and after the 28th day of December, 2000.