

SUMMARY: Amends Chapter 65 of the Washoe County Code by modifying the permissible maximum 911 telephone line surcharge, by clarifying that the permissible use of the 911 telephone line surcharge includes the purchase and maintenance of portable event recording devices and vehicular event recording devices; and by specifying that the unencumbered fund balance shall not exceed \$5,000,000 at the end of any fiscal year.

BILL NO. 1797

ORDINANCE NO. 1614

AN ORDINANCE AMENDING CHAPTER 65 OF THE WASHOE COUNTY CODE BY MODIFYING THE PERMISSIBLE MAXIMUM 911 TELEPHONE LINE SURCHARGE; BY CLARIFYING THAT THE PERMISSIBLE USE OF THE 911 TELEPHONE LINE SURCHARGE INCLUDES THE PURCHASE AND MAINTENANCE OF PORTABLE EVENT RECORDING DEVICES AND VEHICULAR EVENT RECORDING DEVICES IN ACCORDANCE WITH THE 2017 NEVADA LEGISLATURE'S ENACTMENT OF SENATE BILL ("SB") 176; AND BY SPECIFYING THAT THE UNENCUMBERED FUND BALANCE SHALL NOT EXCEED \$5,000,000 AT THE END OF ANY FISCAL YEAR.

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

SECTION 1. Section 65.450 of the Washoe County Code is hereby amended to read as follows:

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 and/or trunk lines of customers receiving telephone service within Washoe County. This fee shall not exceed:

(a) One dollar per month for each customer access line to the local exchange of a telecommunications provider;

(b) Ten dollars per month for each customer trunk line to the local exchange of a telecommunications provider;

(c) One dollar 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 not exceed the amounts listed in subsection 1.

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. These monies shall be expended solely for purposes of 911 emergency telephone enhancements and improvements and/or for the purchase and maintenance of portable event recording devices and vehicular event recording devices in accordance with state law.

6. Fund Balance. If the unencumbered balance in the special revenue fund exceeds \$5,000,000 at the end of any fiscal year, the board of county commissioners shall reduce the surcharge amount imposed during the next fiscal year by the amount necessary to ensure that the unencumbered balance at the end of the next fiscal year does not exceed \$5,000,000.

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

8. 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.

[This space intentionally left blank]

[Business Impact Note: In accordance with NRS 237.080, notice of the proposed 911 telephone line surcharge increase was provided to business owners who will be affected by the proposed fee increase, with the invitation to provide written comments regarding whether the proposed fee increase would impose a direct and significant economic burden upon a business, or directly restrict the formation, operation or expansion of a business. Notification of the proposed 911 telephone line surcharge increase was provided to telecommunications providers operating in Washoe County and other business owners through a number of outlets, including: On or about November 17, 2017, a mailed notice of the proposed 911 telephone line surcharge increase was provided to telecommunications providers who will be affected by the proposed increase; on November 21, 2017 and November 27, 2017, legal notice of the proposed 911 telephone line surcharge increase was published in the Reno Gazette Journal; and notice of the proposed 911 telephone line surcharge increase was prominently posted on Washoe County's webpage and social media sites. The notice indicated that data and arguments should be sent to the Washoe County Technology Services department not later than December 15, 2017, which is more than 15 business days after the notice was sent. Further, on December 11, 2017, Washoe County staff conducted two workshops to provide notice of the proposed 911 telephone line surcharge increase and collect public response.

By the deadline indicated in the notice, no comments were received from telecommunications providers or other business owners. A business impact statement was prepared in accordance with NRS 237.090 and was made available for public inspection prior to or at the time the agenda for the first reading proceeding was first posted. During the first reading proceeding, a public hearing was held and the business impact statement was considered and adopted by the Board. The Board of County Commissioners determined that the proposed ordinance and the resolution setting the 911 surcharge amount would not impose a direct and significant economic burden upon a business, nor would it directly restrict the formation, operation or expansion of a business.]

Proposed on the 13th day of March, 2018.

Proposed by Commissioner Jung.

Passed on the 27th day of March, 2018.

Vote:

Ayes: Marsha Berkbigler, Kitty Jeng, Bob Lucey, and Vaughn Hartung

Nays: none.

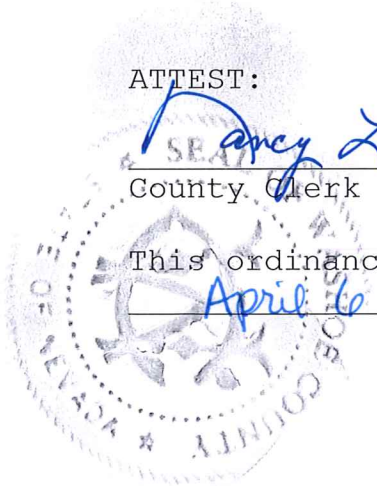
Absent: Jeanne Herman

Marsha Berkbigler
Chair
Washoe County Commission

ATTEST:

Nancy L. Parent
County Clerk

This ordinance shall be in force and effect from and after
April 6, 2018.



**PROOF OF
PUBLICATION**

**STATE OF WISCONSIN SS.
COUNTY OF BROWN**

WASHOE CO
1001 E 9TH ST

RENO NV 89512

Being first duly sworn, deposes and says: That as the legal clerk of the Reno Gazette-Journal, a daily newspaper of general circulation published in Reno, Washoe County, State of Nevada, that the notice referenced below has published in each regular and entire issue of said newspaper between the date: 03/30/2018 - 04/06/2018, for exact publication dates please see last line of Proof of Publication below.

03/30/18, 04/06/18



Legal Clerk

Subscribed and sworn before me this
6th of April 2018.



NOTARY PUBLIC RESIDING
AT STATE OF WISCONSIN
COUNTY OF BROWN

Notary Expires: 3/20/2022

Ad#:0002827298
P O :
of Affidavits : 0 00



**NOTICE OF ADOPTION
WASHOE COUNTY ORDINANCE NO. 1614
BILL NO. 1797**

NOTICE IS HEREBY GIVEN that typewritten copies of the above-numbered and entitled ordinance are available for inspection by the interested parties at the office of the County Clerk of Washoe County, Nevada, at her office in the Washoe County Complex, 1001 E. Ninth Street, Building A, Reno, Washoe County, Nevada; and that the ordinance was proposed on March 13, 2018 by Commissioner Jung and was passed and adopted without amendment at a regular meeting held on March 27, 2018 by the following vote of the Board of County Commissioners:

AN ORDINANCE AMENDING CHAPTER 65 OF THE WASHOE COUNTY CODE BY MODIFYING THE PERMISSIBLE MAXIMUM 911 TELEPHONE LINE SURCHARGE; BY CLARIFYING THAT THE PERMISSIBLE USE OF THE 911 TELEPHONE LINE SURCHARGE INCLUDES THE PURCHASE AND MAINTENANCE OF PORTABLE EVENT RECORDING DEVICES AND VEHICULAR EVENT RECORDING DEVICES IN ACCORDANCE WITH THE 2017 NEVADA LEGISLATURE'S ENACTMENT OF SENATE BILL ("S-B") 176; AND BY SPECIFYING THAT THE UNENCUMBERED FUND BALANCE SHALL NOT EXCEED \$5,000,000 AT THE END OF ANY FISCAL YEAR. (BILL NO 1797)

Those Voting Aye: Marsha Berkbigler, Kitty Jung, Bob Lucey, and Vaughn Hartung.

Those Absent: Jeanne Herman.

This Ordinance shall be in full force and effect from and after April 6, 2018.

IN WITNESS WHEREOF, the Board of County Commissioners of Washoe County, Nevada, has caused this Ordinance to be published by title only.

DATED: March 28, 2018

NANCY PARENT, Washoe County Clerk and
Clerk of the Board of County Commissioners

No 2827298

March 30, April 6, 2018