RESOLUTION NO. 2009-02-08

STATE OF GEORGIA
COUNTY OF FULTON

A RESOLUTION ESTABLISHING A WIRELESS ENHANCED 9-1-1 CHARGE ON WIRELESS COMMUNICATIONS WITHIN THE CITY OF SANDY SPRINGS, GEORGIA

WHEREAS, the City currently contracts through an intergovernmental agreement with Fulton County for the operation of an Emergency 9-1-1 System for Sandy Springs; and

WHEREAS, the City participates in an intergovernmental authority with the City of Sandy Springs, known as the Joint Public Safety and Judicial Facilities Authority for the Cities of Sandy Springs, Georgia and Johns Creek, Georgia (the "Authority"), for the purpose of establishing their own 9-1-1 system for Sandy Springs and Johns Creek to be operational on or about August 1, 2009; and

WHEREAS, O.C.G.A. §§ 46-5-133 and 46-5-134 authorize local governments to impose a wireless enhanced 9-1-1 charge upon each wireless telecommunications connection subscribed to by subscribers whose billing address or place of primary use is within the jurisdiction of the local government; and

WHEREAS, such charges may be imposed at a rate of up to $1.50 per month per wireless connection; and

WHEREAS, such charges may be imposed by any local government which operates or contracts for the operation of an emergency 9-1-1 system which is capable of providing or provides automatic number identification and automatic location identification of wireless telecommunications connections; and

WHEREAS, Fulton County operates an emergency 9-1-1 system which is capable of providing automatic number identification and automatic location identification of wireless telecommunication connections; and

WHEREAS, the Authority will operate an emergency 9-1-1 system which is capable of providing automatic number identification and automatic location identification of telephone communication connections; and

WHEREAS, the City of Sandy Springs entered into an intergovernmental agreement with Fulton County effective January 1, 2009 for Emergency 9-1-1 Services, which will be provided until the Authority emergency communications center is operational on or about August 1, 2009; and

WHEREAS, a wireless enhanced 9-1-1 charge is currently imposed by Fulton County upon each wireless telecommunications connection subscribed to by lay subscribers whose billing address or place of primary use is within the City of Sandy Springs, Georgia at the rate of $1.50 per month per wireless connection provided to each telephone subscriber; and

WHEREAS, a public hearing was held on this date after the public received no less than ten (10) days public notice of same; and

WHEREAS, the City of Sandy Springs City Council desires to continue collection of such monthly 911 service charges.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Sandy Springs, Georgia that the wireless enhanced 9-1-1 fee shall be established at the rate of $1.50 per month per wireless connection, which the City shall impose, collect and deposit in accordance with O.C.G.A. 46-5-134 effective August 1, 2009 or the date the intergovernmental agreement with Fulton County for operation of an Emergency 9-1-1 System terminates, whichever is later.

SO RESOLVED, this 17th day of February, 2009.

APPROVED:

Eva Galambos

Eva Galambos, Mayor

Attest:

Michael D. Casey

Michael D. Casey, Interim City Clerk
(Seal)