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ORDINANCE NO. 150 -10

AN ORDINANCE REGARDING ENHANCED 911

WHEREAS, Enhanced 911 has become an essential service due to the increased prevalence of emergency reports by means other than landline phone, such as cellular and Voice Over Internet Protocol (VOIP) messages; and

WHEREAS, the County of Wahkiakum cannot hope to devote sufficient funding to offer Enhanced 911 service based on its income and other financial commitments, and thus must turn to state and federal governments for funding assistance; and

WHEREAS, RCW 38.52.540 mandates that such funding is only available to counties that charge the maximum rate of Enhanced 911 excise tax on wireline and wireless services; and

WHEREAS, the County of Wahkiakum has been holding the line on this tax for as long as possible without losing funding, and will no longer be able to get necessary funding for Enhanced 911 services without charging the maximum rate; and

WHEREAS, this Ordinance is therefore necessary for the health and safety of the people of the County of Wahkiakum;

NOW BE IT HEREBY ORDAINED BY THE COUNTY COMMISSION OF THE COUNTY OF WAHKIAKUM AS FOLLOWS:

1. Definitions

The definitions contained in Section 2, Chapter 19, Laws of 2010 1st Special Session, of the terms "emergency services communication system," "enhanced 911 emergency communications system," "interconnected voice over internet protocol service," "interconnected voice over internet protocol service line," "switched access line," "local exchange company," "radio access line," "radio communications service company," "private telecommunications system," "subscriber," and "place of primary use," are adopted by reference for the purposes of this ordinance.

2. Tax levied

A. There is hereby levied an increase in the excise tax from 50 cents to 70 cents on the use of all taxable switched access lines in Wahkiakum County, as authorized by Section 3, Chapter 19, Laws of 2010 1st Special Session.

B. There is hereby levied an increase in the excise tax from 50 cents to 70 cents on the use of each radio access line whose place of primary use is located within Wahkiakum County, as authorized by Section 3, Chapter 19, Laws of 2010 1st Special Session.

Daniel H. Bigelow
Prosecuting Attorney
P.O. Box 397
Cathlamet, Washington 98612
(360) 795-3652

1 C. There is hereby levied an excise tax of 70 cents on the use of each interconnected voice of
2 internet protocol service line whose place of primary use is located within Wahkiakum County, as
authorized by Section 3, Chapter 19, Laws of 2010 1st Special Session.

3 3. Use of Proceeds

4 The proceeds of the tax shall be used for an enhanced 911 emergency communications system.

5 4. Tax Collection

6 Wahkiakum County must contract with the department of revenue for the administration and
7 collection of the excise tax as provided in Section 4, Chapter 19, Laws of 2010 1st Special Session.

8 5. Effective Date

9 The effective date of the tax herein imposed is January 1, 2011, and notice of the tax shall be provided
10 by Wahkiakum County to all radio communications service companies, local exchange companies,
11 and companies providing interconnected voice over internet protocol service at least sixty days in
advance of the date on which the first payment is due.

12 6. Severability

13 If any provision or section of this ordinance shall be held invalid, all other parts, provisions and
14 sections of this ordinance shall continue in full force and effect.

15 **DULY PASSED AND ADOPTED** in Regular Session following a public hearing thereon, this
19 day of October, 2010.

16 **BOARD OF COUNTY COMMISSIONERS**
17 **OF WAHIAKUM COUNTY, WASHINGTON**

18 **ATTEST:**

19
20 Marsha LaFarge

21 Marsha LaFarge
Clerk of the Board

19 Blair H. Brady
Blair H. Brady, Chairman

22 Daniel L. Cothren
Daniel L. Cothren, Commissioner

23 Lisa M. Marsyla
Lisa M. Marsyla, Commissioner

23 **APPROVED AS TO FORM** this
18th day of October, 2010:

24
25 Daniel H. Bigelow
Prosecuting Attorney

Daniel H. Bigelow
Prosecuting Attorney
P.O. Box 397
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