

0 - 89 - 03

Amended

Book 1 Page 39

CRITTENDEN COUNTY FISCAL COURT  
CRITTENDEN COUNTY, KENTUCKY

AMENDMENT TO THE ORDINANCE OF THE CRITTENDEN COUNTY FISCAL COURT  
ESTABLISHING A SERVICE FEE FOR ENHANCED 911 EMERGENCY  
DISPATCH SERVICES TO OWNERS OF REAL PROPERTY IN  
CRITTENDEN COUNTY, KENTUCKY

**WHEREAS**, Crittenden County Fiscal Court as a function of state government and pursuant to KRS 67.083 enjoys the authority and necessary latitude and flexibility to provide and finance various governmental services within broad functional areas specified in the statute; and

**WHEREAS**, the establishment, maintenance and operation of the Crittenden County Dispatch Center is an essential public safety service used by residents of Crittenden County as well as workers and travelers while situated in the County; and

**WHEREAS**, Crittenden County Fiscal Court has determined that the current 911 service fee (E 911 service fee) of \$.60 per telephone line per month as adopted in Ordinance 89-03 ( and subsequently increased to \$1.00) is inadequate to continue to provide reliable, quality emergency communications services due to the replacement of telephone lines by wireless telephones and other technologies; and

**WHEREAS**, Crittenden County Fiscal Court has determined that KRS 65.760 provides for alternative methods of funding the operation of enhanced 911 emergency services; and

**WHEREAS**, Crittenden County Fiscal Court has determined that a 911 service fee imposed on each individual residential unit and each individual commercial unit within the County will result in a more fair distribution of the burden of funding this service and create a more stable funding source; and

**WHEREAS**, the 911 service fee imposed on residential and commercial units is intended to replace the current 911 service fee on telephone lines and the current 911 service fee is to be repealed concurrently with the imposition of the new 911 service fee; and

**WHEREAS**, Crittenden County Fiscal Court has the authority to set penalties for the failure to abide by the terms of its Ordinances.

**NOW, THEREFORE, BE IT ORDAINED** by the Fiscal Court of Crittenden County that the Crittenden County, Kentucky Ordinance # 89-03 and the Amendment thereto of record in Order Book 2, Page 258, is hereby amended to add a new section which shall read as follows:

## COLLECTION OF 911 SERVICE FEE

- (A) For the purposes of this Chapter, a 911 service fee shall be defined as an annual fee of \$36.00 imposed upon each occupied individual residential unit and each occupied individual commercial unit located upon each parcel of real property located within the County of Crittenden, as determined from the records of the Crittenden County Property Valuation Administrator's Office. A "residential unit" shall be defined as a principal residential space occupied or designed for occupancy for residential purposes. Residential units shall include a unit used or intended to be used as a residence including but not limited to manufactured homes and mobile homes. An individual "commercial unit" shall be defined as a principal non-residential building space of any size occupied or intended to be occupied by an individual non-residential business or public or private enterprise.
- (B) The 911 service fees collected shall be used for the delivery of Enhanced 911 emergency telephone service, as provided for by KRS 65.760.
- (C) The 911 service fee shall be placed upon the Crittenden County ad valorem property tax bills prepared by the Crittenden County Clerk, pursuant to KRS 133.220(2) for the year beginning January 1, 2021 and continuing every year thereafter.
- (D) For the year beginning January 1, 2021 only, owners of all occupied rental residential units and rental commercial units shall be eligible to claim a credit of \$18.00 per unit against the annual fee due. This credit, which is the equivalent of a 6-months share of the fee, is granted to allow owners of rental property additional time to fully recover the amount of the fee from tenants. In subsequent years, the full amount of the annual 911 service fee shall be paid for all occupied units.
- (E) The Fiscal Court shall by resolution appoint an Appeals Board to consider and resolve any claims of incorrect determination of occupied individual residential units and occupied individual commercial units.
- (F) All 911 service fees shall be collected by the Crittenden County Sheriff and forwarded to the MCC911 Fiscal Agent. The Sheriff shall be entitled to a reasonable fee to defray the actual costs of collection and disbursement of 911 service fees.
- (G) The failure of any real property owner to pay the 911 service fee as set forth in this chapter shall be punishable as a Class A. misdemeanor.

The provisions of this Ordinance are severable, and the invalidity of any provision of this Ordinance shall not affect the validity of any other provision thereof, and such other provisions shall remain in full force and effect as long as they remain valid in the absence of those provisions determined to be invalid.

This Ordinance shall take effect and be in full force from and after its passage, publication and recording, according to law.

Presented for first reading on the 20<sup>th</sup> day of May, 2021.

Passed and adopted at the second reading on the 11<sup>th</sup> day of June, 2021.

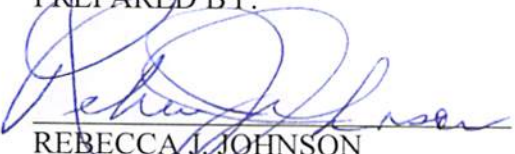
CRITTENDEN CO FISCAL COURT

BY   
PERRY NEWCOM  
CRITTENDEN CO. JUDGE EXECUTIVE

ATTESTED TO:

  
COUNTY CLERK

PREPARED BY:

  
REBECCA L. JOHNSON  
CRITTENDEN COUNTY ATTORNEY  
217 WEST BELLVILLE STREET  
P.O. BOX 415  
MARION, KENTUCKY 42064  
270-965-2222

Lodged for record on this 11  
day of June 2021  
at 10:30 / A .m. Recorded in  
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