

ORDINANCE NUMBER 03 - 27

**AN ORDINANCE AUTHORIZING REFERENDUM
QUESTION 911 EMERGENCY TELEPHONE SYSTEM
INCREASING THE MONTHLY 911 SURCHARGE**

WHEREAS, the State of Illinois has enacted into law the Emergency Telephone System Act, 50 ILCS 750/2 et seq., (hereinafter called the "Act"); and

WHEREAS, the Act enables the Village to impose a surcharge on telecommunication carriers at a rate per network connection in order to upgrade and maintain a "9-1-1" emergency telephone system; and

WHEREAS, the Act provides that before the surcharge may be increased, it must be authorized by a majority of all votes cast in a referendum in the Villages protected by the QuadCom Joint Emergency Telephone System Board; and

WHEREAS, the Village Board finds that the public health, safety, and welfare will be enhanced and it is in the best interests of the Village to increase the surcharge for 911 service from the .65¢ per month authorized by referendum and Ordinance No. 89-1 in order to update and maintain a sophisticated "9-1-1" emergency telephone system and in furtherance thereof to impose a surcharge on telecommunication carriers to be passed through to its subscribers.

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, KANE AND COOK COUNTIES, ILLINOIS, AS FOLLOWS:

Section One. That a referendum shall be placed by the Village Clerk on the March 16, 2004, General Primary Election ballot for all legal voters residing in the Village to vote upon the following question:

“Shall the Village of East Dundee impose a surcharge of up to \$1.65 per month per network connection on telecommunications carriers, which surcharge will be added to the monthly bill you receive for telephone or telecommunications charges for the purpose of improving a 9-1-1 Emergency Telephone System?”

_____ YES

_____ NO

Section Two. If a majority of the total votes cast upon the question in the Villages are in favor thereof, the surcharge is increased to \$1.65 per month per in-service network connection as defined by the Emergency Telephone System Act, 50 ILCS 750/2.12.

Section Three. The increased surcharge shall be imposed on the first day of the month following the expiration of the 90 days from the date the Village Clerk certifies to any of the telecommunications carriers who are subject to the surcharge that the Village has increased the monthly surcharge for 9-1-1 service.

Section Four. Severability. If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

Section Five. Repeal. All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.