

COMMONWEALTH OF KENTUCKY
SHELBY COUNTY FISCAL COURT
ORDINANCE NO. OS-5-05, SERIES 2020

**AN ORDINANCE REPEALING ORDINANCE NO. 10-01-08, SERIES 2019
AND ESTABLISHING A SERVICE FEE FOR ENHANCED 911 EMERGENCY
DISPATCH SERVICES IN SHELBY COUNTY, KENTUCKY**

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

WHEREAS, the establishment, maintenance, and operation of the Shelby County 911 emergency telephone service is an essential public safety service used by residents of Shelby County as well as workers and travelers while present in Shelby County, and

WHEREAS, Shelby County Fiscal Court has determined that KRS 65.760 provides for alternative methods of funding the operation of 911 emergency telephone services, and,

WHEREAS, in accordance with the provisions of KRS 65.760(3) the Shelby County Fiscal Court previously enacted Ordinance Number 10-01-08, Series 2019 on or about October 1, 2019, with said ordinance having been codified in Shelby County Code of Ordinances Chapter 33: Fees, wherein Shelby Fiscal Court imposed a fee on each parcel of real property situated in Shelby County, Kentucky that received a real property tax bill as reflected in the records of the Shelby County Property Valuation Administrators Office to provide financial support for 911 emergency telephone services, and

WHEREAS, Shelby County Fiscal Court has reviewed that Ordinance and has determined that a 911 service fee imposed on each individual and occupied residential unit and each individual and occupied commercial unit will result in a more equitable distribution of the burden of funding this service and create a more stable funding source, and,

WHEREAS, the Shelby County Fiscal Court wishes to repeal Shelby County Ordinance 10-01-08 as codified in Shelby County Code of Ordinances Chapter 33: Fees concurrently with the enactment of a new Ordinance establishing a service fee for enhanced 911 emergency dispatch services in Shelby County, Kentucky,

THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF SHELBY COUNTY, KENTUCKY, as follows:

Shelby County Ordinance No. 10-01-08, Series 2019, An Ordinance Amending Ordinance No.07-16-05 Re-establishing a 911 Emergency Telephone Service and

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Providing a System for Financial Support of That Service as codified in Shelby County Code of Ordinances Chapter 33: Fees, is hereby repealed and the Shelby County Code of Ordinances is hereby amended to add a new section which shall read as follows:

1. For purposes of this ordinance, an annual enhanced 911 service fee shall be defined as an annual fee of \$48.00 which shall be 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 Shelby, as determined from the records of the Shelby 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 including, but not limited to, each apartment unit and mobile home. A commercial unit shall be defined as a principal non-residential building space of any size occupied or designed for occupancy by an individual non-residential business or public or private enterprise, including, but not limited to, all units occupied or used by religious, charitable, educational, governmental and franchise enterprises. A unit occupied as of January 1 shall be deemed occupied. A unit not occupied as of January 1 shall be deemed not occupied and shall not be subject to the 911 service fee.
2. The 911 service fees collected shall be used for the delivery of enhanced 911 emergency telephone services as provided by KRS 65.760.
3. The 911 service fee shall be placed upon the Shelby County ad valorem property tax bills prepared by the Shelby County Clerk pursuant to KRS 133.20(2) for the tax year beginning January 1, 2020 and continuing every year thereafter and shall be due and owing from the real property owner of the parcel of property for which the tax bill is generated regardless of whether they are liable for or exempt from paying the ad valorem property taxes on that parcel of property per the provisions of this ordinance or any federal, state or local law.
4. The Shelby County Fiscal Court shall appoint an Appeals Board to consider any claims of incorrect determination of occupied individual residential units or occupied individual commercial units. To be eligible for consideration by the Appeals Board, real property owners must report vacant units to that board before April 30 of each year except for the year of 2020 in which the deadline to report vacant units shall be June 30.
5. All 911 service fees shall be collected by the Shelby County Sheriff and transferred to the Shelby County E-911 Communications Board in a timely basis as determined by the Shelby County Judge/Executive pursuant to executive order. The Shelby County Property Valuation Administrator and the Shelby County Sheriff shall be entitled to a reasonable fee to defray the actual costs of collection, preparation and disbursement of 911 service fees.
6. The Shelby County Judge/Executive is authorized to enter into any interlocal agreements with other local governments that may be necessary to carry out the provisions of this ordinance.

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7. 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.

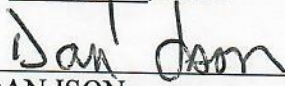
8. Violation of this ordinance shall constitute a Class B misdemeanor punishable by up to NINETY (90) days imprisonment and/or a fine of up to \$250.00, and may be enforced by civil collection process as well.

This Ordinance shall become effective and in full force and effect immediately following enactment and publication as prescribed by law.

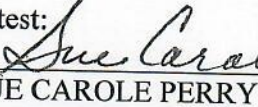
INTRODUCED, SECONDED, AND GIVEN A FIRST READING AND APPROVAL at a duly convened meeting of the Shelby County Fiscal Court held on the 21 day of April, 2020.

INTRODUCED, SECONDED, AND GIVEN A SECOND READING AND APPROVAL at a duly convened meeting of the Shelby County Fiscal Court held on the 5 day of May, 2020.

Adopted this 5 day of May, 2020.



DAN ISON
Shelby County Judge/Executive

Attest:


SUE CAROLE PERRY
Shelby County Clerk