



CITY COUNCIL
ATLANTA, GEORGIA

RESOLUTION BY

Michael R. ...
...

01-R-0594

A RESOLUTION IMPOSING A \$1.00 SURCHARGE UPON EACH WIRELESS TELECOMMUNICATION CONNECTION SUBSCRIBED TO TELEPHONE SUBSCRIBERS WHOSE BILLING ADDRESS IS WITHIN THE CITY OF ATLANTA PURSUANT TO THE AUTHORIZATION GRANTED IN SECTIONS 46-5-133 (A) AND 46-5-134(A)(2)(A) OF THE OFFICIAL CODE OF GEORGIA ANNOTATED AND FOR OTHER PURPOSES.

WHEREAS, the General Assembly finds and declares it is in the public interest to shorten the time required for a citizen to request and receive emergency aid; and

WHEREAS, the General Assembly finds and declares that the benefits of "911" service should be widely available, regardless of whether a "911" call is placed from traditional landline telephone or from a wireless telephone and it is also in the public interest that users of wireless telephones should bear some of the cost of providing this service, as users of landline telephones currently do; and

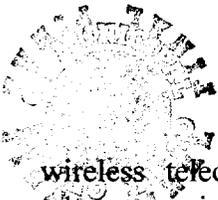
WHEREAS, it is the intent of the General Assembly to bring wireless telephone service within the scope of Section 46-5-121 of the O.C.G.A. and to establish a means by which local public safety agencies may provide enhanced "911" service to wireless telephone users; and

WHEREAS, "wireless service" means "commercial mobile service" as defined under Section 332(D) of the Federal Telecommunications Act of 1996 (47 U.S.C. Section 157 et seq.), regulations of the Federal Communications Commission, and the Omnibus Budget Reconciliation Act of 1993 (PL 103-66) and included real-time, two-way interconnected voice service which is provided over networks which utilize intelligent switching capability and offer seamless handoff to customers; and

WHEREAS, "wireless service supplier" means a provider of wireless service; and

WHEREAS, wireless "telecommunication connection" means any mobile station for wireless service which is assigned a number containing an area code assigned to Georgia by the North American Numbering Plan Administrator that connects a provider of wireless service to a provider of local exchange telephone service; and

WHEREAS, "wireless enhanced "911" charge means a contribution to the local government for the cost to the local government of implementing or upgrading, and maintaining, an emergency "911" system which is capable of receiving and utilizing automatic number identification, the location of the base station or cell site which receives the "911" call, and the location of the



wireless telecommunications connection as it relates to "911 calls made from a wireless telecommunication connection. Nonrecurring and recurring installation, maintenance, service, and network charges of a wireless service supplier to provide the aforementioned information and other cost which may be paid with money from the Emergency Telephone System Fund pursuant to Subsection (e) of Code Section 46-5-134 of the O.C.G.A.; and

WHEREAS, Section 46-5-133 of the O.C.G.A. authorizes any local government, which prior to 1988 operated or contracted for the operation of an enhanced emergency telephone number "911" system which is capable of providing or provides enhanced "911" service to persons or entities with a wireless telecommunications connection, excluding a military base, to adopt a resolution to impose a monthly wireless enhanced "911" charge upon each wireless telecommunications connection subscribed to by telephone subscribers whose billing address is Within the jurisdiction of the local government. On or after January 1, 1999, no monthly "911" charge provided for may be imposed or continue to be imposed unless each dispatch center funded in whole or in part from such charges is in compliance with Code Section 36-80-19, relating to required TDD training for communication officers; and

WHEREAS, Section 46-5-134(a)(2)(a) provides that wireless enhanced "911" charges may not exceed the monthly "911" charge imposed upon subscribers of exchange access facility for land lines and in no event, shall such wireless enhanced "911" charge exceed \$1.00 per month per wireless telecommunications connection provided to the telephone subscriber; and

WHEREAS, each service supplier that collects "911" or wireless enhanced "911" charges on behalf of a local government is entitled to retain as an administrative fee an amount equal to 3% of the gross "911" or wireless enhanced "911" charge receipts to be remitted to the local government; and

WHEREAS, BEFORE July 1, 2002, 30¢ of the monthly wireless enhanced "911" charge imposed shall be deposited in a separate restricted reserve account of the Emergency Telephone System Fund.

THEREFORE BE IT RESOLVED BY THE CUNCIL OF THE CITY OF ATLANTA, GEORGIA THAT PURSUANT TO THE AUTHORITY GRANTED IN section 46-5-133(a) and 46-5-134(a)(2)(A) of the Official Code of Georgia Annotated there be ad is hereby levied a \$1.00 surcharge upon each wireless telecommunication connection subscribed to by telephone subscribers whose billing address is within the jurisdiction of the City of Atlanta.

BE IT FURTHER RESOLVED that pursuant to Section 46-5-133(a) of the O.C.G.A. that the effective date of the levy shall be at least 120 days following the date of the adoption of the resolution levying the charge, the \$1.00 surcharge shall become effective the first day of the month following the 120-day period.



BE IT FURTHER RESOLVED that pursuant to Section 46-5-134 (a) (1) of the O.C.G.A. the Service Supplier (s) shall, on behalf of the City of Atlanta, collect the "911" charge from those telephone subscribers to whom it provides exchange telephone service in the area served by the emergency "911" system.

BE IT FURTHER RESOLVED that pursuant to Section 46-5-134(d)(1) of the O.C.G.A. the Service Supplier shall retain as an administrative fee an amount equal to 3% of gross wireless enhanced "911" charge receipts to be remitted to the City.

A true copy,

Rhonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

MAY 07, 2001
MAY 15, 2001

President Pro Tem Bond Presided

RCS# 2838
5/07/01
4:44 PM

Atlanta City Council

Regular Session

CONSENT

PAGES 1 THRU 13

ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

NV McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA
01-O-0610

CONSENT

**ITEMS ADOPTED ON
CONSENT AGENDA**

1. 00-O-0264
2. 01-O-0603
3. 01-O-0604
4. 01-O-0612
5. 01-O-0529
6. 01-O-0608
7. 01-O-0623
8. 01-O-0624
9. 01-O-0593
10. 01-O-0482
11. 01-O-0548
12. 00-O-2056
13. 01-R-0575
14. 01-R-0576
15. 01-R-0577
16. 01-R-0578
17. 01-R-0579
18. 01-R-0580
19. 01-R-0648
20. 01-R-0581
21. 01-R-0574
22. 01-R-0594
23. 01-R-0595
24. 01-R-0617
25. 01-R-0491
26. 01-R-0571
27. 01-R-0572
28. 01-R-0602
29. 01-R-0565
30. 01-R-0644
31. 01-R-0552
32. 01-R-0553
33. 01-R-0554
34. 01-R-0555
35. 01-R-0556

**ITEMS ADVERSED
ON CONSENT AGENDA**

36. 01-R-0557
 37. 01-R-0558
 38. 01-R-0559
 39. 01-R-0560
 40. 01-R-0561
 41. 01-R-0562
 42. 01-R-0563
 43. 01-R-0564
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01-R -0594

(Do Not Write Above This Line)

A RESOLUTION *Celia Houston*
BY *[Signature]*

A RESOLUTION REAFFIRMING THE NECESSITY OF THE \$1.00 MONTHLY SURCHARGE FOR EACH WIRELESS TELECOMMUNICATION CONNECTION SUBSCRIBED TO BY TELEPHONE SUBSCRIBERS WHOSE BILLING ADDRESS IS WITHIN THE CITY OF ATLANTA PURSUANT TO THE AUTHORIZATION GRANTED IN SECTIONS 46-5-133 (A) AND 46-5-134(A)(2)(A) OF THE OFFICIAL CODE OF GEORGIA ANNOTATED; AND FOR OTHER PURPOSES.

ADOPTED BY

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred 4/2/01

Referred To: Finance Executive

Date Referred _____

Referred To: _____

Date Referred _____

Referred To: _____

First Reading

Committee _____
 Date _____
 Chair _____
 Referred to _____

Committee FIN Sec
 Date 4-11-01
 Chair [Signature]
 Action: _____
 Fav, Adv, Hold (see rev. side) _____
 Other: _____
 Members [Signatures]
 Refer To _____

Committee _____
 Date _____
 Chair _____
 Action: _____
 Fav, Adv, Hold (see rev. side) _____
 Other: _____
 Members _____
 Refer To _____

FINAL COUNCIL ACTION
 2nd 1st & 2nd 3rd
 Readings
 Consent V Vote RC Vote

CERTIFIED

CERTIFIED
 MAY 07 2001
[Signature]
 COUNCIL PRESIDENT PROTEM

CERTIFIED
 MAY 11 2001
Ruth Douglas Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION

MAY 15 2001
[Signature]