

ORDINANCE

AN ORDINANCE REPEALING AND REENACTING CHAPTER 2.62 OF THE CITY OF MANITOU SPRINGS MUNICIPAL CODE CONCERNING THE EMERGENCY TELEPHONE SERVICE SURCHARGE

WHEREAS, the City of Manitou Springs is a party to a Restated Intergovernmental Agreement, entered into in 2000 (the “911 IGA”), which amended and replaced the Intergovernmental Agreement dated June 1, 1989;

WHEREAS, the 911 IGA establishes the El Paso – Teller County Emergency Telephone Service Authority, which is responsible for the administering the operation of an emergency telephone service program in El Paso and Teller Counties;

WHEREAS, the City Council desires to update the emergency telephone service provisions in the City’s Municipal Code and to ratify and memorialize the City’s approval of a monthly surcharge of \$1.35 per telephone exchange access facility, per wireless communication access, and per interconnected voice-over-internet protocol service for which emergency telephone services are provided, which is authorized pursuant to C.R.S. § 29-11-102(2)(a); and

WHEREAS, the City Council finds and determines that the surcharge, which is imposed by the other participants in the IGA, is necessary to ensure the public health, safety, and welfare by ensuring continued and effective emergency 911 services.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANITOU SPRINGS, COLORADO, THAT:

Section 1: Chapter 2.62 of the Manitou Municipal Code is hereby repealed and reenacted to read as follows:

2.62.010 – Imposition of an emergency telephone charge. There is hereby imposed, pursuant to C.R.S. § 29-11-100.5, *et seq.*, upon each telephone exchange access facility, wireless communication access, and interconnected voice-over-internet protocol service within the City, an emergency telephone charge in an amount of one dollar and thirty-five cents (\$1.35) per month, the proceeds from which shall be collected and administered according to the Restated Intergovernmental Agreement, entered into by the City in 2000, and any subsequent amendments thereto.

2.62.020 – Collection of charge. Telephone service supplies providing telephone service in the City are hereby authorized to collect the emergency

telephone charge imposed by this Article in accordance with C.R.S. § 29-11-100.5,
et seq.

Section 2: If any article, section, paragraph, sentence, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3: This ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

Passed on first reading and ordered published this 20th day of June, 2017.

/s/ Donna Kast
City Clerk, Donna J. Kast

A Public Hearing on this ordinance will be held at the July 18, 2017, City Council meeting. The Council Meeting will be held at 6:00 P.M. at City Hall, 606 Manitou Avenue, Manitou Springs, Colorado.

Ordinance Published: June 22, 2017 (in full)
City's Official Website and City Hall

Passed on second reading and adopted by City Council this 18th day of July, 2017.

/s/ Nicole Nicoletta
Mayor, Nicole Nicoletta

Attest: /s/ Donna Kast
City Clerk, Donna Kast

Published: July 20, 2017 (in full)
City's Official Website and City Hall