

## **RESOLUTION 2024-02**

### **A RESOLUTION AUTHORIZING A 9-1-1 CHARGE ON POSTPAID WIRELINE, WIRELESS, AND VOICE OVER INTERNET PROTOCOL (“V.O.I.P.”) TELEPHONE SERVICE WITHIN THE CITY OF SMYRNA, GEORGIA**

**WHEREAS**, Part 4 of Article 2 of Chapter 5 of Title 46 of the Official Code of Georgia Annotated, authorizes counties and cities that operate a 9-1-1 public safety answering point to impose a 9-1-1 charge on postpaid wireline, wireless and V.O.I.P. telephone bill; and

**WHEREAS**, pursuant to Code Section 46-5-134.2 of the Official Code of Georgia Annotated, such charges shall be imposed at the rate of \$1.50 per retail transaction; and

**WHEREAS**, revenues received by a county or municipality from such charges must be deposited in the emergency telephone system fund maintained by the county or municipality; and

**WHEREAS**, imposition of the charge on prepaid wireless service is contingent upon the enactment of an ordinance or resolution of the county or municipality; and

**WHEREAS**, the City of Smyrna operates a 9-1-1 public safety answering point; and

**WHEREAS**, the City Council does now deem it in the best interest of the citizens of the City of Smyrna to impose such a charge; then

**IT IS HEREBY RESOLVED** as follows:

#### **Section 1. 9-1-1 Charge on PostWireless Transactions**

In accordance with O.C.G.A. § 46-5-134.2, there is hereby imposed a post paid wireline, wireless and V.O.I.P telephone 9-1-1 charge as defined by O.C.G.A. § 46-5-134.2(a)(4) upon every post paid monthly telephone service bill occurring within the jurisdiction of the public service answering point in the amount of \$1.50.

#### **Section 2. Collection of 9-1-1 Charge on Post Paid Wireline / Wireless Transactions**

9-1-1 charges collected by service suppliers shall be remitted to the Georgia Department of Revenue, as the contracted collection partner of the Georgia Emergency Communications Authority, at the times and in the manner provided by O.C.G.A. 46-5-134.2 and any other Georgia Department of Revenue or Georgia Emergency Communications Authority regulation or policy.

### **Section 3. Administrative Provisions**

The Clerk of the City is hereby directed to file with the State Revenue Commissioner a certified copy of this resolution and amendments thereto, in accordance with O.C.G.A. § 46-5-134.2(j)(1), within ten (10) days of enactment of this resolution or future amendment.

### **Section 4. Depositing of Funds; Use of Funds**

In accordance with O.C.G.A. § 46-5-134.2(j)(4), funds received by this city from charges imposed by this ordinance shall be deposited in the Emergency Telephone System Fund maintained by the city pursuant to O.C.G.A. § 46-5-134 and kept separate from general revenue of the jurisdiction; all such funds shall be used exclusively for the purposes authorized by O.C.G.A. § 46-5-134(f).

### **Section 5. Repealer**

All ordinances and parts of ordinances in conflict with this resolution are hereby repealed as of January 1, 2024.

### **Section 6. Effective Date**

Any previous post paid wireline, wireless and V.O.I.P. telephone 9-1-1 charge resolution will remain in effect until January 1, 2023. On such date, the wireless, wireline and V.O.I.P. telephone 9-1-1 charge shall become \$1.50 per O.C.G.A. § 46-5-134 and this resolution.

**SO RESOLVED** in open session lawfully assembled, this the 18<sup>th</sup> day of December 2023.

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Derek Norton, Mayor

**ATTEST:**

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Heather Peacon-Corn, City Clerk

Approved as to form:

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Scott Cochran, City Attorney

CITY SEAL

