FILE NO. 030981

ORDINANCE NO. 187-03

[Increasing the Emergency Response Fee imposed on telephone subscribers.]

Ordinance amending Article 10A of the Business and Tax Regulations Code by amending Sections 753 and 755 to increase the per-line Emergency Response Fee imposed on telephone subscribers, as well as the maximum total fee that may be imposed on a subscriber.

Note:

Additions are <u>single-underline italics Times New Roman;</u> deletions are <del>strikethrough italics Times New Roman</del>. Board amendment additions are <u>double underlined</u>. Board amendment deletions are strikethrough normal.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Business and Tax Regulations Code is hereby amended by amending Sections 753 and 755, to read as follows:

## SEC. 753. IMPOSITION OF EMERGENCY RESPONSE FEE.

(a) There is hereby imposed an emergency response fee on every person who maintains access to the 911 communication system by subscribing to local telephone service within the City and County of San Francisco. For purposes of this Article, with respect to mobile telecommunications services, a person shall be construed to subscribe to local telephone service within the City and County of San Francisco if he or she has a "place of primary use," as such term is defined in the Mobile Telecommunications Sourcing Act, 4 U.S.C. § 124(8), within the geographic boundaries of the City.

(b) The amount of the fee imposed by this Section shall be paid, on a per line basis, by the person paying for such local telephone service; however, no telephone subscriber shall be required to pay fees in excess of \$10,000 per account per service location in any twelvemonth period ending on or before December 31, 1997. Commencing in 1998, no telephone subscriber shall be required to pay fees in excess of \$20,000 per account per service location

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in any calendar year. Commencing in 2002, no telephone subscriber shall be required to pay fees in excess of \$25,000 per account per service location in any calendar year. <u>Commencing</u> in 2004, no telephone subscriber shall be required to pay fees in excess of \$35,000 per account per <u>service location in any calendar year</u>. The cost of wireless telecommunications services shall not be considered for purposes of this subsection (b). The amount of the cap established by this subsection shall be adjusted annually by the Consumer Price Index: All Urban Consumers for the San Francisco / Oakland / San José Area for All Items as reported by the United States Bureau of Labor Statistics.

(c) Only one payment of the fee herein imposed shall be required for any access line, trunk line or high capacity trunk line, notwithstanding that access lines of more than one person are used in furnishing local telephone service to a telephone subscriber.

(d) Revenues generated by the emergency response fee shall be deposited in the
911 emergency response fund authorized by Section 10.100-67 of the San Francisco
Administrative Code and shall be used exclusively to pay for eligible project costs and eligible
operating costs, including eligible operating costs accruing in Fiscal Year 2001-2002 before
adoption of the ordinance in Board of Supervisors File Number 02-0193.

## SEC. 755. FEE SCHEDULE.

The amount of the fee shall be \$.50 per month per access line or \$2.50 (5  $\times$  \$.50) per month per trunk line. Commencing on December 1, 1997, the amount of the fee shall be \$1.00 per month per access line or \$5.00 per month per trunk line. Commencing on August 1, 2002, the amount of the fee shall be \$1.00 per month per access line, \$7.50 per month per trunk line, and \$135 per month per high capacity trunk line. Commencing on December 1, 2002, the amount of the fee shall be \$1.25 per month per access line, \$9.38 per month per trunk line, and \$168.75 per month per high capacity trunk line. *Commencing on November 1*,

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2003, the amount of the fee shall be \$1.75 per month per access line, \$13.13 per month per trunk line and \$236.25 per high capacity line. APPROVED AS TO FORM: DENNIS J. HERRERA, City Attorney By: DAVID A. GREENBURG Deputy City Attorney OFFICE OF THE MAYOR

BOARD OF SUPERVISORS



Tails

## Ordinance

File Number: 030981

Date Passed:

Ordinance amending Article 10A of the Business and Tax Regulations Code by amending Sections 753 and 755 to increase the per-line Emergency Response Fee imposed on telephone subscribers, as well as the maximum total fee that may be imposed on a subscriber.

July 8, 2003 Board of Supervisors — PASSED ON FIRST READING Ayes: 7 - Ammiano, Daly, Dufty, Hall, Ma, Maxwell, McGoldrick Noes: 3 - Gonzalez, Peskin, Sandoval Excused: 1 - Newsom

July 15, 2003 Board of Supervisors — FINALLY PASSED Ayes: 7 - Ammiano, Daly, Dufty, Hall, Ma, Maxwell, Newsom Noes: 4 - Gonzalez, McGoldrick, Peskin, Sandoval File No. 030981

5 A. 4

I hereby certify that the foregoing Ordinance was FINALLY PASSED on July 15, 2003 by the Board of Supervisors of the City and County of San Francisco.

a

Gloria L. Young Clerk of the Board

Mayor Willie L. Brown Jr.

JUL 25 2003

**Date Approved** 

File No. 030981