

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2018

COUNCIL BILL NO. CB18-0984
COMMITTEE OF REFERENCE:
4 Safety, Housing, Education & Homelessness

5 **A BILL**

6 **For an ordinance amending Article III, Chapter 16 of the Denver Revised Municipal**
7 **Code relating to the E-911 surcharge.**
8

9 **WHEREAS**, Section 29-11-102 of the Colorado Revised Statutes authorizes the City to adjust
10 the surcharge for Enhanced 911 (“E-911”) services as needed for the protection and preservation of
11 the public health and as necessary for the acquisition of equipment, provision of initial services, and
12 operation of the emergency telephone service; and

13 **WHEREAS**, both the City and County of Denver, Colorado (“City”), and the demand for E-
14 911 services have grown since the current surcharge of \$0.70 was established; and

15 **WHEREAS**, the City needs to keep pace with the required technology and other resources
16 necessary in order to maintain appropriate levels of service delivery for E-911 calls and the dispatch
17 of emergency providers; and

18 **WHEREAS**, based on the demand for E-911 services in the City, and the requirements for
19 technology and other resources, there is a need to raise the surcharge to \$1.20; and

20 **WHEREAS**, the revenue from the surcharge increase will help meet current and future needs
21 for emergency services; and

22 **WHEREAS**, a surcharge above the rate of \$0.70 per month requires approval from the Public
23 Utilities Commission (PUC) before the City may increase the surcharge and in Proceeding No. 18A-
24 0479T, the PUC did, in fact, approve a surcharge increase to \$1.20.

25
26 **BALANCE OF PAGE INTENTIONALLY LEFT BLANK**

1 **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY AND COUNTY**
2 **OF DENVER:**

3 **Section 1.** The Colorado Public Utilities Commission has approved the City’s application for
4 an increase of its E-911 surcharge from \$0.70 to \$1.20. To enact this surcharge increase, Article III,
5 Chapter 16 of the D.R.M.C. shall be amended by adding the language underlined and deleting the
6 language stricken, to read as follows:

7 **Sec. 16-22. - Emergency telephone charge.**

8 (a) There is hereby imposed an emergency telephone charge upon all exchange
9 access facilities, wireless communication access, and interconnected voice-over-internet-
10 protocol service within the city in the amount of ~~\$0.70~~ \$1.20 per month per exchange access
11 facility, per wireless communications access, and per interconnected voice-over-internet-
12 protocol access. The emergency telephone charge shall be imposed only upon service users
13 having a billing address within the city.

14 (b) Funds collected from the emergency telephone charge imposed by this section
15 shall be spent solely as authorized by Section 29-11-104(2), (3), and (4), C.R.S., as amended,
16 or for other lawful purposes as delineated by rule or regulation.

17
18 **Section 2.** This ordinance shall be effective on January 1, 2019.

19 COMMITTEE APPROVAL DATE: September 19, 2018 by Consent

20 MAYOR-COUNCIL DATE: September 25, 2018

21 PASSED BY THE COUNCIL: _____, 2018

22 _____ - PRESIDENT

23 APPROVED: _____ - MAYOR _____, 2018

24 ATTEST: _____ - CLERK AND RECORDER,
25 EX-OFFICIO CLERK OF THE
26 CITY AND COUNTY OF DENVER

27 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2018; _____, 2018

28 PREPARED BY: Noah M. Cecil, Assistant City Attorney Date: September 27, 2018

29 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
30 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
31 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §
32 3.2.6 of the Charter.

33 Kristin M. Bronson, City Attorney

34 BY: _____, Assistant City Attorney Date: _____, 2018