

**CHAPTER 23 - PEPIN COUNTY E-9-1-1 ORDINANCE
(Cr. Ord. No. 179, Am. #16, § 2, 4-21-99)**

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23.01 - TITLE

This ordinance may be cited as the Pepin County E-9-1-1 Ordinance.

23.02 - AUTHORITY

This ordinance is enacted under the authority of Section 146.70 and 59.54(6) Wis. Stats.

23.03 - PURPOSE

- (1) This ordinance is enacted for the purpose of creating an emergency telephone system which can be accessed from any telephone located in the County of Pepin by dialing the numbers 9-1-1.
- (2) Sections 23.21 and 23.22 of this Ordinance are adopted in recognition of the fact that the making of non-emergency calls to 9-1-1, and/or the making of prank, harassing, or nuisance calls to 9-1-1, will reduce the effectiveness of the County 9-1-1 System, and could result in property damage being sustained by persons in need of emergency services, bodily injury or death to such persons as are in need of emergency services, or injury or death to public safety agency employees who are required to respond to 9-1-1 calls where legitimate, emergency calls to 9-1-1 calls are interfered with or delayed as a result of such non-emergency calls.

23.04 - ADMINISTRATION

This ordinance shall be administered by the Pepin County Law Enforcement Committee under the direction of its chair person, subject to the authority of the Pepin County Board.

23.05 - ADVISORY BODY

The Pepin County Law Enforcement Committee shall serve as the policy oversight body for the operation of the E-9-1-1 Emergency Telephone System.

23.06 - DEFINITIONS

- (1) As used in this chapter, the following words and phrases shall have the meanings indicated:
 - (a) *AUTOMATIC LOCATION IDENTIFICATION*: has the meaning set forth in Sec. 146.70(1)(a) of the Wis. Stats.
 - (b) *AUTOMATIC NUMBER IDENTIFICATION*: has the meaning set forth in Sec. 146.70(1)(b) of the Wis. Stats.
 - (c) *CUTOVER*: shall mean the date on which the E-9-1-1 emergency telephone system is activated by the service supplier.
 - (d) *E-9-1-1: Emergency Telephone System or Systems*: shall mean a sophisticated system as defined in Sec. 146.70(1)(i) of the Wis. Stats.
 - (e) *PSC*: shall mean the Public Service Commission of Wisconsin.

- (f) *PUBLIC SAFETY ANSWERING POINT*: has the meaning set forth in Sec. 146.70(1)(gm) of the Wis. Stats., and in this ordinance refers to the Public Safety Answering Point operated by Pepin County.
- (g) *SERVICE SUPPLIER*: shall mean that telecommunications utility which directly contracts with Pepin County to provide the E-9-1-1 emergency telephone system to Pepin County residents. The service supplier may have a contractual relationship with other telecommunications utilities serving Pepin County's E-9-1-1 Emergency Telephone System area and to the extent permitted by law, such other telecommunications utilities are included within the term service supplier as used herein.
- (h) *TELECOMMUNICATIONS UTILITY*: has the meaning set forth in Sec. 196.01(10) of the Wis. Stats.
- (i) *EMERGENCY*: means a situation in which property or human life are in jeopardy and the prompt summoning of aid is essential.
- (j) *9-1-1*: shall refer to the primary emergency telephone number which, if dialed, will access the County 9-1-1 system
- (k) *9-1-1 SYSTEM*: shall mean the emergency telephone system maintained in Pepin County for the purpose of transmitting requests for law enforcement, fire fighting and emergency medical and ambulance services from, or on behalf, of those persons in need of such services to the respective public safety agencies providing the same.
- (l) *PERSON*: shall mean any human being, whether or not of the legal age of majority.
- (m) *PUBLIC SAFETY AGENCY*: shall mean a functional division of a public agency which provides fire fighting, law enforcement, medical, or other emergency services.

23.07 - CONSTRUCTION OF CHAPTER

This Chapter shall be construed to be consistent with Sec. 146.70 of the Wis. Stats. and Acts amendatory thereto. In the event of any conflict of any part of this Ordinance with said section of State Statutes, the remainder of this ordinance shall not be affected thereby and to that extent all sections of this ordinance are declared to be severable.

23.08 - PEPIN COUNTY E-9-1-1 PLAN

A Pepin County Enhanced E-9-1-1 Emergency Number System Plan is on file at the Pepin County Sheriff's Department, 740 7th Ave. West, Durand, Wisconsin 54736. This County E-9-1-1 Plan is in conformity with this Ordinance (Chapter 23).

23.09 - PLAN OF OPERATION

- (1) There is hereby created in the County of Pepin an E-9-1-1 Emergency Telephone System with a single public safety answering point.
- (2) The system shall be partially funded through a surcharge on the telephone bills of the users of said system as permitted by Sec. 146.70(3) of the Wis. Stats.
- (3) The service supplier shall provide the essential components of such a system, including arrangements with other telecommunications utilities to allow the system to be functional throughout Pepin County.

**23.10 - EMERGENCY NETWORK AND UNIVERSAL NUMBER SERVICE
INSTALLATION OF EQUIPMENT**

- (1) The service supplier shall install and maintain an E-9-1-1 Emergency Telephone System and provide a universal central office number 9-1-1 for the use of the County's public safety answering point engaged in assisting local governments within the E-9-1-1 Emergency Telephone System area in protecting the safety and property of the general public.
- (2) The system shall operate so that, when the number 9-1-1 is dialed, it will provide the 9-1-1 System features described in Sec. 23.13 hereof to all access lines served by central offices in Pepin County.

**23.11 - PROVISION OF EMERGENCY NETWORK AND UNIVERSAL NUMBER
SERVICE: 24-HOUR PER DAY AVAILABILITY**

The features offered under the E-9-1-1 system shall be available 24 hours per day, seven days per week.

23.12 - APPLICATION OF TARIFF

The service supplier's provision of the services contemplated herein shall be governed by its tariff.

23.13 - NETWORK FEATURES

- (1) The E-9-1-1 system shall have the following features:
 - (a) Automatic Number Identification (ANI) and
 - (b) Automatic Location Identification (ALI)

23.14 - NETWORK CONFIGURATION

The telephone exchange areas set forth in Sec. 23.20 hereof shall be included in the Pepin County E-9-1-1 system.

23.15 - SYSTEM COSTS: ASSESSED AGAINST USERS

The service supplier shall bill its customers within the county in amounts sufficient to recover its non-recurring and recurring charges as provided for in Sec. 146.70(3) of the Wis. Stats. and in the manner allowed by PSC rules, regulations and tariffs.

23.16 - USER RATES: SUBJECT TO CHANGE

The service supplier shall review access line counts 60 days before cutover and annually thereafter. This count shall be provided to the county. The access line count shall be used as the basis for adjusting the monthly user rate. The service supplier shall timely notify the county in writing whenever any change is pending to its tariff, whether initiated by the service supplier, the PSC, or any other person.

23.17 - USER CHARGES: SELECTIVE ROUTING

Telephone utility costs for selective routing, whether for equipment or recurring expenses, shall not be included in any user charge authorized under this Ordinance unless agreed to between the municipality and the County Board.

23.18 - LIABILITY: SERVICE SUPPLIER'S SERVICES LIMITED

In furnishing the use of its facilities, to enable the county and its personnel to respond to such calls when received by such personnel on the County's premises, the service supplier is not required to answer or forward E-9-1-1 calls.

23.19 - LIABILITY: LIABILITY OF SERVICE SUPPLIER TO THIRD PARTIES

This ordinance is not intended to, nor shall it be construed to, create, amend, abridge, modify, or in any way affect any obligation or liability of the service supplier by way of civil action or otherwise to third parties including members of the public for injuries, death or loss to persons or property resulting from its acts or omissions or for its supplier's acts or omissions under this Ordinance.

23.20 - EXCHANGE AREAS COVERED BY E-9-1-1 OPERATIONAL PLAN

The E-9-1-1 System established herein shall be provided to all telephone users within Pepin County in the following telephone exchanges:

EXCHANGE NAME	NUMBER PREFIX	TELEPHONE COMPANY
Durand	672	Nelson Telephone Co-op
Arkansaw	285	Nelson Telephone Co-op
Pepin	442	General Telephone Co.
Plum City	647	General Telephone Co.
Maiden Rock	448	General Telephone Co.
Mondovi	926	Rochester Telephone Co.
Eau Galle	283	West WI Comm. Co-op
Rock Falls	875	West WI Comm. Co-op

23.21 - INTERFERENCE WITH 9-1-1 SYSTEM

- (1) No person shall make a telephone call to 9-1-1:
 - (a) Of a non-emergency nature,
 - (b) With the intent of harassing, delaying, or preventing a public service agency from providing emergency services, or
 - (c) To report an emergency knowing that the fact situation being reported does not exist, or
 - (d) As a prank for purposes of harassment or for purposes of creating a nuisance.

23.22 - MALFUNCTIONING TELEPHONING; CALLS TO 9-1-1: ASSESSMENT OF FORFEITURE

- (1) When, on an emergency basis, any public safety agency responds to any location as a result of a telephone call made to 9-1-1, which call originates from a malfunctioning telephone, whether or not the owner of the malfunctioning telephone made the call, he/she shall be subject to the assessment of a forfeiture if, during a 12 month period beginning with the first such response, a total of three 9-1-1 calls are received from a malfunctioning telephone. After the third response, written notice of such contacts shall be mailed to the telephone owner. For the fourth, and each subsequent call of a similar nature received by the 9-1-1 system within a 12 month period, the owner shall be assessed the following forfeitures:
 - (a) Fourth call: \$100
 - (b) Fifth call: \$150
 - (c) Each call after the fifth call, double the amount of the previous forfeiture.

23.23 - PENALTY

Any person who violates any subsection of Section 23.21 shall be subject to a forfeiture of \$25.00 for the first offense, and \$250.00 for the second, and each subsequent offense, which occurs within one year of the date of the first offense under this Ordinance. In addition, each person convicted of a violation of this ordinance shall pay the cost of prosecution.