

AN ORDINANCE OF BERKELEY COUNTY PROVIDING FOR THE ESTABLISHMENT OF AN ENHANCED EMERGENCY TELEPHONE SYSTEM, AND FOR THE IMPOSITION OF A FEE FOR THE CAPITAL, INSTALLATION AND MAINTENANCE COSTS OF SUCH SYSTEM

WHEREAS, section three-cc, article one, chapter seven [ 7-1-3-cc ] of the West Virginia Code grants the authority to county commissions to establish an enhanced emergency telephone system and impose a fee for the capital, installation and maintenance costs thereof;

WHEREAS, article six, chapter twenty-four [ 24-6-1 et al ] of the West Virginia Code requires the preparation of a proposal, the holding of a public meeting and the timely placement of an advertisement concerning such proposal and meeting before a final plan for the implementation of such an enhanced emergency telephone system may be adopted;

NOW THEREFORE BE IT ORDAINED BY THE COUNTY COMMISSION OF BERKELEY COUNTY, WEST VIRGINIA, PURSUANT TO AND IN ACCORDANCE WITH SECTION THREE-CC, ARTICLE ONE, CHAPTER SEVEN [ 7-1-3-CC ] AND ARTICLE SIX, CHAPTER TWENTY-FOUR [ 24-6-1 et al ] OF THE WEST VIRGINIA CODE, THAT AN EMERGENCY TELEPHONE SYSTEM BE ESTABLISHED AS PROVIDED FOR IN THE FINAL PLAN ATTACHED HERETO, THAT SUCH FINAL PLAN BE ADOPTED, AND THAT THE FEE FOR THE CAPITAL, INSTALLATION AND MAINTENANCE OF SUCH SYSTEM BE IMPOSED IN ACCORDANCE WITH THE PROVISION OF SUCH FINAL PLAN.

FINAL PLAN FOR THE ENHANCED EMERGENCY TELEPHONE SYSTEM OF BERKELEY COUNTY, WEST VIRGINIA

SECTION 1 - DEFINITIONS:

As used in this final plan, unless the context clearly requires a different meaning:

- (a) "County answering point" means a facility to which enhanced emergency telephone system calls for a county are initially routed for response, and where county personnel respond to specific requests for emergency service by directly dispatching the appropriate emergency service provider or transferring the call to the appropriate provider.

- (b) "County Commission" means the County Commission of Berkeley County , West Virginia.
- (c) "County" means Berkeley County, West Virginia.
- (d) "Emergency Service Provider" means any emergency service organization or public safety unit.
- (e) "Enhanced Emergency Telephone System" means a telephone system which automatically connects the person dialing the primary emergency number to the county answering point and in which the telephone network system automatically provides to personnel receiving the call, immediately on answering the call, information on the location and the telephone number from which the call is being made, and upon direction from the personnel receiving the call routes such call to emergency service providers that serve the location from which the call is made.
- (f) "Local Exchange Service Line" means the same as defined in the contract attached to this final plan as Appedix A.
- (g) "Telephone Company" means a public utility which is engaged in the provision of telephone service.

SECTION 2 - TERRITORY INCLUDED IN SYSTEM

- (a) All territory in the county, including every municipal corporation in the county, which is served by telephone company central office

equipment that will permit an enhanced emergency telephone system to be established, shall be included in the system.

- (b) The municipal corporation included in the system shall include, but shall not be limited to the following:

Martinsburg, Hedgesville.

### SECTION 3 - COUNTY ANSWERING POINT

- (a) The county answering point shall be operated constantly.

- (b) There shall be one county answering point. The location of such answering point is as follows:

Berkeley County Cental Dispatch  
802 S. Queen Street  
Martinsburg, WV 25401  
(Located in the Berkeley County  
Emergency Services Building)

- (c) All areas of Berkeley County will be served by this answering point.

- (d) The answering point shall respond to calls as follows:

By directly dispatching an emergency provider or by transferring the call to the appropriate provider.

- (e) The county answering point shall be connected to the telephone network as follows:

By dedicated automatic identification trunks.

SECTION 4 - EMERGENCY SERVICE PROVIDERS; HANDLING  
OF MISDIRECTED CALLS

- (a) Every emergency provider that provides emergency service within the territory of the county shall participate in the enhanced emergency telephone system.
- (b) The emergency providers referred to in subsection (a) shall be the following:  
Martinsburg Fire and Rescue Company; Back Creek Valley Volunteer Fire and Rescue Company; Baker Heights Volunteer Fire and Rescue Company; Bedington Volunteer Fire and Rescue Company; Hedgesville Volunteer Fire and Rescue Company; South Berkeley Volunteer Fire and Rescue Company; Veterans Administration Fire Department; Berkeley County Sheriffs Department; Martinsburg Police Department; Martinsburg Detachment of the West Virginia State Police; West Virginia Department of Natural Resources; Berkeley County Animal Wardens.
- (c) Each emergency provider will respond to a misdirected call in the following manner: When an emergency call is received, the provider will take all necessary information and relay to the proper agency. When non-emergency calls are misdirected, the caller will be advised of the proper agency and the telephone number to call.

- (d) Each emergency provider participating in the system shall maintain a telephone number in addition to the one provided in the system.

SECTION 5 - PROJECTION OF COSTS

"SEE ATTACHMENT"

SECTION 6 - IMPOSITION OF FEE; ADOPTION OF BILLING CONTRACT; ESTABLISHMENT OF SEPARATE E-911 FUND; PAYMENT OF COSTS NOT RECOVERED THROUGH FEE

- (a) Pursuant to section three-cc, article one, chapter seven [ 7-1-1-cc ] of the West Virginia Code, the County Commission of Berkeley County hereby imposes a fee of \$1.50 (one dollar, fifty cents) per month per local exchange service line to finance the projected costs of the capital improvement and maintenance costs of the enhanced emergency telephone system. Such fee shall be used to offset recurring monthly charges, maintenance and dispatcher costs only. Such fee shall not be used to offset the costs associated with the establishing, equipping, furnishing, operating, or maintaining of the county answering point. Such fee shall become effective beginning on June 1, 1996.
- (b) The County Commission of Berkeley County hereby adopts

and ratifies the contract attached hereto as Appendix A for the billing of the enhanced emergency telephone system fee by the Bell Atlantic Telephone Company of West Virginia.

- (c) All fees remitted under the contract referred to in subsection (b) shall be deposited in a separate "E-911 Fund".
- (d) The costs associated with establishing, equipping, furnishing, operating, or maintaining the county answering point shall be paid for as follows:

Berkeley County Central Dispatch has been established since November of 1985. All such costs have already been paid for from the General County Fund.

- (e) The other costs listed in Section 5 shall be paid for as follows:

From the General County Fund.

#### SECTION 7 - TELEPHONE COMPANY

- (a) The terms and conditions of the telecommunications services and facilities provided by the telephone company shall be governed by the applicable tariffs on file with and approved by the Public Service Commission of West Virginia, the rules, regulations and

orders of the Public Service Commission of West Virginia and the laws of the State of West Virginia.

- (b) The telephone company providing the services and facilities identified in subsection (a) is as follows:

Bell Atlantic Telephone Company of West Virginia.

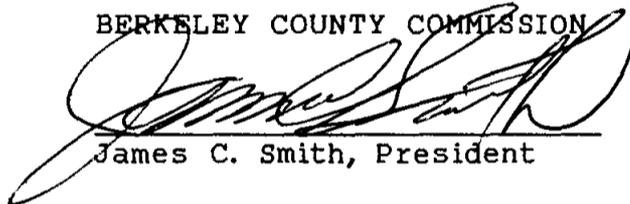
**Section 8 - TARIFFS, RULES AND REGULATIONS, AND LAWS**

This final plan shall be supplemented and superceded by the applicable tariffs on file with approved by the Public Service Commission of West Virginia; the rules, regulations, and orders of the Public Service Commission of West Virginia, and the laws of the State of West Virginia. Such tariffs, rules, regulations, orders and laws shall be deemed incorporated in this final plan as if fully set out herein.

**SECTION 9 - FILING OF PLAN WITH THE PUBLIC SERVICE COMMISSION**

Upon adoption of this plan, the County Commission shall send a copy of such plan to the Public Service Commission of West Virginia.

BERKELEY COUNTY COMMISSION

  
James C. Smith, President

STATE OF WEST VIRGINIA  
COUNTY OF BERKELEY, TO-WIT:

I, Helen L. Vickers, a Notary Public in and for said County, do certify that James C. Smith, signed the writing hereto annexed for the Berkeley County Commission, having this day in my said County, before me, acknowledged the said writing to be the act and deed of said commission.

Given under my hand this 27<sup>th</sup> day of February, 1996.

My Commission Expires:

Helen L. Vickers  
Notary Public

