

**ORDINANCE NUMBER 08-08
OF THE CITY OF FRANKLIN, INDIANA**

**AN ORDINANCE CREATING AND AUTHORIZING
THE WIRELESS EMERGENCY TELEPHONE SYSTEM FUND**

Whereas, the Johnson County Council by Ordinance 89-2 established that a monthly fee was to be assessed on each telephone access line for the purpose of funding the Enhanced Wireless Emergency Telephone System Fund (the "Fund") pursuant to Indiana Code § 36-8-16.5 *et seq.*, and

Whereas, state and local legislation authorizes the County Auditor to distribute monies from the Fund to one or more eligible public safety agencies that receives incoming 911 calls and dispatches appropriate public safety agencies to respond to the calls, and

Whereas, the City of Franklin, Indiana, by and through its Police Department ("Police Department") is a public safety answering point ("PSAP") that is the public safety agency that receives incoming 911 calls and dispatches appropriate public safety agencies to respond to the calls in the City of Franklin and surrounding areas, and

Whereas, the City of Franklin is eligible as a PSAP to receive distributions from the Fund issued by the Johnson County Auditor, and

Whereas, Indiana Code § 36-8-16.5-41 states that a PSAP shall use its distribution for the lease, purchase, or maintenance of wireless enhanced emergency telephone equipment, including:

- (1) necessary computer hardware, software, and data base equipment;
- (2) personnel expense and training;
- (3) the provision of wireless enhanced emergency service; or
- (4) educating consumers about the operations, limitations, role, and responsible use of enhanced 911 service.

Whereas, a fund should be created for the Police Department to receive, retain and use PSAP Wireless Emergency Telephone System Fund proceeds in accordance with this ordinance.

Now, Therefore, the Common Council of the City of Franklin, Indiana, Ordains and Enacts the following:

- 1) **Creation of "Wireless Emergency Telephone System Fund":** The Clerk Treasurer is directed to create a fund into which PSAP Wireless Emergency Telephone System Fund proceeds may be deposited when received from the County Auditor as allowed by law.
- 2) **Authorized Expenditures from the Wireless Emergency Telephone System Fund:** The Police Department is authorized to expend Wireless Emergency Telephone System Fund proceeds deposited into the fund for the lease, purchase, or maintenance of wireless enhanced emergency telephone equipment, including:

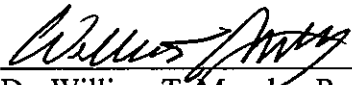
- (1) necessary computer hardware, software, and data base equipment;
 - (2) personnel expense and training;
 - (3) the provision of wireless enhanced emergency service; or
 - (4) educating consumers about the operations, limitations, role, and responsible use of enhanced 911 service.
- 3) **Direction to Clerk Treasurer:** The Clerk Treasurer is directed to take those steps necessary to create and administer the Wireless Emergency Telephone System Fund created by this ordinance, and effectuate the intent of this ordinance in all respects.
- 4) **Construction of Clause Headings.** The clause headings appearing in this ordinance have been provided for convenience and reference, and do not purport and will not be deemed to define, limit, or extend the scope or intent of the clauses to which the headings pertain.
- 5) **Repeal of Conflicting Ordinances.** The provisions of all other ordinances in conflict with the provisions of this ordinance are of no further force or effect, and are now repealed.
- 6) **Severability of Provisions.** If any part of this ordinance is held to be invalid, such part will be deemed severable and its invalidity will have no effect upon the remaining provisions of this ordinance.
- 7) **Duration and Effective Date.** The provisions set forth in this ordinance become and will remain in full force and effect (until their repeal by ordinance) on day of the passage and adoption of this ordinance by signature of the executive in the manner prescribed by Indiana Code § 36-4-6-15, 16.

Introduced and Filed on the _____ day of _____, 2008. A motion to consider same on the First Reading or day of introduction was [not offered] [sustained by a vote of ____ in Favor and ____ Opposed, pursuant to Indiana Code § 36-4-6-13.]

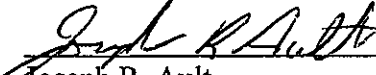
DULY PASSED on this _____ day of _____, 2008 by the Common Council of the City of Franklin, Johnson County, Indiana, having been passed by a vote of ____ in Favor and ____ Opposed.

City of Franklin, Indiana, By its Common Council:

Voting Affirmative:


 Dr. William T. Murphy, President


 Joseph Abban

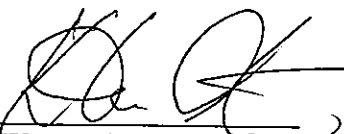

 Joseph R. Ault

Voting Opposed:

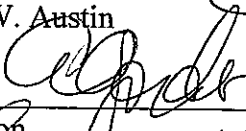
 Dr. William T. Murphy, President

 Joseph Abban

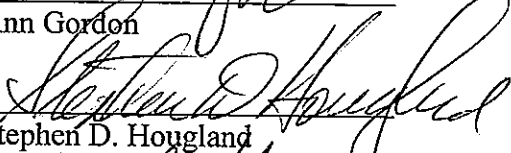
 Joseph R. Ault


Kenneth W. Austin

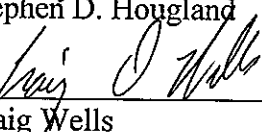
Kenneth W. Austin


Ann Gordon

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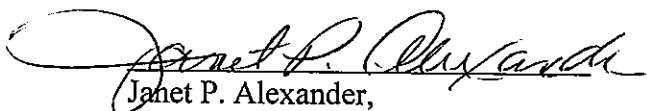

Stephen D. Hougland

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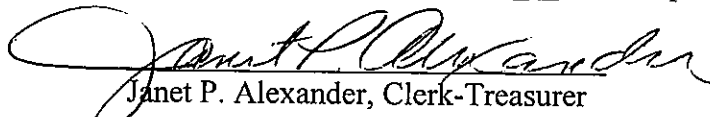

Craig Wells

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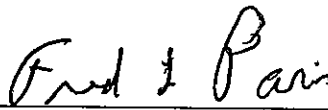
Attest:


Janet P. Alexander,
City Clerk-Treasurer

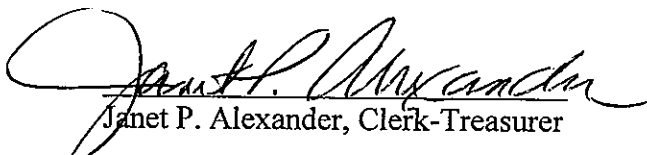
Presented by me to the Mayor of the City of Franklin for his approval or veto pursuant to Indiana Code § 36-4-6-15,16, this 17 day of June, 2008 at 11⁰⁰ o'clock p.m. 17 01


Janet P. Alexander, Clerk-Treasurer

This ORDINANCE having been passed by the legislative body and presented to me was [Approved by me and duly adopted, pursuant to Indiana Code § 36-4-6-16(a)(1)] [Vetoed, pursuant to Indiana Code § 36-4-6-16(a)(2)], this 17 day of June, 2008 at 11⁰⁰ o'clock p.m. 17 01


Fred L. Paris, Mayor

Attest:


Janet P. Alexander, Clerk-Treasurer