

RECORD OF PROCEEDINGS

ORDINANCE #1-1992

AN ORDINANCE IMPOSING AN EMERGENCY TELEPHONE CHARGE UPON TELEPHONE EXCHANGE FACILITIES WITHIN THE TOWN OF FLEMING, COLORADO; AUTHORIZING SERVICE SUPPLIERS TO COLLECT SAID EMERGENCY CHARGES; AND AUTHORIZING THE E-911 AUTHORITY BOARD TO ESTABLISH AND OPERATE AN EMERGENCY TELEPHONE SYSTEM AS PROVIDED IN THE INTERGOVERNMENTAL AGREEMENT OF FEBRUARY 11, 1992, IN THE TERRITORIAL LIMITS OF THE TOWN OF FLEMING, COLORADO; AND AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT CREATING AN E-911 AUTHORITY BOARD FOR LOGAN COUNTY.

WHEREAS, in the interest of protecting and preserving public safety and welfare it is desirable that citizens of Fleming, Colorado, be provided with emergency telephone service to aid the timely provision of emergency service; and

WHEREAS, the Town Council of the Town of Fleming, Colorado, finds that the Town is lawfully authorized to impose a charge upon telephone subscribers within the Town of Fleming, Colorado, and to authorize telephone service suppliers to collect said charge, and to enter into an intergovernmental agreement with other governments and districts within Logan County, pursuant to statute in order to establish and maintain the emergency telephone service system within Logan County; and

WHEREAS, such a system would be in the best interest of the residents of the Town of Fleming, Colorado.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FLEMING, COLORADO, that:

Section 1. There is hereby imposed, pursuant to Title 29, Article II, C.R.S., as amended, an emergency telephone charge in an amount of seventy cents (.70) per month per line in those portions of the Town of Fleming, Colorado, for which emergency telephone service will be provided.

Section 2. Telephone service suppliers providing telephone service in the Town of Fleming, Colorado, are hereby authorized to collect the emergency telephone charge imposed by this ordinance in accordance with Title 29, Article II, C.R.S., as amended.

Section 3. The Mayor is hereby authorized to execute the intergovernmental agreement creating the E-911 Authority Board for Logan County, Colorado, to be entered into by the following parties: The Board of County Commissioners of Logan County; the City of Sterling; the Towns of Merino, Peetz, Iliff, Crook and Fleming; the Sterling Rural Fire Protection District; the Peetz Fire Protection District; the Crook Fire Protection District; the Fleming Fire Protection District; and the Haxtun Fire Protection District.

If any part, section, subsection, sentence, clause or phrase of this ordinance adopted hereby is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the ordinance; the Town Council hereby declares that it would have passed the ordinance in each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more parts, sections, subsections, sentences, clauses or phrases be declared invalid.

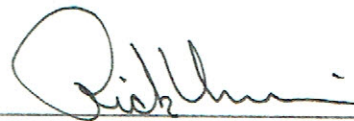
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This ordinance shall not be effective until all parties to this intergovernmental agreement creating the E-911 Authority Board for Logan County have, without exception, by similar ordinance or resolution, approved the establishment of the same "Emergency Telephone Service" at the same prorate user cost or fee as provided or as contemplated for the Town of Fleming, Colorado.

INTRODUCED, READ AND ORDERED POSTED IN THE FOLLOWING THREE PLACES THIS 3RD DAY OF MARCH, 1992.

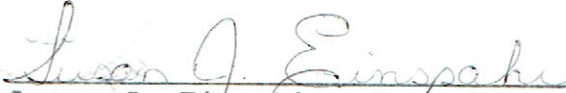
Fleming Town Hall
Fleming Post Office
First National Bank of Fleming

PASSED AND ADOPTED ON SECOND READING THIS 17th DAY OF APRIL, 1992.



Mayor

ATTEST:



Susan J. Einspahr, Town Clerk