

1 [Increasing the Emergency Response Fee imposed on telephone subscribers.]

2

3 **Ordinance amending Article 10A of the Business and Tax Regulations Code by**
4 **amending Sections 753 and 755 to increase the per-line Emergency Response Fee**
5 **imposed on telephone subscribers, as well as the maximum total fee that may be**
6 **imposed on a subscriber, and making environmental findings.**

7 Note: Additions are *single-underline italics Times New Roman*;
8 deletions are *strikethrough italics Times New Roman*.
9 Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

10 Be it ordained by the People of the City and County of San Francisco:

11 Section 1. Findings

12 The Planning Department has determined that the actions contemplated in this
13 Ordinance are in compliance with the California Environmental Quality Act (California Public
14 Resources Code sections 21000 et seq.). Said determination is on file with the Clerk of the
15 Board of Supervisors in File No. _____ and is incorporated herein by reference.

16 Section 2. The San Francisco Business and Tax Regulations Code is hereby amended
17 by amending Section 753, to read as follows:

18 **SEC. 753. IMPOSITION OF EMERGENCY RESPONSE FEE.**

19 (a) There is hereby imposed an emergency response fee on every person who
20 maintains access to the 911 communication system by subscribing to local telephone service
21 within the City and County of San Francisco. For purposes of this Article, with respect to
22 mobile telecommunications services, a person shall be construed to subscribe to local
23 telephone service within the City and County of San Francisco if he or she has a "place of
24 primary use," as such term is defined in the Mobile Telecommunications Sourcing Act, 4
25 U.S.C. § 124(8), within the geographic boundaries of the City.

1 (b) The amount of the fee imposed by this Section shall be paid, on a per line basis,
2 by the person paying for such local telephone service; however, no telephone subscriber shall
3 be required to pay fees in excess of \$10,000 per account per service location in any twelve-
4 month period ending on or before December 31, 1997. Commencing in 1998, no telephone
5 subscriber shall be required to pay fees in excess of \$20,000 per account per service location
6 in any calendar year. Commencing in 2002, no telephone subscriber shall be required to pay
7 fees in excess of \$25,000 per account per service location in any calendar year.
8 Commencing in 2004, no telephone subscriber shall be required to pay fees in excess of
9 ~~\$35,000~~ \$40,000 per account per service location in any calendar year. Commencing in 2005, no
10 telephone subscriber shall be required to pay fees in excess of \$55,000 per account per service location
11 in any calendar year. The cost of wireless telecommunications services shall not be considered
12 for purposes of this subsection (b). The amount of the cap established by this subsection
13 shall be adjusted annually by the Consumer Price Index: All Urban Consumers for the San
14 Francisco / Oakland / San José Area for All Items as reported by the United States Bureau of
15 Labor Statistics.

16 (c) Only one payment of the fee herein imposed shall be required for any access
17 line, trunk line or high capacity trunk line, notwithstanding that access lines of more than one
18 person are used in furnishing local telephone service to a telephone subscriber.

19 (d) Revenues generated by the emergency response fee shall be deposited in the
20 911 emergency response fund authorized by Section 10.100-67 of the San Francisco
21 Administrative Code and shall be used exclusively to pay for eligible project costs and eligible
22 operating costs, including eligible operating costs accruing in Fiscal Year 2001-2002 before
23 adoption of the ordinance in Board of Supervisors File Number 02-0193.

24 Section 3. The San Francisco Business and Tax Regulations Code is hereby amended
25 by amending Section 755, to read as follows:

1 **SEC. 755. FEE SCHEDULE.**

2 The amount of the fee shall be \$.50 per month per access line or \$2.50 (5 × \$.50) per
3 month per trunk line. Commencing on December 1, 1997, the amount of the fee shall be
4 \$1.00 per month per access line or \$5.00 per month per trunk line. Commencing on August 1,
5 2002, the amount of the fee shall be \$1.00 per month per access line, \$7.50 per month per
6 trunk line, and \$135 per month per high capacity trunk line. Commencing on December 1,
7 2002, the amount of the fee shall be \$1.25 per month per access line, \$9.38 per month per
8 trunk line, and \$168.75 per month per high capacity trunk line. Commencing on November 1,
9 2003, the amount of the fee shall be \$1.75 per month per access line, \$13.13 per month per
10 trunk line and \$236.25 per *month per* high capacity line. Commencing on November 1, 2004, the
11 amount of the fee shall be \$2.75 per month per access line, \$20.62 per month per trunk line and
12 \$371.15 per month per high capacity line.

13 APPROVED AS TO FORM:
14 DENNIS J. HERRERA, City Attorney

15 By: _____
16 DAVID A. GREENBURG
17 Deputy City Attorney
18
19
20
21
22
23
24
25