

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

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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.**

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. The San Francisco Business and Tax Regulations Code is hereby amended
12 by amending Sections 753 and 755, to read as follows:

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

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

21 (b) The amount of the fee imposed by this Section shall be paid, on a per line basis,
22 by the person paying for such local telephone service; however, no telephone subscriber shall
23 be required to pay fees in excess of \$10,000 per account per service location in any twelve-
24 month period ending on or before December 31, 1997. Commencing in 1998, no telephone
25 subscriber shall be required to pay fees in excess of \$20,000 per account per service location

1 in any calendar year. Commencing in 2002, no telephone subscriber shall be required to pay
2 fees in excess of \$25,000 per account per service location in any calendar year. *Commencing*
3 *in 2004, no telephone subscriber shall be required to pay fees in excess of \$35,000 per account per*
4 *service location in any calendar year.* The cost of wireless telecommunications services shall not
5 be considered for purposes of this subsection (b). The amount of the cap established by this
6 subsection shall be adjusted annually by the Consumer Price Index: All Urban Consumers for
7 the San Francisco / Oakland / San José Area for All Items as reported by the United States
8 Bureau of Labor Statistics.

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

12 (d) Revenues generated by the emergency response fee shall be deposited in the
13 911 emergency response fund authorized by Section 10.100-67 of the San Francisco
14 Administrative Code and shall be used exclusively to pay for eligible project costs and eligible
15 operating costs, including eligible operating costs accruing in Fiscal Year 2001-2002 before
16 adoption of the ordinance in Board of Supervisors File Number 02-0193.

17 **SEC. 755. FEE SCHEDULE.**

18 The amount of the fee shall be \$.50 per month per access line or \$2.50 (5 × \$.50) per
19 month per trunk line. Commencing on December 1, 1997, the amount of the fee shall be
20 \$1.00 per month per access line or \$5.00 per month per trunk line. Commencing on August 1,
21 2002, the amount of the fee shall be \$1.00 per month per access line, \$7.50 per month per
22 trunk line, and \$135 per month per high capacity trunk line. Commencing on December 1,
23 2002, the amount of the fee shall be \$1.25 per month per access line, \$9.38 per month per
24 trunk line, and \$168.75 per month per high capacity trunk line. *Commencing on November 1,*
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1 2003, the amount of the fee shall be \$1.75 per month per access line, \$13.13 per month per trunk line
2 and \$236.25 per high capacity line.

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4 APPROVED AS TO FORM:
5 DENNIS J. HERRERA, City Attorney

6 By: DAVID A. GREENBURG
7 Deputy City Attorney

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