

CHAPTER 9

SURCHARGE FOR EMERGENCY 911 TELEPHONE SYSTEM

SECTION:

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3-9-1: SURCHARGE IMPOSED: A surcharge is hereby imposed, subject to the provisions of Section 3-9-2, upon all billed subscribers of network connection provided by telecommunications carriers engaged in the business of transmitting messages by means of electricity originating within the corporate limits of the Village for funding of the implementation, maintenance and improvement of a Village "911" Emergency Telephone System.

TRANSMITTING

Shall have the meaning ascribed to the term in section MESSAGES term in section 8-11-2 of the Illinois Municipal Code¹.

3-9-4: EXEMPT NETWORK CONNECTIONS: The Village Clerk shall provide any telecommunications carrier subject to the surcharge with a certified list of those network connections assigned to the Village to be exempt from imposition of the surcharge. The certified list may be revised by the Village on sixty (60) days prior written notice provided to the telecommunications carriers.

3-9-5: EFFECTIVE DATE OF SURCHARGE: The surcharge shall be imposed on the first day of the month following the expiration of thirty (30) days from the date the Village Clerk certifies to any of the telecommunications carriers who are subject to the surcharge that the referendum referred to in Section 3-9-2 has passed.

3-9-6: REMITTANCE: Every telecommunications carrier shall remit to the Village the amount of surcharge collected for each calendar month within thirty (30) days following expiration of any month to which the surcharge applies, net of any network or other "911" or sophisticated "911" system charge then due the particular telecommunications carrier as shown on an itemized bill. The telecommunications carrier collecting the surcharge shall be entitled to deduct three percent (3%) of the gross amount of the surcharge collected to reimburse the telecommunications carrier for the expense of accounting and collecting the surcharge.

3-9-7: WRITTEN REPORT OF REMITTANCE REQUIRED: Simultaneously with the remittance required in Section 3-9-6 above, each telecommunications carrier shall make a written report to the Village Treasurer and Village Manager for the period for which the remittance applies stating as follows:

A. The name of the telecommunications carrier.

¹65 ILCS5/8-11-2

- B. The telecommunications carrier's principal place of business.
- C. The number of network connections to which the surcharge applies.

- D. The amount of surcharge due.
- E. Such other reasonable and related information as the corporate authorities may from time to time require.

3-9-8: ERRONEOUS PAYMENT: If it shall appear that an amount of surcharge has been paid which was not due under the provisions of this Chapter, whether as the result of a mistake of fact or an error of law, then such amount shall be credited against any surcharge due, or to become due, under this Chapter from the telecommunications carrier who made the erroneous payments; provided, that no amounts erroneously paid more than three (3) years prior to the filing of a claim therefor shall be so credited. (Ord. 89-1082-49)

