

June 1, 2010

Mr. George Corn  
Ravalli County Attorney  
Ravalli County Courthouse  
205 Bedford Street  
Hamilton, MT 59840

Re: Impact Fees-- 9-1-1 dispatch center

Dear Mr. Corn:

I've reviewed the material sent with your letter inquiring about Mont. Code Ann. § 7-6-1601(1)(e), which you've mis-cited in your letter as 7-6-1607(1)(e). I know nothing about Ravalli County's 9-1-1 dispatch center and cannot comment about whether as a matter of fact it is eligible for funding through impact fees under all of the other requirements of title 7, chapter 6, part 3. However, it is my opinion that under the plain meaning of the statutes a facility administering 9-1-1 dispatch services falls within the scope of Mont. Code Ann. § 7-6-1601(1)(e)--"a police, emergency rescue, or fire protection facility."

For purposes of emergency 9-1-1 service, Ravalli County is a "public safety agency" under Mont. Code Ann. § 10-4-101(24), *i.e.* "a county . . . that provides or has authority to provide emergency services." "Emergency services," as defined in Mont. Code Ann. § 10-4-101(9), include police, emergency rescue, and fire protection services that counties provide. It inexorably follows that a "facility" that provides 9-1-1 services is a "police, emergency rescue, or fire protection facility."

I hope you find my views helpful. This letter does not constitute an official opinion of the Attorney General.

Sincerely,

CHRIS D. TWEETEN  
Chief Civil Counsel

cdt/jym