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Jim Bradley: Unincorporated police fee -- a different way to pay

By Jim Bradley

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By now, the home and business owners of unincorporated Salt Lake County have received their bill for the new fee implemented by the Salt Lake Valley Law Enforcement Service Area to help pay for law enforcement services in unincorporated Salt Lake County.

This fee was not imposed by the Salt Lake County sheriff, but by the SLVLESA board. Creation of the Unified Police Department did not create the need for the fee, but rather, a 30 percent decline in sales tax revenue required this action. The fee proposal was chosen only after significant budget reductions.

Countywide, the budget adopted for 2010 is \$140 million less than the budget adopted for 2009. In the municipal services fund, the mayor and County Council cut the budget for all non-police services (roads, snow plowing, planning, etc.) by 25 percent. This reduction included salary and wage cuts for all employees and elected officials and elimination of a 3 percent contribution to employee and elected officials' 401(k) accounts. In addition, the council cut the budget for police services by 7 percent. After all of these cuts, we still had a \$13 million revenue shortfall. At that point, the unanimous choice of the nine-member, bipartisan County Council was to implement a police fee rather than a property tax increase.

I realize that the fee feels very much like a tax. It comes out of your wallet and funds a government service. However, there are some distinct legal differences between fees and taxes and these differences led to the council's decision.

Transparency: The police fee is absolutely transparent. The fee is not hidden away in a utility bill like the utility franchise tax, nor is it buried in your property tax statement. As a homeowner, you know exactly how much you are paying for law enforcement and you know where every penny goes. From a public policy perspective, this is exactly the right way to ask citizens for money for governmental services; show citizens the cost and exactly how much they have to pay for the service.

However, I realize this is not necessarily the most politically popular approach. Many politicians would much rather have an arms-length distance between themselves and taxation. That distance tends to make elections easier. I would argue, however, that citizens will find this new, more direct approach, honest and refreshing.

Broad-based: Under the law, the police fee can be charged to entities that traditionally use governmental services but do not pay taxes. In cities throughout Utah, hospitals, churches, non-profit organizations, and schools pay utility franchise fees and those fees help fund government services. In cities, tax-exempt entities have never argued that utility franchise fees violate their tax-exempt status or that the fees are unfair. The citizens of the unincorporated county deserve to have tax-exempt entities within the unincorporated area pitch in to help cover service costs as well. The police fee allows this.

Disproportionate charges: Unlike a tax which is based strictly on the value of property, the police fee can be assessed at a higher rate to those classifications of businesses that traditionally place a higher demand on police services. Again, the disproportionate fee model adopted by the SLVLESA board mirrors the disproportionate business license fee structure adopted by many cities. Businesses that use more public safety services are accustomed to paying more. The citizens and small businesses of the unincorporated county deserve to have those who use more pay more. This approach helps hold down the cost for those who use less.

Flexible: Tax levies are established once each year. The police fee is more flexible. If sales tax revenue rebounds, or if police fee revenue exceeds budget projections, the SLVLESA Board can lower the fee at any time. While I know most citizens may doubt this would ever happen, we are committed to lowering the

fee as soon as possible.

Over the past several weeks, I have had the pleasure of conversing with hundreds of citizens regarding the fee. While most have been less than excited about paying the fee, the majority have accepted its necessity and appreciate its transparency.

I want to assure you that this is not a clever way to simply increase revenues. The fee replaces lost sales tax revenues and we, as local officials, have reduced costs significantly to help ease the burden. I appreciate the understanding of our citizens regarding the cause, honesty and necessity of the fee approach.

Jim Bradley is a Salt Lake County Council member at large and a SLVLESA trustee.

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