

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County

~~CH~~XXX

~~TOWNSHIP~~

~~VILLAGE~~

of Niagara

Local Law No. 6 of the year 2001

A local law Establishing an E911 Surcharge in Niagara County

(Insert Title)

Be it enacted by the Legislature of the

(Name of Legislative Body)

County

~~CH~~XXX

~~TOWNSHIP~~

~~VILLAGE~~

of Niagara as follows:

A LOCAL LAW ESTABLISHING AN E911 SURCHARGE
IN NIAGARA COUNTY

Section 1. Pursuant to County Law section three hundred three, there is hereby established a surcharge of thirty-five cents per telephone access line per month on the customers of every telephone service supplier, as defined by subdivision seven of section three hundred one of the County Law, within Niagara County.

Section 2. Such surcharge is imposed to pay for the costs associated with obtaining and maintaining the telecommunication equipment and telephone services needed to provide an enhanced 911 emergency telephone system to serve Niagara County.

Section 3. All telephone suppliers in Niagara County shall begin to add such surcharge to the billings of its customers on the 15th day of February, 2002.

Section 4. Enhanced 911 emergency telephone service has been in place in Niagara County since the 25th day of November, 1986.

Section 5. Each service supplier within the County shall be given a minimum of forty-five (45) days written notice prior to the date it shall begin to add such surcharge to the billings of its customers, or prior to any change in or modification to the surcharge amount.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

Section 6. The surcharge shall have uniform application and is imposed throughout the entire County, except that:

a. No surcharge shall be imposed upon more than seventy-five exchange access lines per customer per location; and

b. Lifeline customers, a public safety agency (as defined in Article 6 of the County Law), and the County of Niagara shall be exempt from the surcharge imposed by this local law.

Section 7. Service suppliers serving the Niagara County 911 service area shall act as collection agent for the County and shall remit the funds collected as the surcharge to the Niagara County Treasurer every month. Such funds shall be no later than thirty (30) days after the last business day of such period.

Section 8. Each service supplier shall annually provide the County an accounting of the surcharge amounts billed and collected.

Section 9. Each service supplier customer who is subject to the provisions of this local law shall be liable to the County for the surcharge until it has been paid to the County, except that payment to a service supplier is sufficient to relieve the customer from further liability for such surcharge.

Section 10. This local law shall be effective immediately.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ 6 _____ of 20⁰¹ of the (County)(City)(Town)(Village) of _____ Niagara _____ was duly passed by the _____ Niagara County Legislature _____ on _____ December 19, 20⁰¹, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20_____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20_____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20_____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

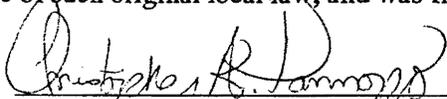
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ 1____, above.



Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body

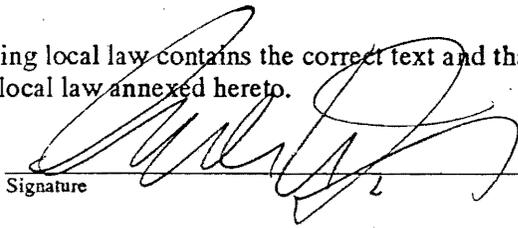
(Seal)

Date: 12/21/2001

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF NEW YORK

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.



Signature

County Attorney

Title

County
~~CITY~~ of Niagara
~~TOWN~~
~~VILLAGE~~

Date: 12/21/01