

# Local Law Filing

(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

City of Niagara

Town

Village

Local Law No. 4 of the year 20 09

A local law "Niagara County Silver Alert System"  
(Insert Title)

Be it enacted by the Legislature of the  
(Name of Legislative Body)

County

City of Niagara

as follows:

Town

Village

## Section 1. Name of Local Law

This Local Law shall be known as "The Niagara County Silver Alert System".

## Section 2. Legislative Intent and Purpose

A. Seventy percent (70%) of Alzheimer's disease and other dementia patients are cared for at home by family members, in what are often extraordinary and moving acts of love and devotion during the progress of the disease, which on average lasts between five and fifteen years, and is marked by progressive symptoms that over time make the patient completely dependent on their caregivers.

B. A common behavior of this disease that causes great concern for families and caregivers is wandering, and the risk to these vulnerable individuals increases exponentially the longer they remain missing. There have been several recent incidents in which a New York State citizen diagnosed with Alzheimer's disease or other form of dementia has engaged in wandering, and the locality was not equipped with the tools necessary to locate them in a timely manner, with the unfortunate result that these individuals never returned home to their families.

C. A number of states and municipalities as well as the federal government have either developed or are considering a "Silver Alert" System, similar to the Amber Alert System, which allows local law enforcement to disseminate to media outlets vital information about these vulnerable citizens who have wandered from their caretakers, to aid in the search and safe return of these individuals to those responsible for them.

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

D. The purpose of this local law is for Niagara County, in its ongoing mission to provide essential services to protect its vulnerable population, to establish a Silver Alert System that will provide rapid dissemination of information to the public regarding missing senior citizens and other individuals suffering from Alzheimer's disease, dementia and other cognitive disorders in an effort to expedite the search and safe recovery of those individuals.

### **Section 3. Definitions**

As used in this article, the following terms shall have the meanings indicated:

A. **County** – The County of Niagara, New York

B. **Silver Alert System** – A system that will provide the rapid dissemination of information regarding missing senior citizens and other individuals suffering from Alzheimer's disease, dementia or other cognitive disorders

### **Section 4. Procedures**

A. The Niagara County Sheriff's Department in conjunction with the Association of Police Chiefs shall establish a Silver Alert System, develop guidelines and set up procedures for issuing a Silver Alert, and maintain a database of media, organizations and other outlets to be notified when a senior citizen or other individual suffering from Alzheimer's disease, dementia or other cognitive disorder is reported missing.

B. The Niagara County Sheriff's Department will work jointly with the various town and village police departments within the County and the Alzheimer's Association National MedicAlert+ Safe Return Program to rapidly disseminate information regarding missing senior citizens and other individuals suffering from Alzheimer's disease, dementia or other cognitive disorders.

C. The Niagara County Sheriff's Department will issue a Silver Alert, unless it is deemed inappropriate due to particular circumstances, each time a senior citizen or other individual suffering from Alzheimer's disease, dementia or other cognitive disorders is reported missing to the Sheriff's Department.

D. The Silver Alert distributed to the public shall contain the following information:

1. The missing individual's name;
2. The missing individual's age;
3. A physical description of the missing individual, including, if known, a description of the clothing the individual was last seen wearing;
4. The last location where the missing individual was seen, and
5. The description of any motor vehicle the missing may be driving and the direction in which it was last seen traveling.

### **Section 5. Severability**

If any clause, sentence, paragraph, subdivision, section or part of this local law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect

or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

### **Section 6. Effective Date**

This Local Law shall become effective immediately upon the filing with the Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.

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

I hereby certify that the local law annexed hereto, designated as local law No. 4 of 20 09 of the (County)(City)(Town)(Village) of Niagara was duly passed by the Niagara County Legislature on December 1, 20 09, in accordance with the applicable (Name of Legislative Body) provisions of law.

**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) (Name of Legislative Body) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted (Elective Chief Executive Officer\*) on \_\_\_\_\_ 20 \_\_\_\_\_, in accordance with the applicable provisions of law.

**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) (Name of Legislative Body) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_ (Elective Chief Executive Officer\*)

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.

**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) (Name of Legislative Body) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_. Such local (Elective Chief Executive Officer\*) 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.

\* 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.)**

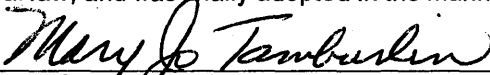
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority 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

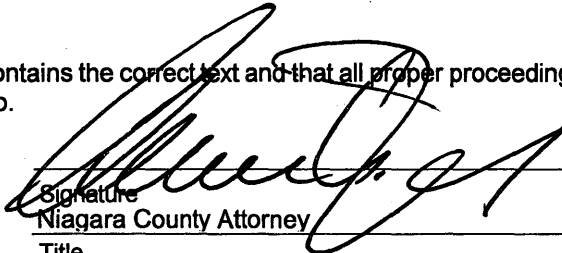
Date: 12/11/09

(Seal)

**(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 Niagara

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  
Niagara County Attorney  
Title

County  
City of Niagara  
Town  
Village

Date: 12/07/2009