

(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 2000

A local law known as the Niagara County Wireless 911 Call Routing Law
(Insert Title)
.....
.....
.....

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

County
~~CITY~~ of Niagara as follows:
~~TOWN~~
~~VILLAGE~~

NIAGARA COUNTY WIRELESS 911 CALL ROUTING LOCAL LAW

1. Authority. This local law is enacted under authority of Section 10 of the Municipal Home Rule Law of the State of New York, Article IX of the State Constitution of New York, the County Law, and other applicable statutory and decisional law.

2. Definitions. For the purpose of this law:

a. "Wireless Telephone Service" means all commercial mobile services, as that term is defined in Section 332(d) of Title 47, United States Code, including all broadband personal communications services, wireless radio telephone services, geographic area specialized and enhanced specialized mobile radio services, and incumbent wide area specialized mobile radio licensees, which offer real time, two-way voice service that is interconnected with the public switched telephone network.

b. "Wireless Telephone Service Supplier" means any "corporation" or "person," as those terms are defined in Section 1080 of the Tax Law, which provides wireless telephone service in New York State.

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

c. "Niagara County Public Service Answering Point" or Niagara County Sheriff's Department PSAP" means the site designated and operated by the County of Niagara through its Sheriff's and Fire Coordinator's Offices for the purpose of receiving emergency calls including those from a wireless telephone service and dispatching needed emergency services.

3. Routing. All wireless telephone service suppliers doing business in Niagara County shall route all 911 emergency calls to the Niagara County Sheriff's Department Public Service Answering Point (PSAP).

4. Remedies:

a. Any wireless telephone service supplier failing to observe the requirements of "Routing" above, shall be liable for personal injury including death and/or property damage caused or exacerbated by reason of said failure.

b. The Niagara County Legislature is authorized to pursue any appropriate legal remedy including but not limited to injunction to effectuate the purposes of this local law.

5. Separability and Saving Provisions. This local law is separate and apart from any other local law and each provision hereof is separate from any other provision. If this law or portion thereof is found to be invalid, no other law or unaffected portion of this law shall be affected thereby and shall remain in full force and effect.

6. Effective Date. This law shall be effective upon its filing with the New York State Secretary of State.

(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. 4 of 2000 of the (County)(~~City~~)(~~Town~~)(~~Village~~) of Niagara was duly passed by the Niagara County Legislature on June 20 2000, 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.
(Elective Chief Executive Officer)*
(Name of Legislative Body)

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.
(Elective Chief Executive Officer)*
(Name of Legislative Body)

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.
(Elective Chief Executive Officer)*
(Name of Legislative Body)

* 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.)

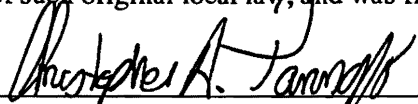
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20_____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified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



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

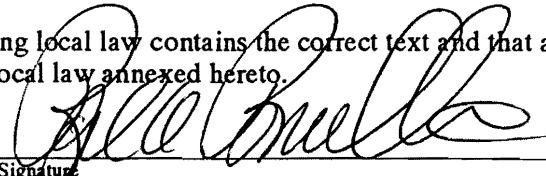
(Seal)

Date: 6/23/2000

(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

County Attorney

Title

County
~~XXXX~~ of Niagara
~~XXXX~~
~~XXXX~~

Date: 6/22/2000