

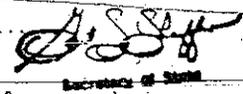
(Please Use this Form for Filing your Local Law with the Secretary of State)

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.

OFFICE OF THE SECRETARY OF STATE  
DEPARTMENT OF STATE

RECEIVED DEC 22 1989

County \_\_\_\_\_  
City of \_\_\_\_\_ ERIE  
Town \_\_\_\_\_  
Village \_\_\_\_\_



Local Law No. 13 of the year 19 89

A LOCAL LAW establishing an E911 surcharge in Erie County.

Be it enacted by the ERIE COUNTY LEGISLATURE of the  
(Name of Legislative Body)

County \_\_\_\_\_  
City of \_\_\_\_\_ ERIE as follows:  
Town \_\_\_\_\_  
Village \_\_\_\_\_

The Erie County Legislature does hereby enact as follows:

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 Erie county.

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 Erie county.

3. All telephone suppliers in Erie county shall begin to add such surcharge to the billings of its customers on the fifteenth day of February, nineteen hundred ninety.

4. Enhanced 911 emergency telephone service has been in place in Erie county since the eighteenth day of July nineteen hundred eighty-eight.

5. Each service supplier within the county shall be given a minimum of forty-five days written notice prior to the date it shall begin to add such surcharge to the Billings of its

(If additional space is needed, please attach sheets of the same size as this and number each)

customers, or prior to any change in or modification to the surcharge amount.

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 and the county of Erie shall be exempt from the surcharge imposed by this local law.

7. Service suppliers serving the Erie county 911 service area shall act as collection agent for the county and shall remit the funds collected as the surcharge to the Erie county commissioner of finance every month. Such funds shall be remitted no later than thirty days after the last business day of such period.

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

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.

10. This local law shall be effective immediately.

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein 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. .... of 19 .....~~  
~~County~~  
~~City~~  
~~of the Town of .....~~ was duly passed by the .....  
~~Village~~ (Name of Legislative Body)  
~~on ..... 19 .....~~ in accordance with the applicable provisions of law.

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

I hereby certify that the local law annexed hereto, designated as local law No. ... 13 ... of 19 89  
County  
of the ~~Town~~ of ... ERIE ... was duly passed by the ... ERIE COUNTY LEGISLATURE  
Village (Name of Legislative Body)  
on December 5 19 89 ~~not disapproved~~ and was approved by the ERIE COUNTY EXECUTIVE  
~~repassed after disapproval~~ Elective Chief Executive Officer\*  
and was deemed duly adopted on December 19 19 89, 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 19 .....~~  
~~County~~  
~~City~~  
~~of the Town of .....~~ was duly passed by the .....  
~~Village~~ (Name of Legislative Body)  
~~on ..... 19 .....~~ not disapproved  
~~and was approved~~ and was approved by the .....  
~~repassed after disapproval~~ repassed after disapproval Elective Chief Executive Officer\*  
~~on ..... 19 .....~~ Such local law was submitted to the people by reason of a  
mandatory referendum, and received the affirmative vote of a majority of the qualified electors voting  
permissive referendum, and received the affirmative vote of a majority of the qualified electors voting  
general  
thereon at the special election held on ..... 19 ..... in accordance with the applicable  
annual  
provisions of law.

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

~~I hereby certify that the local law annexed hereto, designated as local law No. .... of 19 .....~~  
~~County~~  
~~City~~  
~~of the Town of .....~~ was duly passed by the .....  
~~Village~~ (Name of Legislative Body)  
~~on ..... 19 .....~~ not disapproved  
~~and was approved~~ and was approved by the .....  
~~repassed after disapproval~~ repassed after disapproval Elective Chief Executive Officer\*  
~~on ..... 19 .....~~ Such local law was subject to a permissive referendum and  
no valid petition requesting such referendum was filed as of ..... 19 .....  
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 chairman of the county legislative body, the mayor of a city or village or the supervisor of a town where such officer is vested with power to approve or veto local laws or ordinances.

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

~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19 \_\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of ~~§36~~<sup>§37</sup> 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~~<sup>general</sup> election held on \_\_\_\_\_ 19 \_\_\_\_\_ 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 19 \_\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the Electors at the General Election of November \_\_\_\_\_, 19 \_\_\_\_\_ 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 of 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.~~

*[Handwritten Signature]*

Clerk of the County legislative body, ~~County Executive~~  
~~Officer designated by local legislative body~~

Date: DECEMBER 19, 1989

(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 ERIE

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.

*[Handwritten Signature: Gabriel M. Mayer]*

Signature

ERIE COUNTY ATTORNEY

Title

Date: DECEMBER 19, 1989

County of ERIE  
City of \_\_\_\_\_  
Town of \_\_\_\_\_  
Village of \_\_\_\_\_