

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 Town Village
(Select one.)

of Livingston

Local Law No. 3 of the year 2011

A local law Imposing a Surcharge for Systems Costs of the E-911 System
(Insert Title)

Be it enacted by the Board of Supervisors of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of Livingston

as follows:

See next page.

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

SECTION 1. By Local Law No. 2 of the year 1992, the County of Livingston established an E911 system and authorized the imposition of a surcharge upon customers of every telephone corporation, which provides local exchange access service within the E911 service area. The New York State legislature has since amended sections 301 and 303 of the County Law to authorize the imposition of the surcharge on customers of every “service supplier” within the county. Service suppliers are defined as telephone corporations that provide local exchange access service within the county and providers of “voice over internet protocol” service or “VOIP service” within the county.

SECTION 2. The Livingston County Board of Supervisors still recognizes the importance of the health, safety and welfare of the citizens of Livingston County and further recognizes that when the lives or property of citizens of the Livingston County are in imminent danger a timely and appropriate assistance must be rendered. The Livingston County Board of Supervisors still finds that the enhanced emergency telephone service known as E911 provides substantial benefits beyond the basic 911 system through the provision of selective routing and automatic number and location identification, and that these enhancements significantly reduce the response time of emergency services.

SECTION 3. Pursuant to and subject to the provisions of Article 6 of the County Law of the State of New York, the Livingston County Board of Supervisors authorizes the imposition of a surcharge in the amount of .35 cents per access line per month on the customers of every service supplier within Livingston County. The surcharge shall be used to pay the costs associated with obtaining and maintaining the tele-communication equipment and telephone services needed to provide the E911 service within Livingston County. The surcharge is currently being imposed on telephone corporations pursuant to Local Law No. 2 of the year 1992 and providers of “voice over internet protocol” service or “VOIP service” shall begin adding such surcharge to the billings of its' customers on May 15, 2011.

Dated at Geneseo, New York
March 9, 2011 (Introduced)
March 23, 2011 (Adopted)

(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. 3 of 2011 of the (County)(City)(Town)(Village) of Livingston was duly passed by the Board of Supervisors on March 23, 2011, 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) (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 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.)

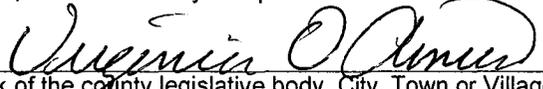
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified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

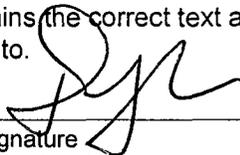
Date: 3-23-11

(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 Livingston

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 Livingston
Town
Village

Date: 3/23/11