

(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~~

of Yates

Local Law No.2..... of the year 20.02..

A local law False Alarm Reduction Act

(Insert Title)

Be it enacted by the Legislature of the

(Name of Legislative Body)

County

~~CITY~~

~~TOWN~~

~~VILLAGE~~

of Yates as follows:

FALSE ALARM REDUCTION ACT

Section 1. Yates County Local Law No. 4 of the Year 1993, is hereby superseded by Local Law 2-2002 as follows:

Section 2. Purpose: The prevention of false security alarms helps to insure that emergency services providers are not diverted by false alarms, and, therefore, provides for the protection, safety, health and well being of persons and property within Yates County.

Section 3. Definitions. a) "Security alarm user." Any person or entity on whose premises a security alarm device is installed. b) "Security alarm device." Any device which, when activated, transmits an audible or visual signal to the Yates County 911 Center or to a Law Enforcement Agency or a private central alarm station which, in turn, relays the message to the Yates County 911 Center. c) "False alarms." Any audible or visual signal transmitted to or relayed to the Yates County 911 Center caused by the activation or malfunction of a security alarm device or private central alarm station, which results in the unnecessary dispatch of an emergency service provider, whether or not the security alarm user is aware of the activation or malfunction. d) "Emergency service provider." Any fire, police, ambulance, medical or rescue service which provides services for relieving human suffering, injury or loss of life or damage to property as the result of an emergency. e) "Alarm Administrator", shall be the Yates County Sheriff or his designee, the Chief Dispatcher.

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

Section 4. a) All security alarm devices operated within Yates County, must be registered with the Alarm Administrator, at the Yates County 911 Center within sixty (60) days of the effective date of this local law.

b) Prior to activation of any security alarm device, the security alarm user must fill out and file with the Yates County Sheriff's Office, the Yates County 911 Center Alarm Registration Application Information Sheet. The security alarm user must notify the Yates County 911 Center of any changes to the information in the Alarm Registration Application Information Sheet prior to or simultaneously with any changes and of any deactivation of the security alarm device within five (5) days of the deactivation.

Section 5. No automatic security alarm device dialers may use the Emergency 911 phone line. Alarm notification with the Yates County 911 Center must be made via a phone number designated solely to alarms or by a dedicated phone line to an alarm board. Any Law Enforcement Agency receiving a security alarm device alert from within Yates County shall give notice without unnecessary delay to the Yates County 911 Center of the alarms activation and of their response, if any. All determined false alarms shall be reported to the Alarm Administrator.

Section 6. a) Effective, January 1, 2003 and thereafter, false alarms are hereby prohibited. There is imposed a fine upon any security alarm user for each false alarm as follows:

- | | |
|--|-----------------|
| 1) 1 st , 2 nd and 3 rd false alarm per calendar year | Written Warning |
| 2) 4 th false alarm per calendar year | \$50.00 Fine |
| 3) Each additional false alarm per calendar year | \$100.00 Fine |

b) Effective January 1, 2003 and thereafter, violations other than a) False Alarms are hereby prohibited and subject to a \$50.00 fine.

Section 7. Fines shall be payable to the Yates County Treasurer within thirty (30) days of receipt by the security alarm user of written notice of the imposition of the fine.

Section 8. Any security alarm user who receives notice of imposition of a fine or notice of a failure to comply with this local law, may request a hearing before the Public Safety Committee of the Yates County Legislature regarding such fine or failure to comply by serving a written request for hearing with the Clerk of the Yates County Legislature within fifteen (15) days of his/her receipt of the notice of imposition of a fine or notice of a failure to comply with this local law.

Upon service of a written request for a hearing, the deadline for payment of the fine or proof of compliance with this local law shall be extended to fifteen (15) days after receipt by the security alarm user of the hearing result. After making its determination, the Public Safety Committee of the Yates County Legislature shall give written notice thereof to the applicant, who shall be entitled to have said determination reviewed by a proceeding pursuant to the provisions of Article 78 of the Civil Practice Law and Rules.

Section 9. The Alarm Administrator, upon reasonable notice to security alarm user, may suspend alarm registration and or a dispatched response if it is determined that the security alarm user has failed to make payment of a fine assessed pursuant to Section 6a or b of this local law or has failed to comply with Section 4a or b requirements. The user may appeal a suspension as outlined in Section 8. The Alarm Administrator shall notify Yates County Law Enforcement Agencies of registration and or response suspensions.

Section 10. If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment, decree or order shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment, decree or order shall have been rendered and the remainder of this Local Law shall not be affected thereby and shall remain in full force and effect.

Section 11. All notices referred to in this local law shall be served either personally or by certified mail return receipt requested.

(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. _____ 2 _____ of 20__02__ of the (County)(City)(~~Town~~)(~~Village~~) of _____ ^{Yates} _____ was duly passed by the _____ Legislature _____ on 10/15 _____ 20__02__, 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 _____, above.

Corrie C. Hayes

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

(Seal)

Date: 10/15/02

(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 Yates

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.

Burnette A. Boury

Signature

County Attorney

Title

County
~~City~~
~~Town~~ of Yates
~~Village~~

Date: Oct. 16, 2002