

LOCAL LAW NO. 1-99
COUNTY OF CHAUTAUQUA

(A Local Law Regulating Automatic Alarm Dialing Devices throughout the County of
Chautauqua)

BE IT ENACTED, by the Chautauqua County Legislature, as follows:

Section 1. Purpose.

The purpose of this Local Law is to promote the health, safety, and general welfare of the residents of the County of Chautauqua by regulating automatic alarm dialing devices which interconnect into the County's dispatch center and to eliminate dialing devices interconnected into the Emergency 911 Telephone System of the County. This Local Law seeks to ensure that police, ambulance, fire and rescue emergency personnel are available for dispatch to actual emergencies and to alleviate the hindrance of automatic dialing devices tying up the Emergency 911 Telephone System.

Section 2. Definition.

An "Alarm System" shall include a device or an assembly of equipment which emits an audible, visual, or other similar response which is intended to alert persons outside a premise to the existence of a hazard or emergency; or which is intended to alert emergency agencies by automatically dialing an emergency agency; or which is connected to a central station or answering service for the purpose of reporting such alarms to emergency agencies.

Section 3. Emergency 911 Telephone System and Interfacing.

No Alarm System's automatic dialing device shall be interconnected or otherwise connected to the Emergency 911 Telephone System of the County, without the written authorization of the Sheriff. The Sheriff in his discretion may permit automatic dialing devices to transmit signals directly to the Sheriff's Office, provided that such interconnection is in conformance with written instructions from the Sheriff and uses designated telephone numbers and trunklines. In addition, the Sheriff may require such automatic dialing devices to meet the following minimum standards:

1. The device shall not be the type which shall hold the designated trunkline open after the Sheriff's Office has broken the telephone connection.
2. The device shall not dial the Sheriff's Office designated number more than once as a result of a single activation. The device shall not repeat its message more than six (6) times after the call has been answered by the Sheriff's Office.

Section 4. Penalties.

A. The violation by any person of the provisions of this Local Law by interconnecting or otherwise connecting an automatic dialing device to the Emergency 911 Telephone System of the County without the written permission of the Sheriff shall be considered an offense in accordance with section 10 of the New York State Penal Law, and any person, upon being convicted of such offense, shall be punishable by a fine of not more than Five Hundred Dollars (\$500.00). Any person, upon being convicted of a subsequent offense, shall be punishable by a fine or not more than One Thousand Dollars (\$1,000.00).

B. The violation by any person of the provisions of this Local Law by interconnecting an automatic dialing device to the Sheriff's special trunkline that does not comply with the standards set by the Sheriff shall be considered an offense in accordance with section 10 of the New York State Penal Law, and any person, upon being convicted of such offense, shall be punishable by a fine of not more than Five Hundred Dollars (\$500.00). Any person, upon being convicted of a subsequent offense, shall be punishable by a fine or not more than One Thousand Dollars (\$1,000.00)

Section 6. Liability.

The County of Chautauqua shall not be liable for any defects in operation of emergency alarm systems, including automatic dialing devices, for any failure to respond appropriately or for any erroneous response upon receipt of any emergency alarm signal. Nor shall the County be liable for the failure or defect of any installation, operation, or maintenance of equipment, the transmission of alarm signals or messages, or the relaying of such signals or messages. In the event that the County finds it necessary to disconnect a defective alarm or device, the County shall incur no liability therefrom.

Section. 7. Severability.

If any section, subsection, sentence, clause, phrase, or word of this Local Law is for any reason held to be invalid by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this ordinance.

Section. 8. Effective Date.

This Local Law shall take effect on January 1, 1999.

Introduced: 11/18/98

Unanimously Adopted: 12/16/98 (Roll Call Vote: 24 Yes, 1 Absent.)

Public Hearing: 1/4/99

Adopted as Local Law 1-99