

last business day of the month.

(b) Each wireless communications service supplier shall be entitled to retain, as an administrative fee, an amount equal to two percent (2%) of its collections of the surcharge imposed under the provisions of this section.

(c) The surcharge required to be collected by a wireless communications service supplier shall be added to and stated separately in its billings to customers.

(d) Each wireless communications service customer who is subject to the provisions of this section shall be liable to the County of Seneca for the surcharge until it has been paid to the county except that payment to a wireless communications service supplier shall be sufficient to relieve the customer from further liability for such surcharge.

(e) No wireless communications service supplier shall have a legal obligation to enforce the collection of the surcharge imposed under the provisions of this section, provided, however, that whenever the wireless communications service supplier remits the funds collected to the County of Seneca, it shall also provide the County of Seneca with the name and address of any customer refusing or failing to pay the surcharge imposed under the provisions of this section and shall state the amount of such surcharge remaining unpaid.

(f) Each wireless communications service supplier shall annually provide to the County of Seneca an accounting of the surcharge amounts billed and collected.

(g) All surcharge monies remitted to the County of Seneca by a wireless communications service supplier shall be expended only upon authorization of the Seneca County Board of Supervisors and only for payment of system costs or other costs associated with the design, construction, operation, maintenance, and administration of public safety communications networks serving Seneca County. The County of Seneca shall separately account for and keep adequate books and records of the amount and source of all such monies and of the amount and object or purpose of all expenditures thereof. If, at the end of any fiscal year, the total amount of all such monies exceeds the amount necessary for payment of the above mentioned costs in such fiscal year, such excess shall be reserved and carried over for the payment of those costs in the following fiscal year.

SECTION 3. The County of Seneca shall be exempt from the surcharge imposed under this local law.

SECTION 4. This local law shall take effect on January 1, 2012, provided, however, that a wireless communications service provider may treat the address used by such supplier for any wireless communications customer under a service contract or agreement in effect on the date of the adoption hereof by the Board of Supervisors, as that wireless communications customer's place of primary use for the remaining term of such service contract or agreement, for purposes of determining the taxing jurisdiction with respect to taxes on wireless communication service.

(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 2011 of the (County)(City)(Town)(Village) of SENECA was duly passed by the BOARD OF SUPERVISORS on SEPTEMBER 27 2011, in accordance with the applicable provisions of law.

~~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.

~~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.

~~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 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.)~~

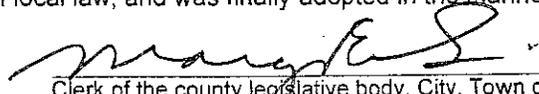
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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 1 above.



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

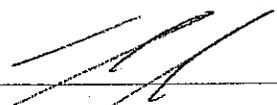
Date: 9/29/2011

(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 SENECA

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 Seneca
Town _____
Village _____

Date: 9/29/2011



STATE OF NEW YORK
DEPARTMENT OF STATE
ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001

ANDREW M. CUOMO
GOVERNOR

CESAR A. PERALES
SECRETARY OF STATE

October 5, 2011

Margaret E Li
Clerk Board of Supervisors
1 DiPronio Drive
Waterloo NY 13165

RE: County of Seneca, Local Law 3 & 4 2011, filed on October 5,2011

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, www.dos.state.ny.us.

Sincerely,
State Records and Law Bureau
(518) 474-2755