

LOCAL LAW NO. “H” 2007

A LOCAL LAW OF THE COUNTY OF ALBANY REQUIRING HEALTH CLUBS AND SPORTS FACILITIES TO HAVE AUTOMATED EXTERNAL DEFIBRILLATORS AND CPR CERTIFIED STAFF PRESENT DURING HOURS OF OPERATION

Introduced: 5/14/07

By Mr. Carman:

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF ALBANY AS FOLLOWS:

SECTION 1. Legislative Intent and Purpose

- a. This Legislature finds and determines that it is essential to assure residents of Albany County that the county government continues to make every effort to maintain their health and safety.
- b. This Legislature further finds that sudden cardiac arrest is the leading cause of death among young athletes.
- c. This Legislature further finds and determines that it is in the best interest of Albany County citizens to require all health clubs, and sports facilities in Albany County to maintain an automated external defibrillator (AED) at their place of business, and also have present at least one staff member that is certified to administer Cardio Pulmonary Respiration (CPR).

SECTION 2. Definitions

- a. The term “Health Club” shall mean: any facility that offers instruction, training or assistance for the development of physical fitness and or training.
- b. The term “Sport Facilities” shall mean: all gymnasiums, martial arts and self defense schools, golf courses, indoor sports facilities or any other commercial establishment that provides a forum for competitive or recreational athletics.
- c. The term “AED” shall mean: a portable electronic device that diagnoses and treats cardiac arrest in a critically ill patient by restoring a normal heart rhythm to patients in cardiac arrest.

SECTION 3. Requirements

- a. Every Health Club and Sports Facility shall have available in an area accessible to the public an AED.
- b. The facility shall post a sign in a prominent place identifying the place of the AED.
- c. Every Health Club and Sports Facility shall have a person who is certified in CPR on site during hours opened to the public.

SECTION 4. Penalties and Enforcement

Any person or business that violates the provisions of Section 3 shall be subject to a civil penalty not to exceed one hundred dollars for the first violation and not to exceed three hundred dollars for each subsequent violation. The provisions of this Local Law and any regulation or regulations promulgated hereunder shall be enforced by the Albany County Department of Health.

SECTION 5. Duties of the Department of Health

The Albany County Department of Health shall establish procedures and regulations for the orderly administration of this Local Law. The Commissioner of the Department of Health shall refer cases of unpaid penalties to the Albany County Attorney for appropriate legal action.

SECTION 6. Severability

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 7. Effective Date

This law shall take effect immediately upon filing with the Secretary of State.

Referred to Health Committee. 5/14/07

On a motion by Mr. Riddick, duly seconded, the meeting was adjourned.

A true copy

PAUL T. DEVANE
Clerk