

1999-2

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
41 STATE STREET, ALBANY, NY 12231

(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~~ of Chenango  
~~Town~~  
~~Village~~

Local Law No. 2 of the year 1999

A local law A COUNTY LOCAL LAW PROVIDING FOR THE MANDATORY ROUTING OF ALL  
(Insert Title)  
WIRELESS 911 CALLS

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

County  
~~City~~ of Chenango as follows:  
~~Town~~  
~~Village~~

ADOPTED CHENANGO COUNTY  
LOCAL LAW NO. 2 OF 1999

The Safety & Rules Committee offered the following, and moved its adoption:

A COUNTY LOCAL LAW PROVIDING FOR THE MANDATORY ROUTING  
OF ALL WIRELESS 911 CALLS

Be it enacted by the Chenango County Board of Supervisors as follows:

CHENANGO COUNTY WIRELESS  
911 CALL ROUTING LAW

Section 1. Name. This local law shall be known as the Chenango County Wireless 911 Call Routing Law.

Section 2. Authority. This local law is enacted under authority of Section 10 of the Municipal Home Rule Law of the State of New York, Article 1X of the State Constitution of New York, the County Law, and other applicable statutory and decisional law.

Section 3. Findings and Declaration of Intent. This Board of Supervisors recognizes the paramount importance of the health, safety and welfare of the citizens of the County and further recognizes that when the lives or property of its citizens are in

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

imminent danger that appropriate assistance must be rendered as expeditiously as possible.

This Board of Supervisors recognizes further that such assistance is increasingly summoned by wireless communications including but not limited to cellular phones and that unintentional, though avoidable, delays in reaching appropriate emergency aid can and do occur to the detriment and jeopardy of life and property when such wireless 911 calls from within Chenango County are routed to anywhere other than directly to the single countywide Chenango County Public Service Answering Point (PSAP) which is under the jurisdiction of the Chenango County Sheriff's Office.

This Board of Supervisors further finds that a major obstacle to the prompt response to emergent wireless requests for assistance in Chenango County is the failure of one or more wireless telephone service suppliers to directly route such calls to the Chenango County Public Service Answering Point (PSAP).

The Board of Supervisors further finds that the Chenango County Public Service Answering Point (PSAP) has the most accurate, current and extensive knowledge of Chenango County's geography, roadways, landmarks, emergency service resources and similar information of critical importance in emergent situations and can immediately dispatch the number and type of emergency services the situation requires.

This Board of Supervisors further finds and declares that, by the enactment of the provisions of this local law, it is the intent of the Board of Supervisors to fulfill its obligation to provide for the health, safety and welfare of the people of this County by mandating the direct routing of all 911 calls, including wireless calls, by service suppliers directly to the Chenango County Public Service Answer Point (PSAP) so as to facilitate the rendering of emergency services as expeditiously and effectively as possible.

**Section 4. Definitions.** For the purpose of this law

- a) "Wireless telephone service" means all commercial mobile services, as that term is defined in section 332(d) of title 47, United States Code, including all broadband personal communications services, wireless radio telephone services, geographic area specialized and enhanced specialized mobile radio services, and incumbent wide area specialized mobile radio licensees, which offer real time, two-way voice service that is interconnected with the public switched telephone network.
- b) "Wireless telephone service supplier" means any corporation or person as defined in section ten hundred eighty of the Tax Law which provides wireless telephone service in New York State.
- c) "Chenango County Public Service Answering Point" or "Chenango County PSAP" means the site designated and operated by the County of Chenango through its

Sheriff's Office for the purpose of receiving emergency calls including those from a wireless telephone service and dispatching needed emergency services.

**Section 5. Routing.** All wireless telephone service suppliers doing business in Chenango County shall route all 911 emergency calls to the Chenango County Public Service Answering Point (PSAP).

**Section 6. Prohibited Acts.**

- a) No wireless telephone service supplier shall knowingly fail to route wireless 911 telephone calls originating within Chenango County to the Chenango County PSAP as required by Section 5 above.
- b) No owner, official, employee, or agent of a wireless telephone supplier shall design implement, arrange or cause, either directly or indirectly, a process or activity whereby 911 calls are routed other than as provided in Section 5 above.
- c) No person or entity shall either directly or indirectly solicit, suggest, implore, agree, or otherwise take action so as to cause or seek to cause a wireless telephone service supplier to route wireless 911 calls from within Chenango County to other than the Chenango County Public Service Answering Point (PSAP).

**Section 7. Sanctions:** Any person or entity violating this local shall be guilty of a unclassified misdemeanor and shall be subject to a fine not exceeding five hundred dollars and /or to a period of confinement in the Chenango County Correctional Facility for a period not to exceed three months for each offense. For purpose of this law each improperly routed 911 call shall constitute a separate offense.

**Section 8. Additional Remedies.**

- a) In addition to the Sanctions provided in Section 7 above, any wireless telephone service supplier failing to observe the requirements of Section 5 above, shall be liable for personal injury including death and/or property damage caused or exacerbated by reason of said failure.
- b) The Sheriff or the Chairman of the Board of Supervisors is authorized to pursue any appropriate legal remedy including but not limited to injunction to effectuate the purposes of this local law.

**Section 9. Separability and Saving Provisions.** This local law is separate and apart from any other local law and each provision hereof is separate from any other provision. If this law or portion thereof is found to be invalid, no other law or unaffected portion of this law shall be affected thereby and shall remain in full force and effect.

---

**Section 10. Effective Date.** This law shall be effective thirty days after it is enacted by this Board of Supervisors.

Seconded by Mr. Doyle  
Results of a Roll Call Vote were: Yes-2,265, No-0, Absent-0  
The Chairman declared the Local Law duly 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. 2 of 1999 of the (County)(City)(Town)(Village) of Chenango was duly passed by the Board of Supervisors on July 12 1999, 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 19 of the (County)(City)(Town)(Village) of on 19, and was (approved)(not approved)(repassed after disapproval) by the (Elective Chief Executive Officer\*) and was deemed duly adopted on 19, 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 19 of the (County)(City)(Town)(Village) of on 19, and was (approved)(not approved)(repassed after disapproval) by the (Elective Chief Executive Officer\*) on 19. 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 19, 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 19 of the (County)(City)(Town)(Village) of on 19, and was (approved)(not approved)(repassed after disapproval) by the (Elective Chief Executive Officer\*) on 19. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of 19, 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.)

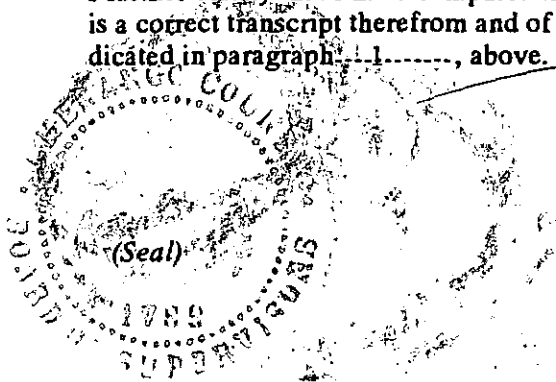
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 19\_\_\_\_, 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 19\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 19\_\_\_\_, 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.



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

Date: July 19, 1999

(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 Chenango

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.

Richard W. Bul  
Signature

County Attorney  
Title

County  
 City of Chenango  
 Town  
 Village

Date: July 19, 1999

Chenango County, NY  
Recorded on this 20th Day  
of July 1999 at 4:33  
o'clock P.M. by Librarian [Signature] of  
Local Laws  
at Page 276 and examined  
Mary C. Weidman Clerk