

(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 Clinton

~~Town~~

~~Village~~

Local Law No. 3 of the year 2001

A local law Mandatory Routing of All Wireless 911 Calls
(Insert Title)

Be it enacted by the County Legislature of the
(Name of Legislative Body)

County

~~City~~ of Clinton as follows:

~~Town~~

~~Village~~

BE IT ENACTED, by the Board of Legislators of the County of Clinton, New York,
as follows:

SECTION 1. Name. This Local Law shall be known as the Clinton 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 IX 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 Legislators 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 imminent danger that appropriate assistance must be rendered as expeditiously as possible.

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

This Board of Legislators 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 Clinton County are rerouted to anywhere other than directly to the single countywide Clinton County Public Safety Answering Point (PSAP) which is under the jurisdiction of the Clinton County Office of Emergency Services.

The Board of Legislators further finds that a major obstacle to the prompt response to emergency wireless requests for assistance in Clinton County is the failure of one or more wireless telephone service suppliers to directly route such calls to the Clinton County Public Safety Answering Point (PSAP).

The Board of Legislators further finds that the Clinton County Public Safety Answering Point (PSAP) has the most accurate, current and extensive knowledge of Clinton 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.

The Board of Legislators further finds and declares that by the enactment of the provisions of this Local Law, it is the intent of the Board of Legislators 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 Clinton County Public Safety Answering 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 licenses, which offer real time, two-way voice service that is interconnected with the public switched telephone network.
- b) "Wireless telephone service supplier" means any corporations or person as defined in Section ten hundred eighty of the Tax Law which provides wireless telephone service in New York State.
- c) Clinton County Public Safety Answering Point" or "Clinton County PSAP" means the site designated and operated by the County of Clinton through its Office of Emergency Services 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 Clinton County shall route all 911 emergency calls to the Clinton County Public Safety Answering Point (PSAP).

SECTION 6. Prohibited Acts.

- a) No wireless telephone service supplier shall knowingly fail to route wireless 911 telephone calls originating within Clinton County to the Clinton County PSAP as required by Section 5 above.
- b) No owner, official, employee, or agent of a wireless telephone number 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 Clinton County to other than the Clinton County Public Safety Answering Point (PSAP).

SECTION 7. Penalties and Enforcements

- a) Any person or entity violating this Local Law shall be guilty of an unclassified misdemeanor and shall be subject to a fine not exceeding Five Hundred Dollars (\$500) or imprisonment for a period not to exceed three (3) months or both such fine and imprisonment for each offense. For purpose of this law each improperly routed 911 call shall constitute a separate offense.
- b) The Board of Legislators is authorized to pursue any appropriate legal remedy including but not limited to injunction to effectuate the purposes of this Local Law.

SECTION 8. 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 9. Effective Date. This law shall be effective immediately upon filing with the Secretary of State as provided by law.

(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. 3 of 19-2001 of the (County)(City)(Town)(Village) of Clinton was duly passed by the County Legislature on June 13, 19-2001 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 was duly passed by the on 19 , and was (approved)(not approved)(repassed after disapproval) by the and was deemed duly adopted on 19 , 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 19- of the (County)(City)(Town)(Village) of was duly passed by the on 19 , and was (approved)(not approved)(repassed after disapproval) by the 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.
(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 19- of the (County)(City)(Town)(Village) of was duly passed by the on 19 , and was (approved)(not approved)(repassed after disapproval) by the 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.
(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 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.

William J. Biugel

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

(Seal)

Date: June 13, 2001

(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 Clinton

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.

William J. Biugel

Signature

Assistant

County Attorney

Title

County
City of Clinton
Town
Village

Date: June 13, 2001