

LOCAL LAW NO.: 4 OF 2000

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

BE IT ENACTED by the Washington County Board of Supervisors as follows:

WASHINGTON COUNTY WIRELESS 911 CALL ROUTING LAW

Section 1. Name. This local law shall be known as the Washington 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 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 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 Washington County are routed to anywhere other than directly to the single countywide Washington County Public Service Answering Point (PSAP) which is under the jurisdiction of the Washington County Office of Emergency Services.

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

The Board of Supervisors further finds that the Washington County Public Service Answering Point (PSAP) has the most accurate, current and extensive knowledge of Washington 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 Washington County Public Service 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 corporation or person as defined in section ten hundred eighty of the Tax Law which provides wireless telephone service in New York State.

c. "Washington County Public Service Answering Point" or "Washington County PSAP" means the site designated and operated by the County of Washington 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 Washington County shall route all 911 emergency calls to the Washington 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 Washington County to the Washington 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 by 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 Washington County to other than

the Washington County Public Service Answering Point (PSAP).

Section 7. Sanctions. 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 and/or to a period of confinement in the Washington County Jail 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 Director of the Office of Emergency Services 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 separated 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.