LOCAL LAW NO. 2 OF 1999
COUNTY OF OTSEGO, NEW YORK

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

BE IT ENACTED by the Board of Representatives of the County of Otsego as
follows:

OTSEGO COUNTY WIRELESS 911 CALL ROUTING LAW

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

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

The Board of Representatives further finds that the Otsego County Public Service
Answering Point (PSAP) has the most accurate, current and extensive knowledge of
Otsego 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.
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This Board of Representatives further finds and declares that, by the enactment of
the provisions of this local law, it is the intent of the Board of Representatives 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 Otsego 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 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) "Otsego County Public Service Answering Point" or "Otsego County PSAP"
means the site designated and operated by the County of Otsego 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
Otsego County shall route all 911 emergency calls to the Otsego County Public Service
Answering Point (PSAP).


a) No wireless telephone service supplier shall knowingly fail to route wireless 911
telephone calls originating within Otsego County to the Otsego 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 Otsego County to other than the
Section 7. Sanctions. Any person or entity violating this local law 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 Otsego 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 Representatives 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 Representatives.

This local law is offered by the Public Safety & Legal Affairs Committee.
RESOLUTION NO. 264

RESOLUTION - ADOPTING A LOCAL LAW FOR THE YEAR 1999 (A LOCAL LAW PROVIDING FOR THE MANDATORY ROUTING OF ALL WIRELESS 911 CALLS)

BATEMAN, NADER, FELDSTEIN

WHEREAS, there was duly presented to the Board of Representatives of the County of Otsego at a regular meeting duly held in the Meeting Room of the Board of Representatives in the Otsego County Office Building, Cooperstown, New York on September 1, 1999, a local law for the year 1999 entitled "A Local Law Providing for the Mandatory Routing of all Wireless 911 Calls"; and

WHEREAS, a public hearing was duly held on the proposed Local Law at the Meeting Room for the Board of Representatives in the Otsego County Office Building, Cooperstown, New York on the 15th day of September, 1999 at 7:30 p.m., at which time all interested persons were heard; now, therefore, be it

RESOLVED, that a local law of the County of Otsego for the year 1999, as above set forth, be and the same is hereby adopted.

STATE OF NEW YORK
COUNTY OF OTSEGO

I, Laura A. Child, Clerk of the Board of Representatives of Otsego County, New York, DO HEREBY CERTIFY that I have compared the foregoing copy of resolution with the original resolution on file in my office and that the same is a true and complete copy thereof as duly adopted by said Board of Representatives while in session on the 15th day of September, 1999.

WITNESS my hand and the official seal of the Board of Representatives of Otsego County, New York, this 16th day of September, 1999.

(SEAL)

Laura A. Child
Clerk, Board of Representatives
Otsego County, New York