

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 Orleans  
Town  
Village

Local Law No. 2-Intro of the year 2001.

A local law A County Local Law Providing for the 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 Orleans as follows:  
Town  
Village

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

Be it enacted by the County Legislature of the County of Orleans as follows:

**ORLEANS COUNTY WIRELESS  
911 CALL ROUTING LAW**

- Section 1.** Name. This local law shall be known as the Orleans 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 County Legislature 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

**Section 3. Findings and Declaration of Intent.** This County Legislature 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 County Legislature 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 Orleans County are routed to anywhere other than directly to the single countywide Orleans County Public Service Answering Point (PSAP) which is under the jurisdiction of the Orleans County Sheriff's Office.

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

This County Legislature further finds that the Orleans County Public Service Answering Point (PSAP) has the most accurate, current and extensive knowledge of Orleans 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 County Legislature further finds and declares that by the enactment of the provisions of this local law, it is the intent of the County Legislature to fulfill its obligations 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 Orleans 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) “Orleans County Public Service Answering Point” or “Orleans County PSAP” means the site designated and operated by the County of Orleans 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 Orleans County shall route all 911 emergency calls to the Orleans 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 Orleans County to the Orleans 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 Orleans County to other than the Orleans County Public Service Answering Point (PSAP).

**Section 7.** **Remedies.** The Sheriff or the Chairman of the County Legislature is authorized to pursue any appropriate legal remedy including but not limited to injunction to effectuate the purposes of this local law.

**Section 8.** **Save Harmless.** To the extent permissible under applicable state and Federal law, this County agrees to hold any wireless telephone service supplier harmless from liability for any loss, damages, costs or expenses (including attorney’s fees and disbursements) incurred as a result of tortious conduct attributable to the County or any employee thereof in connection with the routing of wireless 911 calls from users of the wireless telephone service supplier when such wireless telephone service supplier is acting in compliance with 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 County Legislature.



STATE OF NEW YORK  
DEPARTMENT OF STATE  
41 STATE STREET  
ALBANY, NY 12231-0001

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ALEXANDER F. TREADWELL  
SECRETARY OF STATE

March 14, 2001

County of Orleans  
Clerk of the Legislature  
3 South Main Street  
Albion, NY 14411-1495

RE: County of Orleans, Local Law 2, 2001, filed 03/06/2001

The above referenced material was received and filed by this office as indicated.  
Additional local law filing forms will be forwarded upon request.

Sincerely,

A handwritten signature in black ink that reads "Joseph P. Brozowski".

Joseph P. Brozowski  
Principal Clerk  
State Records & Law Bureau  
(518) 474-2755