

## Local Law No. 4 of 2001

### DIRECTING ALL CELLULAR COMPANIES TO DIRECT ROUTE ALL CELLULAR 9-1-1 CALLS TO THE EMERGENCY COMMUNICATIONS CENTER

The Judiciary and Public Safety Committee offered the following, and moved its adoption:

WHEREAS, the Cortland County Judiciary and Public Safety Committee, by prior Committee Resolution, did support the retainage of a centralized 9-1-1 service through the Cortland County Dispatch Center, and

WHEREAS, due to the fact that the New York State Police, outside Cortland County, continue to receive emergency cellular calls, which in many circumstances creates a time delay, which in turn could become issues that are very critical to the life and safety of the residents of this County, and

WHEREAS, further more, in the case of emergency medical and fire calls received by the New York State Police from cellular users, there is no direct radio contact with fire department and emergency medical services, due to the fact that these calls are received primarily at the Ithaca New York State Police Barracks in Tompkins County, and

WHEREAS, the County of Cortland has fully implemented an Enhanced 9-1-1 communications system, which will be able to accept the identification of the location of 9-1-1 cellular calls that are made within the County, and the telephone number associated with said cellular calls, and

WHEREAS, the Cortland County Sheriff's Department E9-1-1 Center, has arranged with the New York State Police for the use of the closest police car concept to respond to all police emergency 9-1-1 calls, and

WHEREAS, it is at this critical point in time that cellular companies begin to direct all emergency cellular 9-1-1 calls to the Cortland County Communications Dispatch Center,

NOW, THEREFORE, be it

RESOLVED, that the Cortland County Legislature directs that all cellular companies providing cellular service in Cortland County direct all emergency cellular calls to the Cortland County Communications Dispatch Center, and be it further

RESOLVED, that the Clerk of this Board forward certified copies of this Resolution to all cellular companies operating within Cortland County, Governor Pataki, Senate Majority Leader Bruno, Senator Seward, Assembly Speaker Silver, Assemblymen Luster and Finch, and Chairman Michael Nozzolio, NYS Senate Crime Victims, Criminal Corrections Committee and Director Katherine Lapp, Division of Criminal Justice Services.

# A COUNTY LOCAL LAW PROVIDING FOR THE MANDATORY ROUTING OF ALL WIRELESS 9-1-1 CALLS

Be in enacted by the Cortland County Legislature as follows:

## CORTLAND COUNTY WIRELESS 9-1-1 CALL ROUTING LAW

**Section 1. Name.** This local law shall be known as the Cortland County Wireless 9-1-1 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 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 9-1-1 calls from within Cortland County are routed to anywhere other than directly to the single countywide Cortland County Public Service Answering Point (PSAP) which is under the jurisdiction of the Cortland County Sheriff's Office.

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

The Cortland County Legislature further finds that the Cortland County Public Service Answering Point (PSAP) has the most accurate, current and extensive knowledge of Cortland 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 County Legislature further finds and declares that, by the enactment of the provisions of this local law, it is the intent of the Legislature 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 9-1-1 calls, including wireless calls, by service suppliers directly to the Cortland 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) "Cortland County Public Service Answering Point" or "Cortland County PSAP" means the site designated and operated by the County of Cortland 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 Cortland County shall route all 9-1-1 emergency calls to the Cortland County Public Service Answering Point (PSAP).

**Section 6. Prohibited Acts.**

- a) No wireless telephone service supplier shall knowingly fail to route wireless 9-1-1 telephone calls originating within Cortland County to the Cortland 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 9-1-1 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 9-1-1 calls from within Cortland County to other than the Cortland County Public Service Answering Point (PSAP).

**Section 7. Sanctions.** Any person or entity violating this local 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 Cortland County Correctional Facility for a period not to exceed three months for each offense. For the purpose of this law each improperly routed 9-1-1 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 Chairman of the Legislature is authorized to pursue any appropriate legal remedy including but not limited to injunctions 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 thereof 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 Legislature.

