
(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 of Lewis

Local Law No. 5 of the Year 1999

A Local Law known as the "Lewis County Wireless 911 Call Routing Law".
(Insert Title)

Be it enacted by the **Lewis County Board of Legislators** of the **County of Lewis**, as follows:

Section 1. Name.

This Local Law shall be known as the "Lewis 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, and other applicable statutory and decisional law.

Section 3. Finding and Declaration of Intent.

The Lewis County Board of Legislators ("Board") recognizes the paramount importance of health, safety and welfare of the citizens of the County of Lewis 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.

The Board recognizes 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 the County of Lewis are routed to anywhere other than directly to the single countywide Lewis County Public Service Answering Point ("PSAP") which is under the jurisdiction of the County of Lewis.

The Board finds that a major obstacle to the prompt response to emergent wireless requests for assistance in the County of Lewis is the failure of one or more wireless telephone service suppliers to directly route such calls to the Lewis County PSAP.

The Board finds that the Lewis County PSAP has the most accurate, current and extensive knowledge of Lewis County's geography, roadways, landmarks, emergency service resources and similar information of critical importance in emergency situations and can immediately dispatch the number and type of emergent services the situation requires.

The Board further finds and declares that, by the enactment of the provisions of this Local Law, it is the intent of the Board to fulfill its obligations to provide for the health, safety and welfare of the people of the County of Lewis by mandating the direct routing of all 911 calls, including wireless calls, by service suppliers directly to the Lewis County 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 services" 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(s)" means any corporation or person as defined in Section Ten Hundred Eighty of the New York State Tax Law which provides wireless telephone service in New York State.

c) "Lewis County Public Service Answering Point" or "Lewis County PSAP" means the site designated and operated by the County of Lewis through its Communications Center 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 supplier(s) doing business in Lewis County shall route all 911 emergency calls to the Lewis County PSAP.

Section 6. Prohibited Acts.

a) No wireless telephone service supplier(s) shall knowingly fail to route wireless 911 telephone calls originating within Lewis County to the Lewis County PSAP as required by Section "5" above.

b) No owner, official, employee, or agent of a wireless telephone supplier(s) 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.

(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. 5 of 1999, of the County of Lewis was duly passed by the Lewis County Board of Legislators on November 3, 1999, in accordance with the applicable provisions of law.

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 disapproved, repassed after disapproval, by the _____, and was deemed duly adopted on _____, 19__, in accordance with the applicable provisions of law.

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 disapproved, 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.

4. (Subject to a 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 disapproved/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.

* 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 chairman 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 the 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 of 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 1, above.


Clerk of the County Legislative Body, City, Town or Village
Clerk or officer designated by local legislative body
TERESA L. KENEALY, CLERK

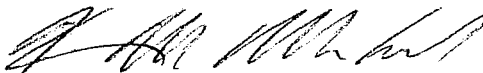
Date: November 3, 1999

(Seal)

(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 LEWIS**

I, the undersigned, hereby certify that the foregoing Local Law contains the correct test and that all proper proceedings have been had or taken for the enactment of the Local Law annexed hereto.


Signature - KEVIN M. McARDLE, ESQ.
LEWIS COUNTY ATTORNEY

(Title)

County of Lewis

Date: November 8, 1999