

A Local Law creating the office of Village Constable, providing for appointment of constables and defining their powers and duties.

Adopted: 6-28-82

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WELLSVILLE AS FOLLOWS:

SECTION 1. There is hereby created in the Village of Wellsville, the office of Village constable.

SECTION 2. The Mayor, with the consent of Board of Trustees, may appoint as many constables as he shall determine to be necessary and may designate one of such constables to be full time or part time appointments. All appointments shall be designated as to whether full time or part time. Such constables may be organized as a Village constable force as shall be determined by the Village Board of Trustees. The original term of office of each constable shall not exceed one year. The term of reappointments shall be one year.

SECTION 3. All constables shall be peace officers as defined in the Criminal Procedure Law of New York and are authorized, in addition to all other powers, rights, duties and responsibilities incumbent upon such office, to issue appearance tickets relating to enforcement of a statute, local law, ordinance, rule or regulation affecting the public health, safety and welfare.

SECTION 4. The Mayor is authorized to make rules and regulations as may be required for the efficient administration of such constable force. The Mayor shall also provide, within the limits of any appropriation, and subject to the approval of the Board of Trustees:

- (a) a training program for constables which may or may not be in cooperation with any police agency or the sheriff's office;

- (b) liability insurance for such constables which shall protect the constable and Village from acts of liability that may arise during the performance of duties as constables;
- (c) Workers' Compensation; accidental injury insurance; disability insurance or life insurance as shall be agreed between the constables and village;
- (d) for the payment of constables for services rendered upon an hourly basis and provide for the assignment of constables to duty;
- (e) uniforms and equipment for constables as may be necessary or desirable to carry out the duties of the office;
- (f) authorization for the carrying of firearms only when trained to the minimum standards required of police officers; and
- (g) an annual physical examination, the passage of which shall be successful prior to any appointment or reappointment.

SECTION 5. The Mayor, with the approval of the Board of Trustee, is authorized to delegate to the Chief of Police the authority to make rules and regulations as may be required for the efficient administration of constables in the following areas:

- (a) training, including fire arms training, in addition to minimum standards;
- (b) the assignment and designation of duties;
- (c) the supervision of duties;
- (d) the carrying and use of fire arms;

(e) discipline; and

(f) such other authority to make rules and regulations as is possessed by the Mayor pursuant to this Local Law

SECTION 6 This Local Law shall take effect upon filing in the office of the Secretary of State.

LOCAL LAW NO. 1 OF 1950 REGARDING PUBLIC HEARINGS

adopted 8/14/50

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WELLSVILLE,
NEW YORK, AS FOLLOWS:

(A Local Law in relation to public hearings to be held by the
Board of Trustees on Local Laws, Pursuant to Section 13 of
Article II of the Village Home Rule Law.)

Section 42.1: NOTICE OF PUBLIC HEARING

Before voting upon the proposed enactment of a local law, the Board of Trustees shall fix a day, within thirty (30) days, after the presentation of a local law to it, for a public hearing thereon, and within twenty (20) days after such local law shall have been presented to it, shall cause a notice of the time and place of such hearing to be given. Such public notice shall be given by the Village Clerk by causing the same to be published once in the official newspaper at least three (3) days prior to the day fixed for such hearing. In case there is, at that time, no official newspaper, the Board of Trustees shall designate the manner of giving such public notice. Such notice shall also contain the title of the proposed local law and a brief explanatory statement thereof prepared by the Clerk and approved by the Village Attorney.

Section 42.2: BOARD TO ATTEND HEARING

The Board of Trustees shall attend at the time and place appointed for such hearing, which shall be within the village and of reasonable access and at a reasonable hour, and shall afford an opportunity for a public hearing concerning such proposed local law.

Section 42.4: PROOF OF PUBLICATION

Proof of publication of such notice of public hearing shall be filed in the office of the Village Clerk.

Section 42.4: EFFECTIVE DATE

This local law shall take effect immediately.