

**INCORPORATED VILLAGE OF OLD FIELD
BOARD OF TRUSTEES**

**PROPOSED LOCAL LAW NO. OF 2025 CREATING A NEW CHAPTER
OF THE CODE OF THE VILLAGE OF OLD FIELD ENTITLED
“VILLAGE OF OLD FIELD OFFICE OF CODE ENFORCEMENT”**

Be it hereby enacted by the Board of Trustees of the Incorporated Village of Old Field as follows:

Section 1: Establishment of Office of Code Enforcement

There shall be in the Incorporated Village of Old Field a Village of Old Field Office of Code Enforcement (hereinafter “Office of Code Enforcement”).

Section 2: Commissioner and other personnel.

- A. The Mayor, with the consent of the Board of Trustees, may appoint a Commissioner of Code Enforcement from among the active members of the Office of Code Enforcement and shall set forth his/her duties and responsibilities.
- B. The Mayor, with the consent of the Board of Trustees, may appoint a Chief of the Office of Code Enforcement and such other and necessary personnel to the Office of Code Enforcement.

Section 3: Powers and duties

The powers of the Office of Code Enforcement are to investigate all alleged violations of the Code of the Village of Old Field or, to such end, applicable state codes, laws, rules and regulations. The Office of Code Enforcement shall be responsible for the enforcement of all violations of the aforesaid codes, laws, rules and regulations and/or obtaining compliance with the same. Persons in said Office of Code Enforcement designated by the Village of Old Field in conformance with the Civil Service Law may issue notices of violation, appearance tickets, summonses or any other notices as permissible by law. Nothing herein shall be construed to limit any other powers of the Village of Old Field as provided by the Village Code of the Village of Old Field or any other applicable law, rule or regulation.

Section 4: Enforcement of parking violations; appearance tickets.

Notwithstanding any provision of the Uniform District Court Act and/or the Uniform Justice Court Act, all Code Enforcement Officers shall be deemed to be a Parking Violations Officer, all of whom shall have the power to issue and serve, within the Village, appearance tickets and/or subpoenas for violation of the Vehicle and Traffic Code in cases involving nonmoving violations. Such service shall have the same force and effect as if served by a peace officer without his/her being a peace officer.

Section 5: Appearance tickets.

All Code Enforcement Officers are authorized to issue appearance tickets relating to the enforcement of the Code of the Incorporated Village of Old Field.

Section 6: Background checks and fingerprinting

- A.** All prospective candidates for Code Enforcement Officer shall be fingerprinted for the purpose of obtaining a criminal history report from the New York Division of Criminal Justice Services (DCJS). Each such candidate shall submit proof that he or she has been electronically fingerprinted through a DCJS-approved Statewide Vendor-Managed Civil Fingerprint Capture System.
- B.** If any such candidate has been convicted of a felony and/or misdemeanor, the decision regarding the candidate's fitness for the position must be made by way of a case-by-case review using the factors contained in Article 23-A of the New York State Correction Law.

Section 5: Authority and duties of Commissioner.

The Mayor and/or Commissioner is authorized to make rules and regulations as may be required for the efficient administration of the Office of Code Enforcement and may also provide, within the limits of any appropriation and subject to the Board of Trustees, the following:

- A.** Liability insurance for such Code Enforcement Officers that shall protect them and the Village from liability that may arise out of and in course of the performance of their respective duties.

- B.** For payment of the Code Enforcement Officers employed for service rendered upon an hourly basis.
- C.** Uniform and equipment for the Code Enforcement Officers employed as may be necessary or desirable to carry out their official duties.
- D.** An annual physical examination upon which employment or reemployment shall be predicted on the successful passage of such examination.

Section 6: Severability

If any clause, sentence, paragraph, section, or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder hereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part hereof directly involved in the controversy in which judgment should have been rendered.

Section 7: Effective date.

This local law shall take effect immediately upon filing with the New York Secretary of State.