

Introductory Local Law 1 of 2012

**A LOCAL LAW CREATING CHAPTER 130 OF THE CODE OF THE VILLAGE OF WOODBURY
ENTITLED "EMERGENCIES"**

BE IT ENACTED by the Village Board of the Village of Woodbury, Orange County, New York, as follows:

SECTION 1. A new Chapter 130 of the Village Code is enacted as follows:

CHAPTER 130 - EMERGENCIES

- §130-1** Statement of Legislative Findings
- §130-2** Definitions
- §130-3** Creation of Fire Police Officer
- §130-4** Closing or Restricting Streets Authorized; Failure to Obey
- §130-5** Penalties for Offenses

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**§130-1** Statement of Legislative Findings

In order to promote the health, safety and welfare of the residents of the Village of Woodbury, it is found necessary to enable police officers and fire police officers to control and regulate vehicular and pedestrian traffic, and the stopping, standing and parking of vehicles, in the vicinity of fire, accident and other public emergency scenes.

**§130-2** Definitions

As used in this Chapter, the following terms shall have the meanings ascribed to them below:

**FIRE POLICE OFFICER** - Every duly designated person appointed pursuant to §209-c of the General Municipal Law of the State of New York. This individual will report and serve at the direction of the Fire Chief, First Assistant Fire Chief and/or Second Assistant Fire Chief. A Fire Police Officer shall have satisfied any requirements for training offered by the State Office of Fire Prevention and Control, or an equivalent course as approved by the State Office of Fire Prevention and Control.

**POLICE OFFICER** - Persons as defined in §1.20 of the Criminal Procedure Law of the State of New York

**§130-3** Creation of Fire Police

A Fire Police of the Village of Woodbury Fire Department is hereby created and organized pursuant to §209-c of the General Municipal Law of the State of New York. The Chief of the Village of Woodbury Fire Department shall, on the 1st day of May in each year, in writing, recommend to the Mayor those members of the Village of Woodbury Fire Department for appointment as fire police officers. The term of each fire police officer appointed by the Mayor, with the approval of the Board of Trustees, shall be one year and shall begin on the first day of June of the year in which the appointment is made. The appointment of any fire police officer may be revoked at any time by the Mayor, with the approval of

the Board of Trustees, and pending such approval of the Board of Trustees, the Mayor can suspend any such individual from duty.

**§130-4 Closing or Restricting Streets Authorized; Failure to Obey**

- A. Whenever deemed advisable during a fire or at the time of any accident or other special emergency, a police officer or fire police officer may, for such period of time as deemed necessary for public safety and the effectiveness of emergency personnel, temporarily close any street or section thereof to vehicular traffic, or they may temporarily divert any vehicular or pedestrian traffic away from the vicinity of the emergency scene, or they may curtail the stopping, standing or parking of any vehicle in the vicinity of the emergency scene.
- B. It shall be a violation of this Chapter for any person to disregard any direction of a police officer or fire police officer given in the furtherance of their authority bestowed hereunder, including but not limited to the failure or refusal to move a vehicle away from, or to otherwise depart from, the vicinity of a fire, accident or other special emergency scene.

**§130-5 Penalties for Offenses**

Each violation of this Chapter shall be punishable by a fine not exceeding \$250 for each offense. A conviction under this Chapter shall constitute a violation.

**SECTION 2.**

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 be confined in its operation to the clause, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

**SECTION 3. Effective date.**

This local law shall take effect immediately upon filing with the Secretary of State in Albany.