

Chapter 38, MUTUAL AID

[HISTORY: Adopted by the Board of Trustees of the Village of Horseheads 3-27-1997 by L.L. No. 1-1997. Amendments noted where applicable.]

§ 38-1. Findings.

The Village of Horseheads Board of Trustees finds that the objective of protection of property from damage and prevention of personal injuries may necessitate the request of aid in the form of personnel, equipment and other resources from other police agencies. Conversely, other communities having the same objectives may make requests for mutual aid from the Village of Horseheads Police Department. Historically, the Village of Horseheads Police Department has both granted and requested police assistance from other agencies. General Municipal Law § 209-m addresses the subject of outside service by local police permitting the delegation of authority to request and grant police assistance to the Chief of Police.

§ 38-2. Word usage.

- A. The following terms shall have the meanings ascribed to the same as provided in GML § 209-m:
- (1) Chief executive officer; and
 - (2) Local government.
- B. The term "Chief of Police" shall include the Sergeant in command of the Village of Horseheads Police Department during the absence, illness or disability of the Chief.

§ 38-3. Requests and grants of police assistance.

The Village Manager may, whenever he deems that the public interest requires it, request the chief executive officer of any other local government to detail, assign and make available for duty and use in the Village of Horseheads any part of the forces, equipment and supplies of the former local government, including the New York State Police Department. Conversely, the Village Manager is authorized and empowered to grant a similar request made by any other local government.

§ 38-4. Delegation of authority.

The power of the Village Manager, with respect to requests for and grants of police assistance as provided herein, in addition to being vested in the Manager, is delegated to the Chief of Police of the Village of Horseheads Police Department.

§ 38-5. Powers and duties.

As a condition of the granting of police assistance, the Village of Horseheads police officers shall, when engaged in duty and rendering services to any other local government, have the same powers, duties, rights, privileges, benefits and immunities as if they were performing their duties in the Village of Horseheads. Conversely, the officers and members of any other local government's police department shall have the same powers, duties, rights, benefits, privileges and immunities, while engaged in duty and rendering services to the Village of Horseheads, as if they were performing their duties for their respective local government.

§ 38-6. Liability, reimbursement and cost.

- A. The Village of Horseheads shall, when receiving police assistance pursuant to this chapter, assume liability for all damages arising out of any act performed in rendering such aid and shall reimburse the assisting local government for any moneys paid by it for salaries or other expenses incurred by it, including damages to or loss of equipment and supplies. The local government rendering such aid or assistance shall satisfactorily and adequately document liability assumed, expenses, causes and losses incurred in rendering aid. Conversely, when the Village of Horseheads Police Department renders aid or assistance to any other local government, such local government shall assume the liability for all damages arising out of any act performed in rendering such aid and shall reimburse the Village of Horseheads for any moneys paid by it for salaries or other expenses incurred by it, including damage to or loss of equipment and supplies.
- B. When the Village of Horseheads Police Department provides police assistance or aid to any other local government, the Board of Trustees may assume such loss, damage, expense or cost for such equipment and supplies and donate such services to the receiving local government.