

## Chapter 4, APPEARANCE TICKETS

[HISTORY: Adopted by the Board of Trustees of the Village of Horseheads 11-18-1999 by L.L. No. 2-1999.<sup>EN(1)</sup> Amendments noted where applicable.]

### § 4-1. Statutory authority; purpose.

- A. Pursuant to § 10, Subdivision 4(a), of the Municipal Home Rule Law of the State of New York, the Village of Horseheads Board of Trustees hereby authorizes and delegates to the hereinafter-identified public servants, who by virtue of office, title or position may do so, authorization to enforce any state statutes, the Village Code, local laws, ordinances, rules or regulations in the Village of Horseheads.
- B. The purpose of this chapter is to authorize public servants of the village to issue and serve appearance tickets in connection with violation of state statutes, local laws, ordinances or rules and regulations of the village which the respective public servant is authorized or required to enforce.

### § 4-2. Appointment of persons authorized to issue.

The Village Board of the Village of Horseheads is hereby empowered to appoint, designate, assign and commission, by local law, ordinance, rule or resolution, any employee or employees of the village, and individuals under contract to the village, to enforce violations of state statutes, local laws, ordinances or rules and regulations of the village and to issue summonses or appearance tickets in accordance with Article 150 of the Criminal Procedure Law of the State of New York, as amended, against any person, persons, parties or entities relating to the enforcement of any state statute, local law, ordinance, resolution, rule or regulation of the Village of Horseheads, and to remove or replace any such personnel and to promulgate rules and regulations prescribing their activities thereunder.

### § 4-3. Persons authorized to issue; jurisdiction.

The above notwithstanding, the following public servants of the Village of Horseheads, or persons under contract to the Village of Horseheads having the following titles, are hereby authorized to issue and serve an appearance ticket with respect to violations of a state statute, local law, ordinance, resolution, rule or regulation of the Village of Horseheads that such public servants are, respectively, required or authorized to enforce by same or hereunder:

- A. Code Enforcement Officer: all state statutes providing for such authorization and all local

laws, ordinances, resolutions, rules and regulations of the village including its Code.

- B. Community service officers: all local laws, ordinances, resolutions, rules and regulations of the village which specifically provide for enforcement thereof by community service officers (Chapters 80, 85, 98, 102, 142, 171, 179, 192, 204, 213, 219, 233, 235 and 245 of the Village Code, together with Article 32 of the Vehicle and Traffic Law of the State of New York.).
- C. Dog Control Officer: the provisions of Article 7 of the Agriculture and Markets Law of the State of New York, as amended, and any other local law, ordinance, resolution, rule or regulation of the village pertaining to the control of animals in the village.
- D. Village police officers: all local laws, ordinances, resolutions, rules and regulations of the village, including its Code, together with such state statutes, laws, rules and regulations as are enforceable by police officers as that term is defined in the New York State Criminal Procedure Law.

**§ 4-4. Method of service.**

The summonses or appearance tickets issued pursuant to this chapter, other than for a traffic infraction relating to parking, shall be personally served.

**§ 4-5. Return of summons or appearance ticket.**

The summons or appearance ticket issued pursuant to this chapter shall be returnable in the Justice Court of the Village of Horseheads, New York, and shall be in a form prescribed in accordance with the provisions of the Criminal Procedure Law of the State of New York relating to accusatory instruments.

## **Endnotes**

### **1 (Popup - Popup)**

Editor's Note: This local law also repealed former Ch. 4, Appearance Tickets, adopted 11-16-1995 by L.L. No. 4-1995.