

Chapter 6 - CONSTABLES, VILLAGE

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HISTORY: Adopted by the Board of Trustees of the Village of South Blooming Grove 06-23- 2025 by Resolution No. 43 Amendments noted where applicable.

§ 6-1. Statutory authority.

This chapter is enacted pursuant to the New York State Constitution, Article IX, § 2, Subdivision c(ii)10, and New York State Municipal Home Rule Law § 10, Subdivision 1(ii)a(12).

§ 6-2. Intent and purpose.

It is the purpose of this chapter to promote the public health, safety, and welfare in the Village of South Blooming Grove. It is to establish the Village of South Blooming Grove as a constabulary and to create the office of Village Constable as authorized by § 2.10 of the Criminal Procedure Law of the State of New York. The Board of Trustees hereby enact this chapter creating a constabulary within the Village of South Blooming Grove to protect, promote and preserve the public health, safety, comfort, welfare and well-being of the inhabitants of the Village.

§ 6-3. Office created.

There is hereby created in the Village of South Blooming Grove the position of Village Constable.

§6-4. Appointment and term of office.

A. The Mayor, with the consent of the Board of Trustees, is hereby authorized to appoint as many constables as the Village Board may determine necessary to protect, promote and preserve the public health, safety, comfort, welfare and well-being of the inhabitants of the Village.

B. Each constable shall serve at the pleasure of the Village Board and may be removed from office at any time, with or without cause.

C. Each constable shall serve a one-year term of office.

§ 6-5. Powers and duties.

A. The constables shall have the status and powers of “peace officers” as defined by § 2.10 of the Criminal Procedure Law, after having satisfied the minimum training requirements.

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B. Firearm training required. No person holding the position of Village Constable shall carry or otherwise possess a firearm in their capacity as a Village Constable on Village property other than in conformity with state and federal law, and after having successfully completed such initial training and instruction, and any required in-service or follow-up training and instruction, required for a peace officer authorized to carry a firearm under the laws of the State of New York.

C. The constables shall have all the power and authority conferred upon constables by the general laws of the state.

D. The constables shall be subject to the general authority and direction of the Village Board. The constables shall serve the Village Board under the administrative direction of the Mayor, who shall be responsible for the administration, training, order, operation and discipline of the constables. The constables shall be considered employees for the purposes of indemnification pursuant to provisions of § 18 of the Public Officers Law and for the purpose of workers' compensation pursuant to the provisions of § 2 of the Workers' Compensation Law while actually performing the duties authorized herein.

E. The Village Board is hereby authorized to appropriate funds as the Village Board may determine necessary for the training and equipment of constables.

§ 6-6. Authorization of Mayor to implement rules and other provisions.

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

A. A training program for such constables, to the minimum standards required of peace officers as defined in § 2.30 of the New York Criminal Procedure Law.

B. Liability insurance for such constables, which shall protect the 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 of the Village.

D. For the payment of constables as may be necessary or desirable to carry out the duties of the office.

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 peace officers as defined in § 2.30 of the New York Criminal Procedure Law.

§ 6-7. Waiver of residence requirement.

Pursuant to the laws of the State of New York and specifically Municipal Home Rule Law § 10, the Village of South Blooming Grove will waive the residency requirements set forth in the New York State Public Officers Law § 3 for Constables of the Village of South Blooming Grove.

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§ 6-8. When effective.

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