

LOCAL LAW No. 2 - 1964

A local law to amend the Erie county administrative code in relation to establishing a department of public safety, and prescribing the powers and duties thereof.

Became a law June 2, 1964 with the approval of the county executive. Passed by the local legislative body of the county of Erie in accordance with the provisions of the County Law. Filed in the office of the secretary of state June 9, 1964.

*Be it enacted by the board of supervisors of the county of Erie as follows:*

Local law number one, nineteen hundred sixty, constituting the Erie county administrative code, is hereby amended by inserting a new article eleven-a to follow article eleven, to read as follows:

ARTICLE 11-A

DEPARTMENT OF PUBLIC SAFETY

Section 11.09—Organization; commissioner

11.10—Powers and duties of commissioner of public safety

11.11—Division of fire safety

11.12—Division of traffic and general safety

Section 11.09. Organization. The department of public safety shall be headed by a commissioner whose office shall be in the unclassified service of the civil service. He shall organize the department under the supervision of the county executive into

- a. A division of fire safety, and
- b. A division of traffic and general safety.

§ 11.10. Powers and duties. The commissioner of public safety shall have and exercise all the powers and duties conferred on county fire coordinators by the laws of the state of New York and upon county traffic safety boards pursuant to section one thousand six hundred seventy-five of the Vehicle and Traffic Law, as all the powers and duties heretofore or hereafter lawfully granted or imposed by the county charter, by this code, by local law, ordinance, or resolution of the board of supervisors, by the county executive, or by any applicable provision of any act of the legislature not inconsistent with the county charter or this code.

§ 11.11. Division of fire safety; advisory board. a. The division of fire safety shall be headed by a deputy commissioner. He shall have and exercise, under the supervision of the commissioner of public safety, all the powers and duties now or hereafter imposed upon a county fire coordinator. It shall be his duty, as the commissioner of public safety shall direct, to plan and administer county programs for fire training and mutual aid in cases of fire and other emergencies in which the services of firemen would be used; to act as liaison officer between the county executive, the board of supervisors, the county fire advisory board, the fire fighting forces in the county and the officers and governing boards or bodies thereof, and to perform such other duties in planning and operation of safety programs as may be prescribed by the county executive, the board of supervisors or the commissioner of public safety.

b. The county executive shall appoint a fire advisory board of twenty-one members for a term of two (2) years. It shall be the duty of such board to cooperate with the state division of safety in effectuating the purposes for which the division was established in relation to such programs for fire training and mutual aid; to act as an advisory body to the county executive, the board of supervisors and the commissioner of public safety in connection with county participation in such programs for fire training and mutual aid and in connection with the county establishment and maintenance of a county fire training school and mutual aid programs in cases of fire and other emergencies in which the services of firemen would be used; to perform such other duties as the county executive, the board of supervisors or the commissioner of public safety may prescribe in relation to fire training and mutual aid in cases of fire and other emergencies in which the services of firemen would be used. The members of such board shall be county officers and shall serve without compensation. The terms of office of the incumbent members of the fire advisory board shall continue for the periods for which such members shall have been appointed.

§ 11.12. Division of traffic and general safety; advisory board.

a. The division of traffic and general safety shall be headed by a deputy commissioner whose position shall be in the exempt class of the civil service. He shall have and exercise, under the supervision of the commissioner of public safety, all the powers and

duties now or hereinafter imposed upon him by the county charter, by this code, by local law, by order or direction of the commissioner of public safety. Such powers and duties shall include, but shall not be limited to, any power or duty conferred by or imposed upon a county traffic safety board and/or the executive secretary of a county traffic safety board by the Vehicle and Traffic Law, or other applicable law.

b. The county executive shall appoint a traffic safety advisory board of fifteen members interested in traffic safety and traffic problems. Each member shall be a resident of Erie county and shall be a qualified elector thereof. At least one of such members shall be a resident of each of the cities contained in the county and at least six of such members shall be residents of the area of the county, outside such cities. The said board shall annually elect a chairman, vice-chairman and secretary from its members. Meetings of the traffic safety advisory board shall be held at the call of the commissioner of public safety or the chairman of such board on three (3) days' written notice mailed to the last known address of such board members. Such board shall have and exercise the powers and duties conferred or imposed upon it by the county charter or this code. The term of office of such members shall be five (5) years. The terms of office of the incumbent members of the traffic safety advisory board shall continue for the periods for which such members shall have been appointed. Vacancies in the membership of the board occurring otherwise than by expiration of term shall be filled by appointment for the unexpired term.

Section 16.05 and subdivision b. of section 16.08 of article sixteen of the Erie county administrative code are hereby repealed.

This local law shall take effect immediately.