

LOCAL LAW NO. 4-2012

“Revisions to Chapter 197 of the Village Code ‘Peddling and Soliciting’ to Reflect Requirements of the Division of Criminal Justice Services With Regard to Fingerprinting License Applicants”

A LOCAL LAW amending Chapter 197 of the Code of the Village of Ossining entitled “Peddling and Soliciting” to reflect updated requirements by the New York State Division of Criminal Justice Services regarding the fingerprinting of applicants for Peddlers and Solicitors Licenses.

BE IT ENACTED by the Board of Trustees of the Village of Ossining, as follows:

Section 1. Legislative Intent. It is the intent of the Board of Trustees of the Village of Ossining to revise the Village Code to reflect the updated requirements of New York State Division of Criminal Justice Services regarding the taking and processing of fingerprints for license applicants.

Section 2. Chapter 197 of the Village Code “Peddling and Soliciting”, Article II, Section 197-12 entitled “Application; Contents” is hereby amended as follows, with new matter underlined and deleted matter in [brackets]:

L. [The applicant’s fingerprint, on condition that the same be taken by the Village police department at the time the application is submitted, shall be submitted with the application.] All applicants for a license pursuant to Chapter 197 “Peddling and Soliciting” from the Village of Ossining will submit to fingerprinting and shall be subject to a review of their criminal history record by the Chief of Police of the Village of Ossining Police Department, or his/her designee. All fingerprints and any applicable fees must be submitted in the form and manner as prescribed by Division of Criminal Justice Services (“DCJS”). Any decision regarding a prospective applicant’s fitness for a license based upon a conviction contained in the criminal history background information obtained from the DCJS must be made upon consideration of New York State Correction Law Sections 701-703-b and Sections 751-753.

Section 3. Except as otherwise provided herein, all other provisions of the Code of the Village of Ossining shall remain the same.

Section 4. The provisions of this Introductory Local Law are declared to be severable, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any remaining sections, subsections, sentences, clauses or part of this Local Law

Section 5. This Local Law shall take effect upon the filing and publication as required by applicable law, including filing with the Secretary of State.