



## **COMMON COUNCIL COMMITTEE MEETING**

### **PUBLIC SAFETY COMMITTEE Dorcey Applys, Chair**

**DATE:** Thursday, August 22, 2019

**PLACE:** City Court Room 209 – 2<sup>nd</sup> Fl. City Hall

**TIME:** 5:30 PM

#### **TOPIC OF DISCUSSION:**

**RESOLUTION NUMBER 54.72.19R**

**RESOLUTION OF THE COMMON COUNCIL AUTHORIZING A REWARDS PROGRAM IN ACCORDANCE WITH SECTION 91 OF THE NYS GENERAL MUNICIPAL LAW IN RELATION TO THE ILLEGAL USE OF ATVs AND DIRT BIKES ON PUBLIC STREETS**

**PUBLIC COMMENT PERIOD:** Yes

**Council Member Conti offered the following:**

**RESOLUTION NUMBER 54.72.19R**

**RESOLUTION OF THE COMMON COUNCIL AUTHORIZING A REWARDS PROGRAM IN ACCORDANCE WITH SECTION 91 OF THE NYS GENERAL MUNICIPAL LAW IN RELATION TO THE ILLEGAL USE OF ATVs AND DIRT BIKES ON PUBLIC STREETS**

**WHEREAS** the illegal use of ATVs and Dirt Bikes on public streets is a growing problem and public safety concern within the City of Albany and nationally; and

**WHEREAS** efforts related to prevention and apprehension of individuals engaged in this illegal practice are challenging and require multiple approaches; and

**WHEREAS** section 91 of the NYS General Municipal Law authorizes the establishment of rewards programs related to the apprehension and conviction of a person or persons guilty of a felony or misdemeanor; and

**WHEREAS** the payment of rewards under such programs may not be more than \$1,000 for information which leads to the detection, arrest and conviction of a person or persons guilty of a misdemeanor, and not more than twenty-five thousand dollars for information which leads to the detection, arrest and conviction of a person or persons guilty of a felony or felonies; and

**WHEREAS** such rewards programs must be authorized by the governing body of a municipality; and

**NOW, THEREFORE, BE IT RESOLVED** that the Albany Common Council does hereby authorize the Chief of Police to establish a rewards program under section 91 of the NYS General Municipal Law related to the illegal use of ATVs and Dirt Bikes on public streets and to establish guidelines and standards there under related to the provision of information and the determination of rewards; and

**BE IT FURTHER RESOLVED** that upon implementation the Chief of Police is authorized to make rewards under such program within amounts authorized therefore; and

**BE IT FURTHER RESOLVED** that prior to implementation the standards and guidelines for such program shall be submitted to the Common Council for review.

**Albany Common Council  
Memorandum in Support of Legislation**

**Ordinance Number:** 54.72.19R

**Sponsor(s):** Council Member Conti

**Title:** RESOLUTION OF THE COMMON COUNCIL AUTHORIZING A REWARDS PROGRAM IN ACCORDANCE WITH SECTION 91 OF THE NYS GENERAL MUNICIPAL LAW IN RELATION TO THE ILLEGAL USE OF ATVs AND DIRT BIKES ON PUBLIC STREETS

**Purpose:** To authorize a rewards program for information related to the apprehension and conviction of a person or persons guilty of a felony or misdemeanor in relation to the illegal use of ATVs or dirt bikes on public streets.

**Summary:** Implements section 91 of the General Municipal Law authorizing the establishment of Rewards Programs.

**Justification:** the illegal use of ATVs and Dirt Bikes on public streets is a growing problem and public safety concern within the City of Albany and nationally. Efforts related to prevention and apprehension of individuals engaged this illegal practice are challenging and require multiple approaches. Section 91 of the NYS General Municipal Law authorizes the establishment of rewards programs related to the apprehension and conviction of a person or persons guilty of a felony or misdemeanor. The payment of rewards under such programs may not be more than \$1,000 for information which leads to the detection, arrest and conviction of a person or persons guilty of a misdemeanor, and not more than twenty-five thousand dollars for information which leads to the detection, arrest and conviction of a person or persons guilty of a felony or felonies. Such rewards programs must be authorized by the governing body of a municipality; and

**Existing Law:** Section 91 of the General Municipal Law provides the following:

§ 91. Payment of rewards for apprehension and conviction of a person or persons guilty of felony or misdemeanor. The governing board of any municipal corporation shall have power to offer, appropriate and pay rewards of not more than one thousand dollars for information which shall lead to detection, arrest and conviction of a person or persons guilty of a misdemeanor and not more than twenty-five thousand dollars for information which shall lead to the detection, arrest and conviction of a person or persons guilty of a felony or felonies; provided, however, that no police officer, peace officer, or any other law enforcement officer or official shall be entitled, directly or indirectly, to collect any such reward.

**Fiscal Impact:** Dependent on number of rewards granted.

**Effective Date:** Immediate, pursuant to the development of guidelines and standards developed by the Chief of Police.