

**The following resolutions are updates for the  
Town of Babylon Town Code - Supplement #14**

**RESOLUTION NO. 36 JANUARY 3, 2024  
ADOPTING LOCAL LAW 1 OF 2024  
AMENDING THE CODE OF THE TOWN OF BABYLON,  
CHAPTER 15 (DEPARTMENT OF PUBLIC SAFETY ENFORCEMENT)**

The following resolution was offered by Councilman Martinez  
and seconded by Councilman McSweeney

WHEREAS, the Town Board of the Town of Babylon duly called and held a Public Hearing at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst NY 11757 on the 20th day of December, 2023 upon the question of the enactment of Local Law No. 1 of 2024 of the Town of Babylon, Suffolk County, New York, being such a local law; and

WHEREAS, in accordance with Part 617.5(c)(26), State Environmental Quality Review (SEQR), the adoption of this local law is classified a Type II Action and not subject to environmental review under SEQR.

NOW, THEREFORE, be it

RESOLVED AND ORDAINED, by the Town Board of the Town of Babylon, that Local Law 1 of 2024 of the Town of Babylon, Suffolk County, New York, is hereby enacted as follows and is effective upon its filing with the New York State Department of State:

**LOCAL LAW 1 OF 2024  
AMENDING THE CODE OF THE TOWN OF BABYLON**

AMEND as follows:

**CHAPTER 15  
DEPARTMENT OF PUBLIC SAFETY ENFORCEMENT**

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**§ 15-5. Powers and Duties.**

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C. Division of Fire Prevention.

1. ~~Its powers and duties are set forth in Chapter 123 of the Code of the Town of Babylon.~~ The Division of Fire Prevention shall have charge and supervision of the administration and enforcement of Chapter 123 of the Code of the Town of Babylon relating to fire prevention. The head of the Division of Fire Prevention shall be known as the "Chief Fire Marshal." The Chief Fire Marshal shall devote his or her full time to the duties of the Division. In the absence of the Chief Fire Marshal or at the direction of the Commissioner of Public Safety, the Assistant Chief Fire Marshal shall have the full power, authority and responsibility to undertake and perform all acts and duties performed by the Chief Fire Marshal. There shall be appointed as many Fire Marshals as may be necessary to assist the Chief Fire Marshal or Assistant Chief Fire Marshal in his or her duties.
2. The Chief Fire Marshal and the Assistant Chief Fire Marshal shall be residents of the Town of Babylon and shall be appointed pursuant to the rules and regulations of the Babylon Town Department of Civil Service and possess the minimum experience and qualifications as established by the Department of Civil Service.
3. The Fire Marshals shall ~~also~~ be responsible to issue such permits and collect such fees as required in ~~said chapter~~ Chapter 123 of the Code of the Town of Babylon. Fire Marshals are also hereby authorized to issue appearance tickets and summonses for violations of the Code of

the Town of Babylon and the New York State Building Code, Residential Code, Fire Code, Plumbing Code, Mechanical Code, Fuel Gas Code, Property Maintenance Code and Energy Conservation Code. Fire Marshals are further authorized to issue uniform appearance tickets and simplified informations pursuant to Article 71 of the Environmental Conservation Law and simplified traffic informations pursuant to Criminal Procedure Law § 100.25 and shall have other powers of peace officers in accordance with § 2.10, Subdivision 62, of the Criminal Procedure Law, § 2.20 of the Criminal Procedure Law, and such other powers as may be authorized by law.

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ADDITIONS ARE INDICATED BY UNDERLINE  
DELETIONS ARE INDICATED BY ~~STRIKETHROUGH~~  
VOTES: 5      YEAS: 5      NAYS: 0

The resolution was thereupon declared duly adopted.