

LOCAL LAW NO. \_\_\_\_ OF 2024 OF THE  
TOWN BOARD OF THE TOWN OF ORANGETOWN, NEW YORK,  
TO AMEND CHAPTER 1 OF THE ORANGETOWN CODE, ENTITLED "CODE OF ETHICS," SO  
AS TO ADDRESS AUDIO AND VIDEO RECORDING BY COVERED EMPLOYEES

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF ORANGETOWN AS FOLLOWS:

**Section 1.** A new Paragraph "I," of §1-5 (Standards of conduct), of Article I (Standards of conduct), of Chapter 1 (Code of Ethics), of the Code of the Town of Orangetown, is added to read as follows:

- I. Each elected official, covered employee and Town employee shall be barred from recording via video and/or audio device any individual or proceeding involving Town business without the knowledge or consent of each of the individual(s) who are being video and/or audio recorded. Notwithstanding the foregoing, any individual who is acting as agent or under the direction or on behalf of law enforcement, whether local, state or federal, is permitted to video-and/or audiotape if such conduct is at the law enforcement agency's direction. This provision shall not apply to audio or video systems that are part of Town government operations, such as recordings of public meetings, telecommunications or surveillance systems operated by the Town; nor is this prohibition intended, and should not be interpreted, to interfere with the rights of employees to engage in any concerted activity that is protected under Section 7 of the National Labor Relations Act.

**Section 2.** Paragraph "A," of §1-8 (Violations and penalties; enforcement), of Article I (Standards of conduct), of Chapter 1 (Code of Ethics), of the Code of the Town of Orangetown, is amended to read as follows:

- A. Any person who shall violate any of the provisions of § 1-5 of this local law shall be subject to a civil fine in an amount not to exceed \$5,000.00 for each violation. Assessment of a civil penalty hereunder shall be made by the Board.

**Section 3. Severability Clause.**

If any part or provision of this Local Law, or the application thereof to any person or circumstance, is adjudged invalid or unconstitutional by a court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law, or the application thereof to other persons or circumstances. The Town Board hereby declares that it would have enacted the remainder of this Local Law even without any such invalid or unconstitutional part, provision or application.

**Section 4. Effective Date.**

This Local Law shall take effect immediately upon the filing of a copy with the NYS Secretary of State in the manner prescribed by NYS Municipal Home Rule Law §27.