

**LEGAL NOTICE
NOTICE OF PUBLIC HEARING**

WHEREAS, there has been presented to the Town Board of the Town of Southold, Suffolk County, New York, on the 2nd day of July, 2019, a Local Law entitled **“A Local Law in relation to an Amendment to Chapter 280, Zoning, in connection with Administration and Enforcement in the Town of Southold”** now, therefore, be it

RESOLVED that the Town Board of the Town of Southold will hold a public hearing on the aforesaid Local Law at Southold Town Hall, 53095 Main Road, Southold, New York, on the **30th day of July, 2019 at 7:00 p.m.** at which time all interested persons will be given an opportunity to be heard.

The proposed Local Law entitled, **“A Local Law in relation to an Amendment to Chapter 280, Zoning, in connection with Administration and Enforcement in the Town of Southold”** which reads as follows:

LOCAL LAW NO. 2019

A Local Law entitled, **“A Local Law in relation to an Amendment to Chapter 280, Zoning, in connection with Administration and Enforcement in the Town of Southold”**

BE IT ENACTED by the Town Board of the Town of Southold as follows:

I. Purpose

The Purpose of the amendment is to clarify the Town’s intention to supersede Section 268 of the Town Law of the State of New York.

II. Amendment.

The Southold Town Code is hereby amended by removing the struck through words and adding the underlined words as follows:

§280-155. Penalties for offenses

A. The Town Board of the Southold has determined in order to obtain satisfactory enforcement and compliance with the law, it is necessary to increase the fines for zoning violations in excess of the maximums authorized by §268(1) of the Town Law of the State of New York. It is the intent of the Town Board pursuant to the Municipal Home Rule Law of the State of New York to supersede the portion of §268(1) of the Town Law of the State of New York as enacted by Chapter 598 of the Laws of 1985, insofar as to authorize the Town Board to establish maximum fines for violations of the Building Zone Ordinance set forth in the said §268 of the Town Law.

A.B. For each offense against any of the provisions of this chapter or any regulations made pursuant thereto or for failure to comply with a written notice or order of any Building Inspector within the time fixed for compliance therewith, the owner, occupant, builder,

architect, contractor, or their agents, or any other person who commits, or takes part or assists in the commission of any such offense or any person, including an owner, contractor, agent or other person who fails to comply with a written order or notice of any Building Inspector or Zoning Inspector shall, upon a first conviction thereof, be guilty of a violation, punishable by a fine not exceeding \$5,000 or by imprisonment for a period not to exceed 15 days, or both. Each day on which such violation shall occur shall constitute a separate, additional offense. For a second and subsequent conviction within 18 months thereafter, such person shall be guilty of a violation punishable by a fine not exceeding \$10,000 or by imprisonment for a period not to exceed 15 days, or by both such fine and imprisonment,

- B.C. Notwithstanding the foregoing, any violations of §280-13A(6), 280-13B(13), 280-13D, and 280-111J are hereby declared to be offenses punishable by a fine not less than \$1,500 nor more than \$8,000 or imprisonment for a period not to exceed six months, or both, for a conviction of a first offense; for convictions of a second or subsequent offense within 18 months, a fine not less than \$3,000 nor more than \$15,000 or imprisonment not to exceed a period of six months, or both. However, for the purpose of conferring jurisdiction upon courts and judicial officers in general, violations of this chapter shall be deemed misdemeanors, and, for such purpose only, all provisions of law relating to misdemeanors shall apply. Each day's continued violation shall constitute a separate additional violation. Additionally, in lieu of imposing the fine authorized in this section, in accordance with Penal Law §80.05(5), the court may sentence the defendant(s) to pay an amount, fixed by the court, not exceeding double the amount of the rent collected over the term of occupancy.

III. SEVERABILITY

If any clause, sentence, paragraph, section, or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, the judgment shall not affect the validity of this law as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

IV. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State as provided by law.

Dated: July 2, 2019

BY THE ORDER OF THE
SOUTHOLD TOWN BOARD
Elizabeth A. Neville
Southold Town Clerk

PLEASE PUBLISH IN THE **July 11, 2019** EDITION OF THE SUFFOLK TIMES AND PROVIDE ONE (1) AFFIDAVIT OF PUBLICATION TO THE SOUTHOLD TOWN CLERK'S OFFICE, PO BOX 1179, SOUTHOLD, NY 11971.