

1139

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. GUNTHER, DelMONTE, GALEF, MOLINARO, WALKER --
Multi-Sponsored by -- M. of A. BRADLEY, JOHN, MAYERSOHN, REILLY,
SWEENEY -- read once and referred to the Committee on Local Govern-
ments

AN ACT to amend the town law, in relation to the enforcement and reme-
dies of a town board

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 1 of section 268 of the town law, as amended by
2 chapter 458 of the laws of 1997, is amended to read as follows:
3 1. The town board may provide by local law or ordinance for the
4 enforcement of this article and of any local law, ordinance or regu-
5 lation made thereunder. A violation of this article or of such local
6 law, ordinance or regulation is hereby declared to be an offense,
7 punishable by a fine not [exceeding three hundred fifty dollars] LESS
8 THAN FIVE HUNDRED DOLLARS OR MORE THAN ONE THOUSAND DOLLARS or imprison-
9 ment for a period not to exceed six months, or both for conviction of a
10 first offense; for conviction of a second offense ON THE SAME PREMISES,
11 both of which were committed within a period of five years, punishable
12 by a fine not less than [three hundred fifty dollars nor more than seven
13 hundred] ONE THOUSAND dollars or imprisonment for a period not to exceed
14 six months, or both; and, upon conviction for a third or subsequent
15 offense all of which were committed within a period of five years,
16 punishable by a fine not less than [seven hundred] THREE THOUSAND
17 dollars nor more than [one] FIVE thousand dollars or imprisonment for a
18 period not to exceed six months, or both. However, for the purpose of
19 conferring jurisdiction upon courts and judicial officers generally,
20 violations of this article or of such local law, ordinance or regulation
21 shall be deemed misdemeanors and for such purpose only all provisions of
22 law relating to misdemeanors shall apply to such violations. Each week's
23 continued violation shall constitute a separate additional violation.
24 S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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