

LBD09362-04-0

1 B. THE SALE FEATURES A LIMITED QUANTITY OF CERTAIN ITEMS AT A FURTHER
2 REDUCED PRICE TO ATTRACT USUALLY LARGER THAN ANTICIPATED CROWDS; AND

3 C. LANGUAGE IS USED TO PROMOTE THE SALE WHICH ENTICES THE PUBLIC TO
4 WAIT IN LINE PRIOR TO THE RETAILER'S OPENING, INCLUDING BUT NOT LIMITED
5 TO "BLACK FRIDAY," "DOORBUSTER," AND "FIRST COME FIRST SERVED," OR THE
6 SALE IS ADVERTISED TO START EARLIER THAN THE RETAILER'S NORMAL BUSINESS
7 HOURS; AND

8 D. DOORBUSTER SALES SHALL NOT INCLUDE "GOING OUT OF BUSINESS SALES" AS
9 DEFINED BY SECTION 20-308 OF THIS CHAPTER.

10 2. "COMMISSIONER." THE COMMISSIONER OF CONSUMER AFFAIRS.

11 S 20-540 LICENSE REQUIRED. IT SHALL BE UNLAWFUL FOR ANY PERSON TO
12 ADVERTISE OR TO PUBLISH NOTICE PERTAINING TO OR TO CONDUCT A DOORBUSTER
13 SALE WITHOUT FIRST OBTAINING A LICENSE ISSUED PURSUANT TO THIS SUBCHAP-
14 TER.

15 S 20-541 APPLICATION. 1. EACH RETAILER APPLYING FOR A LICENSE SHALL
16 FILE AN APPLICATION IN SUCH FORM AND DETAIL AS THE COMMISSIONER MAY
17 PRESCRIBE AND SHALL PAY A FEE OF ONE HUNDRED DOLLARS.

18 2. ALL APPLICATIONS FOR SUCH LICENSES SHALL BE FILED AT LEAST SIXTY
19 DAYS PRIOR TO THE DATE ON WHICH SUCH SALE IS TO COMMENCE.

20 3. THE FEE FOR FILING SUCH APPLICATION SHALL BE ONE HUNDRED DOLLARS.

21 4. IN ADDITION TO ANY OTHER INFORMATION REQUIRED, THE COMMISSIONER
22 SHALL REQUIRE THE FOLLOWING INFORMATION:

23 A. THE NAME AND ADDRESS OF THE APPLICANT, WHETHER THE APPLICANT IS THE
24 TRUE OWNER OF THE GOODS, WARES OR MERCHANDISE TO BE SOLD, AND

25 (I) IF THE APPLICANT BE A PARTNERSHIP, THE NAMES AND ADDRESSES OF ALL
26 PARTNERS, OR

27 (II) IF THE APPLICANT BE A CORPORATION OR ASSOCIATION, THE DATE AND
28 PLACE OF INCORPORATION OR ORGANIZATION, THE ADDRESS OF THE PRINCIPAL
29 OFFICE WITHIN THE STATE, THE NAMES AND ADDRESSES OF ALL THE OFFICERS OF
30 THE APPLICANT AND WHETHER A CONTROLLING INTEREST IN THE CORPORATION OR
31 ASSOCIATION WAS TRANSFERRED WITHIN SIX MONTHS PRIOR TO THE DATE OF THE
32 FILING OF THE APPLICATION.

33 B. THE NAME AND ADDRESS OF THE PERSON OR PERSONS WHO WILL BE IN CHARGE
34 AND RESPONSIBLE FOR THE CONDUCT OF SUCH SALE.

35 C. THE EXACT ADDRESS OF THE PLACE AT WHICH SUCH SALE IS TO BE
36 CONDUCTED AND THE LENGTH OF TIME THE APPLICANT HAS BEEN ENGAGED IN BUSI-
37 NESS AT SUCH LOCATION.

38 D. THE DATE AND TIME SUCH SALE IS TO BEGIN AND THE DURATION OF SUCH
39 SALE.

40 E. THE NATURE OF THE OCCUPANCY WHERE SUCH SALE IS TO BE HELD, WHETHER
41 BY LEASE OR OTHERWISE, AND THE EFFECTIVE DATE OF TERMINATION OF SUCH
42 OCCUPANCY.

43 F. A STATEMENT OF THE DESCRIPTIVE NAME OF THE SALE.

44 G. A VALID AND ACCURATE FLOOR PLAN OF THE LOCATION AT WHICH SUCH SALE
45 IS TO BE CONDUCTED, WITH THE DOORS TO BE USED AS ENTRANCES TO AND EXITS
46 FROM THE PROPOSED SALE CLEARLY MARKED.

47 H. A DETAILED PLAN FOR CROWD CONTROL THAT IS DESIGNED TO ENSURE ORDER-
48 LY AND SAFE ENTRANCE INTO THE STORE, INCLUDING THE FOLLOWING INFORMA-
49 TION:

50 (I) THE CAPACITY OF THE LOCATION OF SUCH SALE; AND

51 (II) AN EXPECTATION OF THE NUMBER OF PEOPLE ANTICIPATED TO ATTEND SUCH
52 SALE; AND

53 (III) THE NUMBER OF PERSONNEL ASSIGNED TO MANAGE THE ENTRANCES TO THE
54 STORE; AND

55 (IV) THE TIME AT WHICH CUSTOMERS WILL BE PERMITTED TO STAND IN LINE
56 PRIOR TO THE OPENING OF THE STORE; AND

(V) THE TOTAL NUMBER OF PERSONNEL ASSIGNED TO WORK FOR THE DURATION OF SUCH SALE; AND

(VI) ANY ADDITIONAL INFORMATION AS THE COMMISSIONER MAY REQUIRE.

S 20-542 ISSUANCE OF LICENSE. UPON THE FILING OF SUCH APPLICATION, THE COMMISSIONER SHALL ISSUE SUCH LICENSE FOR THE DATE OF THE PROPOSED DOORBUSTER SALE IF HE OR SHE FINDS THAT THE CROWD CONTROL PLAN IS ADEQUATE TO ENSURE THE PUBLIC'S SAFETY FOR THE DURATION OF THE SALE.

S 20-543 RULES. 1. THE RETAILER SHALL ENSURE THAT ALL PERSONNEL SHALL RECEIVE ADEQUATE TRAINING BY A LICENSED SECURITY GUARD RELATING TO CROWD CONTROL, STORE SAFETY AND SALES PROCEDURES. THE LICENSED SECURITY GUARD AND THE STORE MANAGER SHALL SIGN A LETTER OF CERTIFICATION FOR THE EMPLOYEE TRAINED IN ORDER TO CERTIFY THAT THE EMPLOYEE HAS RECEIVED PROPER TRAINING.

2. THE RETAILER SHALL DEVELOP AND INSTITUTE STORE POLICIES AND PROCEDURES WHICH ARE DESIGNED TO PROMOTE THE FAIR AND ORDERLY SALE OF PRODUCTS WHICH ARE BEING OFFERED AT A REDUCED SALE PRICE INCLUDING BUT NOT LIMITED TO:

A. SECURED AND MARKED WAITING AREAS OUTSIDE THE RETAIL PREMISES;

B. A FIRST COME-FIRST SERVED OR LOTTERY NUMBER ISSUE SYSTEM FOR GOODS WHICH ARE LIMITED IN QUANTITY; AND

C. PLACEMENT OF CERTAIN LIMITED QUANTITY ITEMS IN RESTRICTED AREAS WHICH ARE SECURED BY STAFF AND/OR OTHER SECURITY MEASURES SO AS TO ALLOW FOR THE ORDERLY DISTRIBUTION OF SUCH ITEMS BY SALES ASSOCIATES ACCORDING TO SET POLICIES AND PROCEDURES.

3. THE COMMISSIONER MAY MAKE AND PROMULGATE SUCH RULES AND REGULATIONS AS HE OR SHE MAY DEEM NECESSARY FOR THE PROPER IMPLEMENTATION AND ENFORCEMENT OF THIS SUBCHAPTER.

S 20-544 VIOLATIONS. 1. ANY PERSON WHO VIOLATES THE PROVISIONS OF THIS SUBCHAPTER SHALL BE GUILTY OF A VIOLATION PUNISHABLE BY A FINE OF NOT LESS THAN FIVE THOUSAND DOLLARS. ANY SUBSEQUENT VIOLATIONS SHALL BE PUNISHABLE BY A FINE OF TEN THOUSAND DOLLARS.

2. ANY PERSON VIOLATING THIS SUBCHAPTER SHALL BE SUBJECT TO A CIVIL PENALTY OF NOT LESS THAN FIVE THOUSAND DOLLARS. A PROCEEDING TO RECOVER ANY CIVIL PENALTY PURSUANT TO THIS SUBCHAPTER SHALL BE COMMENCED BY THE SERVICE OF A NOTICE OF HEARING THAT SHALL BE RETURNABLE TO THE ADMINISTRATIVE TRIBUNAL OF THE DEPARTMENT. ANY SUBSEQUENT VIOLATIONS SHALL BE PUNISHABLE BY A FINE OF TEN THOUSAND DOLLARS.

S 20-545 HEARING AUTHORITY. 1. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE DEPARTMENT SHALL BE AUTHORIZED UPON DUE NOTICE AND HEARING, TO IMPOSE CIVIL PENALTIES FOR THE VIOLATION OF ANY PROVISION OF THIS SUBCHAPTER AND ANY RULES PROMULGATED THEREUNDER. SUCH DEPARTMENT SHALL HAVE THE POWER TO RENDER DECISIONS AND ORDERS AND TO IMPOSE CIVIL PENALTIES NOT TO EXCEED THE AMOUNTS SPECIFIED IN SECTION 20-544 OF THIS SUBCHAPTER FOR EACH SUCH VIOLATION. ALL PROCEEDINGS AUTHORIZED PURSUANT TO THIS SECTION SHALL BE CONDUCTED IN ACCORDANCE WITH RULES PROMULGATED BY THE COMMISSIONER. THE PENALTIES PROVIDED FOR IN SECTION 20-544 OF THIS SUBCHAPTER SHALL BE IN ADDITION TO ANY OTHER REMEDIES OR PENALTIES PROVIDED FOR THE ENFORCEMENT OF SUCH PROVISIONS UNDER ANY OTHER LAW INCLUDING, BUT NOT LIMITED TO, CIVIL OR CRIMINAL ACTIONS OR PROCEEDINGS.

2. ALL SUCH PROCEEDINGS SHALL BE COMMENCED BY THE SERVICE OF A NOTICE OF VIOLATION RETURNABLE TO THE ADMINISTRATIVE TRIBUNAL OF THE DEPARTMENT OF CONSUMER AFFAIRS. THE COMMISSIONER SHALL PRESCRIBE THE FORM AND WORDING OF NOTICES OF VIOLATION. THE NOTICE OF VIOLATION OR COPY THEREOF WHEN FILLED IN AND SERVED SHALL CONSTITUTE NOTICE OF THE VIOLATION CHARGED, AND, IF SWORN TO OR AFFIRMED, SHALL BE PRIMA FACIE EVIDENCE OF THE FACTS CONTAINED THEREIN.

1 S 2. The general business law is amended by adding a new article 29-FF
2 to read as follows:

3 ARTICLE 29-FF
4 DOORBUSTER SALES

5 SECTION 596-A. DEFINITIONS.

6 596-B. UNLAWFUL ADVERTISEMENT.

7 596-C. APPLICATION REQUIREMENTS.

8 596-D. RULES.

9 596-E. VIOLATIONS.

10 596-F. HEARING AUTHORITY.

11 S 596-A. DEFINITIONS. WHENEVER USED IN THIS ARTICLE, THE FOLLOWING
12 TERMS SHALL MEAN AND INCLUDE: (A) "DOORBUSTER SALE." A SALE OR AN OFFER
13 TO SELL TO THE PUBLIC, GOODS, WARES, AND MERCHANDISE OF ANY KIND AT A
14 SUBSTANTIALLY DISCOUNTED PRICE FOR A LIMITED TIME WHERE AT LEAST ONE OF
15 THE FOLLOWING FACTORS OCCUR:

16 (1) THE SALE FEATURES CERTAIN ITEMS AT A FURTHER REDUCED PRICE FOR A
17 LIMITED TIME ON THE DAY OF THE SALE; AND

18 (2) THE SALE FEATURES A LIMITED QUANTITY OF CERTAIN ITEMS AT A FURTHER
19 REDUCED PRICE TO ATTRACT USUALLY LARGER THAN ANTICIPATED CROWDS; AND

20 (3) LANGUAGE IS USED TO PROMOTE THE SALE WHICH ENTICES THE PUBLIC TO
21 WAIT IN LINE PRIOR TO THE RETAILER'S OPENING, INCLUDING BUT NOT LIMITED
22 TO "BLACK FRIDAY," "DOORBUSTER," AND "FIRST COME FIRST SERVED," OR THE
23 SALE IS ADVERTISED TO START EARLIER THAN THE RETAILER'S NORMAL BUSINESS
24 HOURS; AND

25 (4) DOORBUSTER SALES SHALL NOT INCLUDE "GOING OUT OF BUSINESS SALES"
26 AS DEFINED BY SECTION FIVE HUNDRED EIGHTY-ONE OF THIS CHAPTER.

27 (B) "LICENSING AUTHORITY." THE DEPARTMENT OR OFFICER OF ANY CITY, TOWN
28 OR VILLAGE ESTABLISHED FOR THE SPECIFIC PURPOSE OF ISSUING LICENSES, AND
29 WHERE THERE IS NO SUCH DEPARTMENT OR OFFICER, IT SHALL MEAN THE CLERK OF
30 SUCH CITY, TOWN OR VILLAGE.

31 S 596-B. UNLAWFUL ADVERTISEMENT. IT SHALL BE UNLAWFUL FOR ANY PERSON
32 TO ADVERTISE OR TO PUBLISH NOTICE PERTAINING TO OR TO CONDUCT A DOORBUS-
33 TER SALE WITHOUT FIRST OBTAINING A LICENSE ISSUED PURSUANT TO THIS ARTI-
34 CLE.

35 S 596-C. APPLICATION REQUIREMENTS. (A) ANY RETAILER DESIRING TO
36 CONDUCT A DOORBUSTER SALE AS DEFINED IN SECTION FIVE HUNDRED
37 NINETY-SIX-A OF THIS ARTICLE, SHALL FILE AN APPLICATION UNDER OATH TO
38 THE LICENSING AUTHORITY OF THE APPROPRIATE CITY, TOWN, OR VILLAGE IN
39 WHICH THE SALE IS TO BE HELD. ANY RETAILER DESIRING TO CONDUCT A DOOR-
40 BUSTER SALE LOCATED WITHIN ANY BOROUGH OF THE CITY OF NEW YORK SHALL
41 COMPLY WITH THE PROVISIONS SET FORTH WITHIN SUBCHAPTER THIRTY-THREE OF
42 CHAPTER TWO OF TITLE TWENTY OF THE ADMINISTRATIVE CODE OF THE CITY OF
43 NEW YORK.

44 (B) ALL APPLICATIONS FOR SUCH LICENSES SHALL BE FILED AT LEAST SIXTY
45 DAYS PRIOR TO THE DATE ON WHICH SUCH SALE IS TO COMMENCE.

46 (C) THE FEE FOR FILING SUCH APPLICATION SHALL BE ONE HUNDRED DOLLARS.

47 (D) IN ADDITION TO ANY OTHER INFORMATION REQUIRED, THE LICENSING
48 AUTHORITY SHALL REQUIRE THE FOLLOWING INFORMATION: (I) THE NAME AND
49 ADDRESS OF THE APPLICANT, WHETHER THE APPLICANT IS THE TRUE OWNER OF THE
50 GOODS, WARES OR MERCHANDISE TO BE SOLD, AND

51 (A) IF THE APPLICANT BE A PARTNERSHIP, THE NAMES AND ADDRESSES OF ALL
52 PARTNERS, OR

53 (B) IF THE APPLICANT BE A CORPORATION OR ASSOCIATION, THE DATE AND
54 PLACE OF INCORPORATION OR ORGANIZATION, THE ADDRESS OF THE PRINCIPAL
55 OFFICE WITHIN THE STATE, THE NAMES AND ADDRESSES OF ALL THE OFFICERS OF
56 THE APPLICANT AND WHETHER A CONTROLLING INTEREST IN THE CORPORATION OR

1 ASSOCIATION WAS TRANSFERRED WITHIN SIX MONTHS PRIOR TO THE DATE OF THE
2 FILING OF THE APPLICATION.

3 (II) THE NAME AND ADDRESS OF THE PERSON OR PERSONS WHO WILL BE IN
4 CHARGE AND RESPONSIBLE FOR THE CONDUCT OF SUCH SALE.

5 (III) THE EXACT ADDRESS OF THE PLACE AT WHICH SUCH SALE IS TO BE
6 CONDUCTED AND THE LENGTH OF TIME THE APPLICANT HAS BEEN ENGAGED IN BUSI-
7 NESS AT SUCH LOCATION.

8 (IV) THE DATE AND TIME SUCH SALE IS TO BEGIN AND THE DURATION OF SUCH
9 SALE.

10 (V) THE NATURE OF THE OCCUPANCY WHERE SUCH SALE IS TO BE HELD, WHETHER
11 BY LEASE OR OTHERWISE, AND THE EFFECTIVE DATE OF TERMINATION OF SUCH
12 OCCUPANCY.

13 (VI) A STATEMENT OF THE DESCRIPTIVE NAME OF THE SALE.

14 (VII) A VALID AND ACCURATE FLOOR PLAN OF THE LOCATION AT WHICH SUCH
15 SALE IS TO BE CONDUCTED, WITH THE DOORS TO BE USED AS ENTRANCES TO AND
16 EXITS FROM THE PROPOSED SALE CLEARLY MARKED.

17 (VIII) A DETAILED PLAN FOR CROWD CONTROL THAT IS DESIGNED TO ENSURE
18 ORDERLY AND SAFE ENTRANCE INTO THE STORE, INCLUDING THE FOLLOWING INFOR-
19 MATION:

20 (A) THE CAPACITY OF THE LOCATION OF SUCH SALE; AND

21 (B) AN EXPECTATION OF THE NUMBER OF PEOPLE ANTICIPATED TO ATTEND SUCH
22 SALE; AND

23 (C) THE NUMBER OF PERSONNEL ASSIGNED TO MANAGE THE ENTRANCES TO THE
24 STORE; AND

25 (D) THE TIME AT WHICH CUSTOMERS WILL BE PERMITTED TO STAND IN LINE
26 PRIOR TO THE OPENING OF THE STORE; AND

27 (E) THE TOTAL NUMBER OF PERSONNEL ASSIGNED TO WORK FOR THE DURATION OF
28 SUCH SALE; AND

29 (F) ANY ADDITIONAL INFORMATION AS THE LICENSING AUTHORITY MAY REQUIRE.

30 (E) UPON COMPLIANCE WITH THE PROVISIONS OF THIS ARTICLE AND SUBJECT TO
31 A FINDING BY THE LICENSING AUTHORITY OF THE APPROPRIATE CITY, TOWN OR
32 VILLAGE IN WHICH THE DOORBUSTER SALE IS TO BE HELD, THAT THE CROWD
33 CONTROL PLAN IS ADEQUATE TO ENSURE THE PUBLIC'S SAFETY FOR THE DURATION
34 OF THE DOORBUSTER SALE, SUCH LICENSING AUTHORITY SHALL ISSUE A LICENSE
35 TO CONDUCT THE DOORBUSTER SALE, WITHIN FORTY-EIGHT HOURS AFTER
36 SUBMISSION OF THE APPLICATION, EXCLUSIVE OF SATURDAYS, SUNDAYS AND
37 PUBLIC HOLIDAYS.

38 S 596-D. RULES. (A) THE RETAILER SHALL ENSURE THAT ALL PERSONNEL SHALL
39 RECEIVE ADEQUATE TRAINING BY A LICENSED SECURITY GUARD RELATING TO CROWD
40 CONTROL, STORE SAFETY AND SALES PROCEDURES. THE LICENSED SECURITY GUARD
41 AND THE STORE MANAGER SHALL SIGN A LETTER OF CERTIFICATION FOR THE
42 EMPLOYEE TRAINED IN ORDER TO CERTIFY THAT THE EMPLOYEE HAS RECEIVED
43 PROPER TRAINING.

44 (B) THE RETAILER SHALL DEVELOP AND INSTITUTE STORE POLICIES AND PROCE-
45 DURES WHICH ARE DESIGNED TO PROMOTE THE FAIR AND ORDERLY SALE OF
46 PRODUCTS WHICH ARE BEING OFFERED AT A REDUCED SALE PRICE INCLUDING BUT
47 NOT LIMITED TO:

48 (1) SECURED AND MARKED WAITING AREAS OUTSIDE THE RETAIL PREMISES;

49 (2) A FIRST COME-FIRST SERVED OR LOTTERY NUMBER ISSUE SYSTEM FOR GOODS
50 WHICH ARE LIMITED IN QUANTITY; AND

51 (3) PLACEMENT OF CERTAIN LIMITED QUANTITY ITEMS IN RESTRICTED AREAS
52 WHICH ARE SECURED BY STAFF AND/OR OTHER SECURITY MEASURES SO AS TO ALLOW
53 FOR THE ORDERLY DISTRIBUTION OF SUCH ITEMS BY SALES ASSOCIATES ACCORDING
54 TO SET POLICIES AND PROCEDURES.

55 (C) THE LICENSING AUTHORITY OF THE APPROPRIATE CITY, TOWN OR VILLAGE
56 IN WHICH THE DOORBUSTER SALE IS TO BE HELD, MAY MAKE AND PROMULGATE SUCH

1 RULES AND REGULATIONS AS HE OR SHE MAY DEEM NECESSARY FOR THE PROPER
2 IMPLEMENTATION AND ENFORCEMENT OF THIS ARTICLE.

3 S 596-E. VIOLATIONS. (A) ANY PERSON WHO VIOLATES THE PROVISIONS OF
4 THIS ARTICLE SHALL BE GUILTY OF A VIOLATION PUNISHABLE BY A FINE OF NOT
5 LESS THAN FIVE THOUSAND DOLLARS. ANY SUBSEQUENT VIOLATIONS SHALL BE
6 PUNISHABLE BY A FINE OF TEN THOUSAND DOLLARS.

7 (B) ANY PERSON VIOLATING THIS ARTICLE SHALL BE SUBJECT TO A CIVIL
8 PENALTY OF NOT LESS THAN FIVE THOUSAND DOLLARS. A PROCEEDING TO RECOVER
9 ANY CIVIL PENALTY PURSUANT TO THIS ARTICLE SHALL BE COMMENCED BY THE
10 SERVICE OF A NOTICE OF HEARING THAT SHALL BE RETURNABLE TO THE LICENSING
11 AUTHORITY OF THE APPROPRIATE CITY, TOWN OR VILLAGE IN WHICH THE DOORBUS-
12 TER SALE IS TO BE HELD. ANY SUBSEQUENT VIOLATIONS SHALL BE PUNISHABLE
13 BY A FINE OF TEN THOUSAND DOLLARS.

14 S 596-F. HEARING AUTHORITY. (A) NOTWITHSTANDING ANY OTHER PROVISION OF
15 LAW, THE LICENSING AUTHORITY OF THE APPROPRIATE CITY, TOWN OR VILLAGE IN
16 WHICH THE DOORBUSTER SALE IS TO BE HELD, SHALL BE AUTHORIZED UPON DUE
17 NOTICE AND HEARING, TO IMPOSE CIVIL PENALTIES FOR THE VIOLATION OF ANY
18 PROVISION OF THIS ARTICLE AND ANY RULES PROMULGATED THEREUNDER. SUCH
19 LICENSING AUTHORITY SHALL HAVE THE POWER TO RENDER DECISIONS AND ORDERS
20 AND TO IMPOSE CIVIL PENALTIES NOT TO EXCEED THE AMOUNTS SPECIFIED IN
21 SECTION FIVE HUNDRED NINETY-SIX-E OF THIS ARTICLE FOR EACH SUCH
22 VIOLATION. ALL PROCEEDINGS AUTHORIZED PURSUANT TO THIS SECTION SHALL BE
23 CONDUCTED IN ACCORDANCE WITH RULES PROMULGATED BY SUCH LICENSING AUTHOR-
24 ITY. THE PENALTIES PROVIDED FOR IN SECTION FIVE HUNDRED NINETY-SIX-E OF
25 THIS ARTICLE SHALL BE IN ADDITION TO ANY OTHER REMEDIES OR PENALTIES
26 PROVIDED FOR THE ENFORCEMENT OF SUCH PROVISIONS UNDER ANY OTHER LAW
27 INCLUDING, BUT NOT LIMITED TO, CIVIL OR CRIMINAL ACTIONS OR PROCEEDINGS.

28 (B) ALL SUCH PROCEEDINGS SHALL BE COMMENCED BY THE SERVICE OF A NOTICE
29 OF VIOLATION RETURNABLE TO THE LICENSING AUTHORITY. SUCH LICENSING
30 AUTHORITY SHALL PRESCRIBE THE FORM AND WORDING OF NOTICES OF VIOLATION.
31 THE NOTICE OF VIOLATION OR COPY THEREOF WHEN FILLED IN AND SERVED SHALL
32 CONSTITUTE NOTICE OF THE VIOLATION CHARGED, AND, IF SWORN TO OR
33 AFFIRMED, SHALL BE PRIMA FACIE EVIDENCE OF THE FACTS CONTAINED THEREIN.

34 S 3. This act shall take effect immediately.