

S T A T E O F N E W Y O R K

414--A

2011-2012 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 5, 2011

Introduced by M. of A. GUNTHER, GALEF, MOLINARO -- Multi-Sponsored by --
M. of A. MAYERSOHN, REILLY, SWEENEY -- read once and referred to the
Committee on Local Governments -- committee discharged, bill amended,
ordered reprinted as amended and recommitted to said committee

AN ACT to amend the town law, in relation to the enforcement and remedies of a town board

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, 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 regulation
5 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 imprisonment
9 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 NOR MORE THAN THREE THOUSAND DOLLARS or
14 imprisonment for a period not to exceed six months, or both; and, upon
15 conviction for a third or subsequent offense all of which were committed
16 within a period of five years, punishable by a fine not less than [seven
17 hundred] THREE THOUSAND dollars nor more than [one] FIVE thousand
18 dollars or imprisonment for a period not to exceed six months, or both.
19 However, for the purpose of conferring jurisdiction upon courts and
20 judicial officers generally, violations of this article or of such local
21 law, ordinance or regulation shall be deemed misdemeanors and for such
22 purpose only all provisions of law relating to misdemeanors shall apply
23 to such violations. Each week's continued violation shall constitute a
24 separate additional violation.
25 S 2. This act shall take effect immediately.

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

LBD02080-02-1