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I N   A S S E M B L Y

January 23, 2014

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Introduced by M. of A. THIELE -- read once and referred to the Committee  
on Judiciary

AN ACT to amend the uniform justice court act, in relation to authorizing justice courts to grant injunctions and temporary restraining orders in connection with local land use, building and fire regulations

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

1     Section 1. Section 209 of the uniform justice court act is amended to  
2     read as follows:  
3     S 209. Provisional remedies.  
4     (A) A requisition to seize a chattel may issue out of the court if  
5     such requisition might issue out of the supreme court in a like case.  
6     No other provisional remedy shall issue by or out of the court EXCEPT AS  
7     PROVIDED BY SUBDIVISION (B) OF THIS SECTION.  
8     (B) NO INJUNCTION OR RESTRAINING ORDER OR NOTICE SHALL ISSUE OUT OF OR  
9     BY THIS COURT UNLESS, THE ACTIVITY COMPLAINED OF HAS AS ITS BASIS A  
10    VIOLATION OF LOCAL LAW OR ORDINANCES RELATING TO LAND USE, BUILDING  
11    REGULATION, OR FIRE PREVENTION IN WHICH CASE, UPON THE MOTION OF THE  
12    PROSECUTING ATTORNEY IN ACCORDANCE WITH ARTICLE SIXTY-THREE OF THE CIVIL  
13    PRACTICE LAW AND RULES, THE COURT MAY ISSUE AN INJUNCTION AND/OR TEMPO-  
14    RARY RESTRAINING ORDER RESTRAINING SUCH ACTIVITY.  
15    S 2. This act shall take effect on the first of the month occurring at  
16    least 90 days after it shall have become a law.

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

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