

DONNA AKERLEY

*Town Clerk, Registrar
Tax Collector
and Marriage Officer*

www.townoffallsburg.com



TOWN CLERK'S OFFICE
TOWN OF FALLSBURG

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LEGAL NOTICE OF THE TOWN OF FALLSBURG TOWN BOARD

Notice is hereby given: The Town of Fallsburg Town Board will hold a Public Hearing relative to proposed Local Law # _____ of 2020 relative to Amending Town of Fallsburg Municipal Code Section 310-11.5 entitled " Violations". Said Public Hearing will commence on Monday, May 11, 2020 @ 5:50 pm via ZOOM: <https://zoom.us/j/548420343> Meeting ID: 548 420 343 –

One tap mobile - +19292056099,548420343# US (New York)

The public will have the opportunity to comment during the public hearing as well as comment prior to the hearing and the Town Board will incorporate those comments into the record once the Public Hearing is opened on the new date.

BY ORDER OF THE TOWN OF FALLSBURG TOWN BOARD

Dated: Friday, May 1, 2020

Donna Akerley
Town of Fallsburg
Town Clerk, Tax Collector,
Registrar, Marriage Officer, RMO,
FOIL Officer & Notary Public
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Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of Fallsburg

Local Law No. of the year 2020

A local law to amend §11.5 of Article XI of Chapter 310 of the Town of Fallsburg Code relating to Violations.

Be it enacted by the Town Board of the Town of Fallsburg that §310-11.5 shall be amended by the following:

- A. ~~Except for outdoor furnace violations in §310-5.16, d~~Duplex development violations in §310-5.30, land disturbance permit violations as set forth in ~~§310-11-2G~~ 96-15 of the Town Code, and Architectural Review Board violations in Article XXX, violation of any provision or requirement of this chapter or violations of any statement, plan, application, permit or certificate approved under the provisions of this chapter shall be considered an offense punished by §96-15 of the Town of Fallsburg Code.
- B. The owner, general agent or contractor of a building, premises, or part thereof, where such a violation has been committed, shall be guilty of such an offense.
- C. Any agent, contractor, architect, builder, corporation or other person who commits, take parts or assists in such violation shall also be guilty of such offense.
- D. The violation notice shall be written by the Code Enforcement Officer and shall be served by certified mail or by personal service.
- E. The imposition of penalties herein prescribed shall not preclude the Town or any person from instituting appropriate legal action or proceeding to prevent an unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, or to restrain, correct or abate a violation or to prevent the illegal occupancy of a building, land or premises.
- F. ~~Any violation of this chapter is hereby declared to be a public nuisance per se.~~ Any violation of this chapter is hereby declared to be a public nuisance and is subject to a project-wide stop work order of all construction related activities. Such stop work order shall be issued by the a member of the Code Enforcement Department, and such order shall remain in place until the violation is corrected, or a judicial order to the contrary has been granted.

1. This local law shall take effect immediately.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out the matter therein which is not applicable.)

1. (Final adoption by local legislative body only)

I hereby certify that the local law annexed hereto, designated as local law No. ___ of 2020 of the Town of Fallsburg was duly passed by the Town Board on February ____, 2020 in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by Elective Chief Executive Officer*)

I hereby certify that the local law annexed hereto, designated as local law No. ___ of 2020 of the County/City/Town/Town/Village of _____ was duly passed by the _____ on _____ 2020 and was (approved) (not approved) (repassed after disapproval) by the _____ on _____ and was deemed duly adopted on _____ 2020, in accordance with the applicable provisions of law.

3. (Final adoption by referendum)

I hereby certify that the local law annexed hereto, designated as local law No. ___ of 2020 of the County/City/Town/Town/Village of _____ was duly passed by the _____ on _____ 2020 and was (approved) (not approved) (repassed after disapproval) by the _____ on _____. Such local law was submitted to the people by reason of a (mandatory) (permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special) (annual) election held on _____ 2020, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum)

I hereby certify that the local law annexed hereto, designated as local law No. ___ of 2020 of the County/City/Town/Town/Village of _____ was duly passed by the _____ on _____ 2020 and was (approved) (not approved) (repassed after disapproval) by the _____ on _____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 2020 in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, chairman of the county legislative body, the mayor of a city or village or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. ___ of 2020 of the City of _____ having been submitted to referendum pursuant to the provisions of sections 36/37 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at a special/general election held on _____ 2020 became operative.

6. (County local law concerning adoption of Charter)

I hereby certify that the local law annexed hereto, designated as local law No. ___ of 2020 of the County of _____, State of New York, having been submitted to the electors at the General Election of November ___ 2020, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide the appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

Clerk of the county legislative
body, city, town, village clerk or
officer designated by local
legislative body

Date: February , 2020

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality)

STATE OF NEW YORK
COUNTY OF SULLIVAN

I, the undersigned, do hereby certify that the foregoing local law contains the correct text and that all proper proceeding have been had or taken for the enactment of the local law annexed hereto.

Date: February ____, 2020

Paula Elaine Kay
Attorney for the Town