

RESOLUTION OF INTRODUCTION

Councilman _____, seconded by Councilman _____, introduced the following proposed local law, to be known as Local Law No. 3 of 2021 of the Town of Washington, New York entitled A LOCAL LAW OF THE TOWN OF WASHINGTON, DUTCHESS COUNTY, NEW YORK, AMENDING SECTION 490 OF THE ZONING CODE.

BE IT ENACTED by the Town Board of the Town of Washington as follows:

Section 1. Legislation

The first paragraph of Section 490 of the Town of Washington Zoning Code is amended as follows, with subparagraphs “1”, “2”, “3” and “4” remaining unchanged. Deletions are stricken and additions are underscored.

A violation of this ~~Local Law~~Zoning Code is an offense punishable by a fine not exceeding ~~three hundred fifty dollars (\$350.00)~~one thousand dollars (\$1,000.00), or imprisonment for a period not to exceed six (6) months, or both for conviction of a first offense; for conviction of a second offense both of which were committed within a period of five (5) years, punishable by a fine not less than ~~three hundred fifty dollars (\$350.00)~~one thousand dollars (\$1,000.00) nor more than ~~seven hundred dollars (\$700.00)~~one thousand five hundred dollars (\$1,500.00) or imprisonment for a period not to exceed six (6) months, or both; and upon conviction for a third or subsequent offense all of which were committed within a period of five (5) years, punishable by a fine of not less than ~~seven hundred dollars (\$700.00)~~one thousand five hundred dollars (\$1,500.00) nor more than ~~one thousand dollars (\$1,000.00)~~five thousand dollars (\$5,000.00) or imprisonment for a period not to exceed six (6) months, or both. However, for the purpose of conferring jurisdiction upon courts and judicial officers generally, violations of this Zoning Code shall be deemed misdemeanors, and for such purposes only, all provisions of law relating to misdemeanors shall apply to such violations. Each week’s continued violation shall constitute a separate additional violation.

Section 2. Authority

This local law is enacted by the Town Board of the Town of Washington pursuant to its authority to adopt local laws under the New York State Constitution Article IX and Municipal Home Rule Law §10.

Section 3. Effect

This local law shall take effect immediately upon filing with the New York State Secretary of State.

Councilman _____ advised the Town Board that, pursuant to the Municipal Home Rule Law of the State of New York, it will be necessary to hold a public hearing upon this local law. Councilman _____ offered the following Resolution which was seconded by Councilman _____, who moved its adoption:

WHEREAS, on July 8, 2021, Councilman _____ has introduced this local law for the Town of Washington, to be known as Local Law No. 3 of 2021 of the Town of Washington, New York entitled A LOCAL LAW OF THE TOWN OF WASHINGTON, DUTCHESS COUNTY, NEW YORK, AMENDING SECTION 490 OF THE ZONING CODE;

RESOLVED, that a public hearing be held in relation to the proposed local law as set forth in the form of notice, hereinafter provided, at which hearing parties in interest and citizens shall have an opportunity to be heard, to be held at the Town Hall, 10 Reservoir Drive, Millbrook, New York, on August 12, 2021, at 6:00 o'clock, p.m., Prevailing Time, and that notice of said meeting shall be published in the official newspaper of general circulation in the Town of Washington, by the Town Clerk, at least five (5) days before such hearing and that such notice shall be in the following form:

NOTICE OF PUBLIC HEARING

TAKE NOTICE, that the Town Board of the Town of Washington will hold a public hearing at the Town Hall, 10 Reservoir Drive, Millbrook, New York on August 12, 2021 at 6:00 o'clock, p.m., on Local Law No. 3 of the Year 2021, entitled A LOCAL LAW OF THE TOWN OF WASHINGTON, DUTCHESS COUNTY, NEW YORK, AMENDING SECTION 490 OF THE ZONING CODE, which increases fines for violations of the Zoning Code.

TAKE FURTHER NOTICE, that all person interested and citizens shall have an opportunity to be heard on said proposal at the time and place aforesaid.

TAKE FURTHER NOTICE, that copies of the aforesaid proposed local law will be available for examination at the office of the Town Clerk of the Town of Washington, at the Town Hall, 10 Reservoir Drive, Millbrook, New York 12524 between the hours of 9:00 a.m. and 12:30 p.m., and 1:30 p.m. and 3:00 p.m on all business days between the date of this notice and the date of the public hearing.

DATED: Millbrook, New York
_____, 2021

MARY ALEX, TOWN CLERK

The foregoing Resolution was duly put to a vote which resulted as follows:

Supervisor Ciferri	_____
Councilman Turletes	_____
Councilman Audia	_____
Councilman Murphy	_____
Councilman Rochfort	_____

DATED: Millbrook, New York
July 8, 2021

MARY ALEX, Town Clerk
Town of Washington