

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

Supervisor Ciferri: AYE

Councilman Turletes: AYE

Councilman Audia: AYE

Councilman Murphy: AYE

Councilman Rochfort: AYE

RESOLUTION OF ADOPTION

Councilman Murphy offered the following Resolution, which was seconded by Councilman Rochfort, who moved its adoption:

WHEREAS, the Town Board adopted a Resolution of Introduction for a proposed local law to be known as Local Law No. 3 of 2021 of the Town of Washington AMENDING SECTION 490 OF THE ZONING CODE to increase the amount of fines; and

WHEREAS, a public hearing in relation to said local law was held on August 12, 2021, at 6:00 p.m. Prevailing Time; and

WHEREAS, notice of said public hearing was given pursuant to the terms and provisions of the Municipal Home Rule Law of the State of New York; and

WHEREAS, the proposed local law and SEAF Part 1 were duly referred to the Dutchess County Department of Planning and Development, which responded that this matter was exempt from referral pursuant to an IMA between the County and the Town; and

WHEREAS, said local law has been on the desks of the members of the Town Board of the Town of Washington for at least seven (7) days, exclusive of Sunday;

NOW, THEREFORE, BE IT RESOLVED and BE IT ENACTED by the Town Board of the Town of Washington as follows:

TOWN OF WASHINGTON LOCAL LAW NO. 3 OF THE YEAR 2021

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 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 One Thousand Dollars (\$1,000.00) nor more than 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 One Thousand Five Hundred Dollars (\$1,500.00) nor more than 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.

Supervisor Ciferri: AYE

Councilman Turletes: AYE

Councilman Audia: AYE

Councilman Murphy: AYE

Councilman Rochfort: AYE