

BILL T2024 E

A local law to amend the Code of the Village of Thomaston in relation to penalties for offenses generally.

Section one. Section 1-15 of the Code of the Village of Thomaston is hereby amended to read as follows:

- “A. Except where expressly provided otherwise in this Code, for any and every violation of the provisions of this Code, every person who commits, takes part or assists in such violation and, with respect to any violation involving the ownership, use or occupancy of any building or premises, the owner, general agent or contractor of a building or premises where such violation has been committed or shall exist and the lessee or tenant of an entire building or entire premises where such violation has been committed or shall exist and the owner, general agent, contractor, lessee or tenant of any part of a building or premises in which such violation has been committed or shall exist shall be punishable as follows:
- (1) For a conviction of a first offense, by a fine not less than \$500 and not exceeding \$1,500 or imprisonment for a period not to exceed five days, or both such fine and imprisonment.
 - (2) For a conviction of a second offense, both of which were committed within a period of five years, by a fine not less than \$1,500 and not exceeding \$2,500 or by imprisonment for a period not to exceed 10 days, or both such fine and imprisonment.
 - (3) For a conviction of a third or subsequent offense, all of which were committed within a period of five years, by a fine not less than \$2,500 and not exceeding \$5,000 or by imprisonment for a period not to exceed 15 days, or by both such fine and imprisonment.
- B. Notwithstanding anything to the contrary contained in this Code, minimum fines as stated hereafter are hereby established for the stated violations of this Code or of the New York State Vehicle and Traffic Law:
- (1) A fine of not less than forty-five dollars (\$45.) for illegal overtime parking, restrictive parking, improper parking, double parking, parking on left side of the vehicle to the curb (two way road), parking wrong side to curb (one way road), parking on curb or off paved area, parked blocking driveway or crosswalk, overnight parking, parking on a public sidewalk and parking in a front yard, standing prohibited, stopping prohibited, stopped blocking crosswalk, parking/abandoning vehicle during snow or other emergency and for a failure to obtain or display an unexpired, valid registration or inspection certificate or sticker or tag as required by said state law.
 - (2) A fine of not less than sixty dollars (\$60.) for illegal stopping, standing or parking within 15 feet of a fire hydrant or illegally parking in a fire lane.
 - (3) A fine of not less than one hundred sixty dollars (\$160) for illegal parking in a handicap space.
 - (4) A fine of not less than forty-five dollars (\$45.) for all other parking violations and other violations under the Code of the Village of Thomaston.”

Section two. If any clause, sentence, paragraph, section, article, or part of this local law shall be adjudged to be invalid by any court of competent jurisdiction, such judgment shall not affect, impair or invalidate any other part of this local law, or the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

Section three. This local law shall not apply to any pending prosecution for any violation of the Code of the Village of Thomaston, nor to any prosecution for any such violation which may have occurred prior to the effective date of this local law. Each such prosecution shall proceed and continue, and in the event of a conviction for such violation the applicable penalty for such violation shall be as provided in the Village Code as of the date of such violation.

Section four. This local law shall take effect immediately upon adoption and filing pursuant to the Municipal Home Rule Law.

BILL T2024 F

A local law to amend the Code of the Village of Thomaston in relation to persons authorized to issue appearance tickets.

Section one. Section 5-1(A) of the Code of the Village of Thomaston is hereby amended to read as follows:

“A. The following officers or officials of the Village of Thomaston are authorized to issue appearance tickets directing a specific person, corporation, partnership or other entity to appear in the Nassau County District Court, or any other court having jurisdiction over such appearance ticket, at a designated time and place in connection with the alleged commission of a designated offense relating to parking, licensing of occupations and businesses, fire prevention and safety, health and sanitation and building, zoning and planning, or other offenses, except moving traffic violations, against the Code of the Village of Thomaston, when such specified officer or official of the Village of Thomaston has reasonable cause to believe such offense has been committed in the presence of such officer or official:

- (1) Superintendent of Public Works.
- (2) Building Inspector.
- (3) Fire Inspector.
- (4) Housing Inspector.
- (5) Code Official.
- (6) Code Enforcement Officer.
- (7) Code Enforcement Inspector
- (8) Mayor.
- (9) Trustee.
- (10) Safety Inspector (part time).
- (11) Village Clerk.
- (12) Parking Enforcement Officer.”

Section two. If any clause, sentence, paragraph, section, article, or part of this local law shall be adjudged to be invalid by any court of competent jurisdiction, such judgment shall not affect, impair or invalidate any other part of this local law, or the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

Section three. This local law shall take effect immediately upon adoption and filing pursuant to the Municipal Home Rule Law.

BILL T2024 G

A local law to amend the Code of the Village of Thomaston in relation to construction work; loading and unloading; permit required.

Section one. Section 131-2(B) of the Code of the Village of Thomaston is hereby amended to read as follows:

“B. No person shall perform any construction work or activity in the village which generates any noise audible outside the boundaries of the property where such work or activity is being conducted on weekdays earlier than 8:00 a.m. or later than 8:00 p.m., or on Saturdays earlier than 10:00 a.m. or later than 6:00 p.m. No construction work or activity in the village which generates any noise audible outside the boundaries of the property shall be conducted on Sundays or legal holidays. The foregoing limitations shall not apply with respect to such work or activity required for an emergency, which work or activity has been authorized by written permit from the Mayor specifying the permissible days and hours for such work or activity.”

Section two. If any clause, sentence, paragraph, section, article, or part of this local law shall be adjudged to be invalid by any court of competent jurisdiction, such judgment shall not affect, impair or invalidate any other part of this local law, or the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

Section three. This local law shall take effect immediately upon adoption and filing pursuant to the Municipal Home Rule Law.

BILL T2024 H

A local law to amend the Code of the Village of Thomaston in relation to applications and appeals.

Section one. Section A207-4(H) of the Code of the Village of Thomaston is hereby amended to read as follows:

“E. Each application or appeal shall be submitted in six (6) duplicate sets, including the original thereof, and including six (6) copies of each document or exhibit submitted as part of or in support of the application or appeal and copies of each permit by which the property is presently being used. In addition, one electronic copy of each application or appeal, and each such document or exhibit, shall be submitted.

Section two. If any clause, sentence, paragraph, section, article, or part of this local law shall be adjudged to be invalid by any court of competent jurisdiction, such judgment shall not affect, impair or invalidate any other part of this local law, or the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

Section three. This local law shall take effect immediately upon adoption and filing pursuant to the Municipal Home Rule Law.