



Incorporated Village of Lake Grove

980 HAWKINS AVE., PO BOX 708, LAKE GROVE, NY 11755-0708
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MAYOR
ROBERT J. SCOTTALINE
TRUSTEES
RICHARD J. COHEN
JOHN G. PETERSON
FELIX WIENCLAW
RICHARD KICK

February 21, 2024

*Department of State
State Records & Uniform Commercial Code
One Commerce Plaza
99 Washington Avenue
Albany, New York 12231-0001*

Dear Ms. VanWormer:

Pursuant to Section 27 of the Municipal Home Rule, enclosed please find Local Law No. 4-2024.

If you have any questions, please do not hesitate to call my office.

Thank you.

Sincerely yours,

Kara Haufler

*Kara Haufler
Village Clerk*

enc.

Cc: General Codes

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

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.

County City Town Village
(Select one.)

of LAKE GROVE

Local Law No. 4 of the year 2024

A local law Amending Chapters 1-14,4-2,2-3,4-5, 127-13, 142-13
(Insert Title)
of the Code of the Village of Lake Grove

Be it enacted by the BOARD OF TRUSTEES of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of LAKE GROVE as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that 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. 4 of 2024 of the ~~(County)(City)(Town)~~(Village) of LAKE GROVE was duly passed by the BOARD OF TRUSTEES on FEBRUARY 15 2024, in accordance with the applicable provisions of law.
(Name of Legislative Body)

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

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 20 , 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 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. *(Elective Chief Executive Officer*)*

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 _____ 20____, in accordance with the applicable provisions of law.

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

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. Such local *(Elective Chief Executive Officer*)* law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, 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, the chairperson 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.

LOCAL LAW NO. 4 OF THE YEAR 2024

Amending Section 1-14 Penalties for Offenses,
Chapter 4-2 Officials Authorized to Issue Tickets, Chapter 4-3 Compliance with
State Law, Chapter 4-5 Penalties for Offenses, Chapter 127 Rental
Regulations and Chapter 142 Signs of the Lake Grove Village Code

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE
INCORPORATED VILLAGE OF LAKE GROVE AS FOLLOWS:

Section 1.0 Enactment.

1. Section 1-14 Penalties for Offenses is hereby amended to read as follows:

§ 1-14 Penalties for Offenses.

A. Any person, corporation, firm, partnership, limited liability company, trust, trustee, estate, estate fiduciary or representative or other entity convicted of a violation of this Code shall, upon conviction thereof, be guilty of a violation pursuant to the Penal Law of the State of New York, punishable by a fine not exceeding \$2,000, unless there is a specific penalty provision contained in the corresponding provision of the Lake Grove Village Code for a higher amount, or by imprisonment for a term not exceeding 15 days, or by both such fine and imprisonment. In addition, that party, in the Court's discretion, shall perform such additional or alternative community services as the Court may direct. With respect to violations of this Code that are continuous with respect to time, each day the violation continues is a separate offense.

B. All offenses herein are violation level offenses. The penalties of this

Section 1-14 supersede the penalties of any other penalty section of the Village Code to the extent that such other penalty section imposes a lesser fine or condition.

C. Each day that an offense pursuant to all chapters of this Code shall be permitted to exist shall constitute a separate offense subject to prosecution.

Violations of this Code that are continuous with respect to time are a public nuisance and may be abated by injunctive or other equitable relief. The imposition of a penalty does not prevent an application for or the granting of equitable relief.

D. Personal attendance required. Any person or entity charged with an offense under this Code must answer the charge personally or, in the event of a corporation, by counsel. No pleas will be accepted by mail without the explicit permission of the Village Prosecutor and the Village Justice. This requirement shall not apply to parking violations.

E. Community service sentencing. Pursuant to the New York State Penal Law and Code of Criminal Procedure, the Justice Court is hereby authorized, as, in its discretion, it deems reasonable, to substitute performance of community service for public or not-for-profit corporations, associations, institutions or agencies in lieu of monetary restitutions, fine and/or jail time, but only upon agreement and acceptance by the defendant of the terms and conditions of the service.”

2. Amendment of Section 4-2 Officials Authorized to Issue Tickets

§ Section 4-2 Officials Authorized to Issue Tickets is hereby amended to add the following sections:

“D. Public Safety Inspector

E. Ordinance Inspector”

3. Amendment of Section 4-3 Building and Housing Criminal

Proceedings.

§ Section 4-3 is hereby amended to add Sections 4-3(A) and 4-3(B) as follows:

“A. Violations of Chapter 69 (Unsafe Buildings), Chapter 89 (Fire Prevention), Chapter 92 (Flood Damage Prevention), Chapter 95 (Graffiti) Chapter 98 (Hookah and Vapor Bars), Chapter 100 (Landscapers), Chapter 108 (Marijuana), Chapter 117 (Parks and Recreation Areas), Chapter 125 (Property Maintenance), Chapter 127 (Rental Regulations), Chapter 134 (Sand and Gravel Pits), Chapter 138 (Shopping Centers), Chapter 142 (Signs), Chapter 159 (Subdivisions of Land), Chapter 170 (Commercial Vehicles), Chapter 172 (Vehicle Storage), Chapter 175 (Zoning) of the Lake Grove Village Code shall be deemed violations of local zoning ordinances, violations of local zoning laws of building code violations for purposes of service of process pursuant to the NYS Criminal Procedure Law Section 150.40(2).

B. Violations of Chapter 136 (Sanitary Standards) and Chapter 150 (Solid Waste) of the Lake Grove Village Code shall be deemed sanitation code violations for purposes of service of process pursuant to the NYS Criminal Procedure Law Section 150.40(2).”

4. Section 4-4 Construal of Provisions is not amended.

5. Amendment of Section 4-5 Penalties for Offenses.

§ Section 4-5 Penalties for Offenses is hereby amended to read as follows:

“For any act within any section of this Code where there is no specific penalty provision, the penalty shall be up to \$2,000 and up to 15 days in jail (see Section 1-14 Penalties for Offenses of the Lake Grove Village Code) for each violation thereof. Each day that the violation exists may be considered a separate violation covered in the original complaint.”

6. Amendment of Section 127-13 Penalties for Offenses

A. Section 127-13(A) is hereby amended to read as follows:

“A. The penalty for renting a home without a permit is up to \$2,000 for the first offense and up to \$5,000 per offense thereafter.”

B. Section 127-13(C) is hereby amended to read as follows:

“For the purpose of conferring jurisdiction upon courts and judicial officers in general, violations of this Chapter shall be deemed violation level offenses of the Lake Grove Village Code, and, for such purpose only, all provisions of law relating to violation level offenses shall apply. Each day that a violation is permitted to exist shall constitute a separate additional violation that will be deemed to be charged upon the issuance of the first appearance ticket.”

7. Amendment of Section 142-13 Penalties for Offenses.

Section 142-13 Penalties for Offenses is hereby amended to read as follows:

“§ 142-13 Penalties for offenses.

Any person, corporation, firm, partnership, limited liability company, trust, trustee, estate, estate fiduciary or representative violating any provisions of this chapter shall be guilty of a violation and shall, upon conviction thereof, be punishable by a fine not exceeding \$2,000 for each violation, or by imprisonment not exceeding 15

days, or by both such fine and imprisonment. An action or proceeding may be brought in the name of the Village of Lake Grove in a court of competent jurisdiction to compel compliance with or to restrain the continued violation of the provisions of this chapter.”

3.0 Severability

3.1. In the event that any provision of this Local Law should be deemed or determined to be invalid or unenforceable for any reason, then the remaining sections of this Local Law shall continue in full force and effect.

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

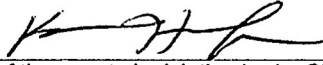
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, 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 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, 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 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 an 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 _____ above.



Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 2/20/24

(Seal)