

*Local Law Filing*

NEW YORK STATE DEPARTMENT OF STATE

162 WASHINGTON AVENUE, ALBANY, NY 12231

**(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.

VILLAGE OF PENN YAN

LOCAL LAW 4 OF THE YEAR 2024 amending Chapter 186 “Vehicles, Abandoned” of the Code of the Village of Penn Yan.

Be it enacted by the Board of Trustees of the Village of Penn Yan, in the County of Yates, as follows:

Section 1: Short Title.

This Local Law shall hereafter be known as the “Amendment Local Law of Chapter 186. “Vehicles, Abandoned” of the Code of the Village of Penn Yan of 2023”.

Section 2: Legislative Intent and Findings.

The purpose of this Local Law is to amend Chapter 186 “Vehicles, Abandoned ” of the Village Code. It is determined by the Board of Trustees that the provisions of this Chapter are vague, confusing and misleading and therefore in need of amendment.

Section 3: Legislative Authority.

This Local Law is enacted pursuant to the provisions of the Municipal Home Rule Law (MHRL) of the State of New York.

Section 4: Provisions.

The three sections of Chapter 186 “Vehicles, Abandoned” of the Code of the Village of Penn Yan are hereby amended to provide as follows:

Section 186-1. “Outdoor Storage of Certain Motor Vehicles.”

It shall be unlawful for any person, corporation or other entity, either as owner, tenant, lessee, agent, employee, occupant or inhabitant of a lot or parcel of real property, to store, place, park, deposit, keep or otherwise allow to remain, or cause or allow same to occur, any abandoned, junk, discarded, inoperable, no longer in a condition for legal use on public highways or unregistered motor vehicle upon any such lot or parcel of real property in the Village of Penn Yan for any period exceeding ninety (90) days. It shall further be unlawful for an accumulation of parts or other waste material from motor vehicles, which taken together, equal in

bulk, one or more motor vehicles, on any lot or parcel of real property in the Village of Penn Yan.

Section 186-2. Enforcement.”

- A. The provisions hereof are enforceable by the Code Enforcement Officer of the Village of Penn Yan, any deputy thereof, other acting code enforcement officer or any police officer having jurisdiction in the Village of Penn Yan.
- B. Each day that a violation of this Chapter exists shall be a separate prosecutable offense.

Section 186-3. “Penalties”

- A. Any person convicted of a violation of this Chapter shall be punishable by a fine of not less than \$25.00 and not more than \$250.00 and /or incarceration for not more than fifteen (15) days, for each such conviction.
- B. As an alternative to or in addition to a fine and/or incarceration, as provided in subsection “A” hereof, the person convicted of violating this Chapter may be sentenced to community service. Such a community service sentence would be imposed as a definite term of hours of work to be served under the direction of the Department of Public Works of the Village of Penn Yan, and be pursuant to an Order of Conditional Discharge issued by the Court.

Section 5: Effective Date.

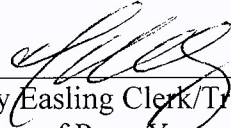
This Local Law shall take effect immediately upon filing with the Secretary of State of the State of New York subsequent to having been duly adopted by the Board of Trustees of the Village of Penn Yan.

*(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 the year 2024, was duly passed by the Board of Trustees of the Village of Penn Yan on February 20, 2024, in accordance with the applicable provisions of law.

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.

  
\_\_\_\_\_  
Holly Easling Clerk/Treasurer  
Village of Penn Yan


(SEAL)

Date: February 27, 2024

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

STATE OF NEW YORK     )  
COUNTY YATES     ) ss:

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

  
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Edward J. Brockman, Village Attorney

Village of Penn Yan

Date: February 26, 2024