

LOCAL LAW NO. 3 OF 2024

A LOCAL LAW amending Chapter §229-8 entitled "Stop order" of the Code of the Town of Southampton.

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

SECTION 1. Legislative Intent.

This legislation proposes allowing additional enforcement staff including Fire Marshals and Town Code Enforcement Officials to post and serve stop orders issued by the Natural Resource Director.

SECTION 2. Amendment.

Chapter § 229-8 entitled "Stop order" of the Southampton Town Code is hereby amended by deleting the stricken words and adding the underlined words as follows:

§ 229-8 Procedure.

Upon receiving a complaint or upon his/her own initiative, the Director may commence the following procedure:

Stop order. If the Director's investigation shows evidence of imminent danger or irreparable damage to a natural resource, he/she shall issue, in addition to the notice of violation, a stop order. Said order shall be issued to the owner of the property or the owner's agent or the person allegedly performing the action described in the order, and any such person shall forthwith stop the action and shall receive an expedited public hearing and determination. The stop order shall be limited to the specific action allegedly in violation of this chapter and shall be served upon a person to whom it is issued in the same manner as the notice of violation. A Building Inspector, Fire Marshal, or a Town Code Enforcement Official (Hereinafter authorized official) shall post a stop order issued by the Natural Resource Director on the applicable site, and shall serve a Stop Order in the form and manner proscribed for "Stop-work orders" within §123-14.

SECTION 3. Authority.

The proposed law is enacted pursuant to §130 and 138 of New York State Town Law as well as §10 of Municipal Home Rule Law.

SECTION 4. Severability.

If any section or subsection, paragraph, clause, phrase or provision of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provisions so adjudged to be invalid or unconstitutional.

SECTION 5. Effective Date.

This local law shall take effect upon filing with the Secretary of State pursuant to Municipal Home Rule Law.