

## TOWN OF NORTH CASTLE

### LOCAL LAW NO. 3 FOR THE YEAR 2007

(ADOPTED 1/24/2007)

A Local Law to amend Chapter 213 entitled Zoning of the Code of the Town of North Castle.

Be It Enacted by the Town Board of the Town of North Castle as follows:

1. Article XII, entitled Administration and Enforcement, Section 213-64 entitled Penalties for Offenses, is hereby amended to add:

B. In accordance with Municipal Home Rule (§10(1)(ii)(d)(3)), the Town has resolved to supercede New York State Town Law Section 268 for violations concerning illegal housing. Therefore, any persons, firm, corporation or other entity, who is convicted of having an illegal apartment or illegal multi-family home, will be guilty of an unclassified misdemeanor pursuant to the Penal Law. The fines contained in 213-64(A) will not apply to such a conviction. Instead, any person convicted of such an offense shall be liable for a fine of \$1,000 per day and / or imprisonment for a period not to exceed 15 days. Each and every day that any such violation continues after notification that such violation exists shall constitute a separate offense.

C. In case any building or structure is erected, constructed, reconstructed, altered, converted, located, or maintained, or any building, structure, land or premises is used in violation of this chapter or any regulation made pursuant thereto or under authority conferred thereby, in addition to other lawful remedies, any appropriate action or proceedings may be instituted to prevent such unlawful erection, construction, alteration, conversion, repair, maintenance or use, to restrain, correct or abate such violation, to prevent the occupancy of such building land or premises, or to prevent any illegal act, conduct, business or use in or about such premises. The

Building Inspector shall serve written notice, either by personal service or by certified mail, return receipt requested, addressed to the premises of such violation, on the person or corporation committing or permitting the same and, if such violation does not cease within such time as the Building Inspector shall specify, which shall be not less than five days, he may institute such of the foregoing actions as may be necessary to remove the violation. Such notice may also be served by posting on the premises.

2. Effective Date: This Local Law shall be effective immediately upon filing of same with the Secretary of State of the State of New York.