

Local Law Filing

NEW YORK STATE
DEPARTMENT OF STATE
41 STATE STREET
ALBANY, NY 12231

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

Text of the law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of Little Falls

Local Law No. 2 **of the year** 2003

A local law To Impose Fines and Other penalties For Failure To Obtain Required Building Permits for The Town of Little Falls

Be it enacted by the Town Board **of the**

Town of Little Falls **as follows:**

Local Law #2-03 Fines for Failure to obtain Building Permits

1. Inspection.

Whenever it should appear that the provisions of the New York State Building Code or the Town of Little Falls Building Code requiring issuance of permits are violated, the Code Enforcement Officer, or any such other officer or employee authorized by the Town to have jurisdiction thereof, shall make inspection of the property involved.

2. Notice of Violation.

If the inspection shall indicate conditions existing on the inspected property indicate that construction or commencement of a building project have occurred on subject property, and the contractor working on the property or the property owner have not obtained the required building permit for the Town of Little Falls, the Codes Enforcement officer or other designated officer or employee shall serve or cause to be served a written notice of such violation, either personally or by certified mail, upon the owner or owner's agent or contractor, as well as upon the lessee or occupancy of the premises.

Such notice shall contain the following:

- Name of the owner;
- Lessee or occupant of the premises;
- Address or location of the premises;

- Identification of the premises as the same appears on the current assessment roll;
- Statement of conditions of the property deemed, upon inspection, to require a building permit from the Town of Little Falls;
- Demand that application for a building permit be made within ten days after the service or mailing of said notice;
- Statement that a failure or refusal to comply with the provisions of this law and the notice given pursuant thereof within the time specified, may result in a duly authorized officer, agent or employee of the Town issuing an appearance ticket concerning any offense against this local law.

3. Penalties For Offense.

Any person, including any contractor, committing an offense against the Town of Little Falls building Code or New York State Building 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 \$200.00 for a first offense, or by imprisonment by a term not exceeding 15 days, or by both such fine and imprisonment. The fine upon conviction of a second offense shall not exceed \$500.00 or by imprisonment by a term not exceeding 30 days, or by both such fine and imprisonment. The continuation of an offense against the provisions of this local law shall constitute, for each day the offense is continued, a separate and distinct offense thereunder. The Codes Enforcement officer, or official

designated by the Town Board, shall have the authority to issue appearance tickets concerning any offense against this local law, said ticket to be returnable in Town Court for the Town of Little Falls.

4. Alternate Remedies.

In addition to those penalties proscribed by State law, any person, firm or corporation who violates any provision of the Uniform Code or any rule or regulation of this local law, or the terms or conditions of any Certificate of Occupancy issued by the Building Inspector, shall be liable for a civil penalty of not more than \$200.00 for each day or part thereof during which such violation continues. The civil penalties provided by this subdivision shall be recoverable in an action instituted in the name of the Town on its own initiative or at the request of the Code Enforcement Official.

Alternatively or in addition to an action to recover the civil penalties provided by the above paragraph, the Town Board may institute any appropriate action or proceeding to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of the Uniform Code or the terms or conditions of any Certificate of Occupancy issued by the Code Enforcement Official.

5. Effective Date.

This local law shall become effective upon filing with the New York State Secretary of State.

Local Law Adopted: April 8, 2003