

Appendix 31-2:

Local Law #2 of 2018 Amending Dwelling and Structure Law of the Town of Conquest

LOCAL LAW NO. 2 FOR THE YEAR 2018
OF THE TOWN OF CONQUEST
A LOCAL LAW AMENDING LOCAL LAW NO. 2 OF THE YEAR 2000
(THE DWELLING AND STRUCTURE LAW OF THE TOWN OF CONQUEST)

WHEREAS it has become necessary to amend the enforcement portion of Local Law No. 2 of the year 2000, and

WHEREAS the Conquest Town Board having reviewed the amendment as set forth in this law, and

WHEREAS the Conquest Town Board having had a public hearing on the 18th day of June, 2018, and

WHEREAS the Conquest Town Board having had due deliberation thereon, it is

HEREBY RESOLVED that Local Law No. 2 for the year 2000 shall be amended as follows:

ARTICLE XI ENFORCEMENT Sec. 57 – Violation, shall herein after read as follows:

Enforcement and Remedies In case any building or structure is erected, constructed, reconstructed, altered, converted or maintained, or any building, structure or land is used in violation of this Article or of any other local law or other regulation made under authority conferred thereby, the proper local authorities of the town, in addition to other remedies, may institute any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance or use, to restrain, correct or abate such violation, to prevent the occupancy of said building, structure, or land or to prevent any illegal act, conduct, business or use in or about such premises; and upon the failure or refusal of the proper local officer, board or body of the town to institute any such appropriate action or proceeding for a period of (10) days after written request by a resident taxpayer of the town so to proceed, any three (3) taxpayers of the town residing in the district wherein such violation exists, who are jointly or severally aggrieved by such violation, may institute such appropriate action or proceeding in like manner as such local officer, board or body of the town is authorized to do.

Section 57.1 Fines and Penalties

A. For any and every violation of the provisions of this Law:

1. The owner, general agent or contractor of a building or premises where such violation has been committed or shall exist;

2. The owner, general agent, contractor, lessee, or tenant of any part of a building or premises in which part such violations have been committed or shall exist; and

3. The general agent, architect, builder, contractor, owner or any other person who knowingly commits, takes part, or assists in any such violation, or who maintains any buildings or premises in which any such violation shall exist, shall be liable on conviction thereof to a fine or penalty not exceeding **Two Hundred Fifty Dollars (\$250.00)** or by imprisonment for a period not to exceed thirty (30) days or by both such fine and imprisonment. The imposition of one penalty for any violations shall not excuse the violation, not permit it to continue and; all such persons shall be required to correct or remedy such violations or defects within 30 days; and when not otherwise specified, each day that such violations continue, shall constitute a separate offense. The imposition of any such penalty shall not be held to prohibit the enforced removal of prohibited conditions by any appropriate remedy, including immediate application for an injunction.