

TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. OF 2018

A LOCAL LAW AMENDING CHAPTER 40A OF THE TOWN CODE
ENTITLED “PERSONAL PROPERTY, ABANDONMENT OF”

BE IT ENACTED by the Town Board of the Town of North Hempstead, as follows:

Section 1. Legislative Intent.

The Board finds that holding auctions of personal property online is more cost-effective than in-person auctions, and provides greater efficiency in the operations of government. Therefore, the Board finds it in the best interest of the Town of North Hempstead and its residents to make amendments to Chapter 40A of the Code of the Town of North Hempstead entitled “Personal Property, Abandonment of” to allow for the auction of abandoned property via the internet and to provide further clarity regarding the methods to be used for giving notice of an auction.

Section 2.

Section 40A-6 of Chapter 40A of the Town Code is hereby amended as follows:

§ 40A-6 Disposal.

- A. The Town Clerk may dispose of all articles of personal property held by the Town for such a period in excess of 14 days at a public auction held pursuant to notice.
- B. Public notice of ~~such an~~ auction shall be given at least five days prior thereto by the Town Clerk and shall contain the time and place of ~~such the~~ auction together with a brief description of the articles to be offered for sale. **The notice required by this subsection shall be posted on the Town’s website, the Town Clerk bulletin board and published in a newspaper with townwide circulation designated by the Town Board for publishing notices. Nothing herein shall prohibit the Town Clerk from conducting an auction, over a period of one or more days, via the internet. In the event that the Town Clerk holds an auction via the internet, the Uniform Resource Locator (URL) of the online auction website shall be deemed to be the place of the auction.**
- C. In the event the property or part thereof remains unsold at the public auction, the Town Clerk may reoffer the same for sale at another public auction or may sell or otherwise dispose of such unsold articles in any manner permitted by law. Any such sale or other disposition shall be without liability on the part of the Town to the owner of such property or other person having an interest therein.
- D. Regarding the disposal of abandoned motor vehicles, the Superintendent of Highways may convert in any calendar year up to 1% of its unclaimed vehicles

that are individually worth more than \$750 or two such vehicles, whichever is greater, to its own use.

[Added 6-12-1984 by L.L. No. 5-1984; amended 9-11-1984 by L.L. No. 11-1984]

Section 3.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this article or in its application to the person or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

Section 4.

This Local Law shall take effect upon filing with the Secretary of State.