

**TOWN OF NORTH HEMPSTEAD  
LOCAL LAW NO. \_\_ OF 2023**

**A LOCAL LAW ESTABLISHING CHAPTER 43 OF THE TOWN CODE OF THE  
TOWN OF NORTH HEMPSTEAD ENTITLED "REGULATION OF PUBLIC SPACES."**

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

**Section 1. Legislative Intent.**

The Town Board finds and determines that the peace, good order, health, safety and ambience of the Town has been jeopardized, diminished and eroded in certain areas within the Town by the careless and unseemly custom and practice of some individuals who engage in human elimination in public and/or private places having no sanitary facilities and/or without the use of any sanitary facilities whatsoever; this Board further finds that the continued occurrence of such conduct is detrimental to the health, safety and welfare of the general public, including but not limited to the residents and visitors of the Town. It is thus the purpose of and intent of the Town Board in creating the following provision to abate, limit and discourage such unhealthy and unsafe conduct.

**Section 2.**

The Town Code of the Town of North Hempstead is hereby amended to include a new Chapter 43 entitled "Regulation of Public Spaces" to read as follows:

**Chapter 43. Regulation of Public Spaces**

**Article I Prohibited Sanitary Conduct**

**§ 43-1. Prohibition.**

**No person may defecate or urinate in any "public place," as such term is defined in subdivision one of section 240.00 of the Penal Law and acts amendatory thereto, including in any public park, garden or dock, except in a public or private toilet or restroom.**

**§43-2. Penalties for Offenses.**

**Any person found guilty of violating this chapter shall be subject to a fine of not less than twenty-five dollars (\$25) and not more than two hundred fifty dollars (\$250), imprisonment not to exceed fifteen (15) days, or both.**

**Section 3. Severability.**

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 immediately upon filing with the Secretary of State.