

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

**A LOCAL LAW AMENDING CHAPTER 4 OF THE TOWN CODE
ENTITLED “APPEARANCE TICKETS; AUTHORITY TO PROSECUTE”**

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

Section 1. Legislative Intent.

The Board finds that it is in the best interest of the Town of North Hempstead to make amendments to Chapter 4 entitled “Appearance Tickets; Authority to Prosecute” in order to allow certain employees of the Port Washington Garbage District to issue appearance tickets.

Section 2.

Chapter 4-2 of the Town Code is hereby amended as follows:

§ 4-2. Authorization for issuance.

Pursuant to the authority vested in the Town Board by Subdivision 4(a) of § 10 of the Municipal Home Rule Law of the State of New York, and Subdivisions 4 and 9 of § 198 of the Town Law of the State of New York, the Town of North Hempstead has hereby:

A. Authorized, directed and permitted the Commissioners and Deputy Commissioners of Public Safety and of Building, Safety Inspection and Enforcement, Assistants to the Commissioner of Building, Safety Inspection and Enforcement, security officers, bay constables, building inspectors, zoning inspectors, code enforcement inspectors, security officers and ordinance enforcement officers appointed by ~~the~~ each separately elected Board of Commissioners of the Great Neck Park District and the Port Washington Garbage District, multiple residence inspectors, rental registration inspectors, license inspectors, traffic technicians and parking meter and parking facility attendants, including parking meter and parking facility attendants of improvement districts in areas under the ownership and/or control of each district, and all other personnel duly designated by the Commissioner of Public Safety to issue appearance tickets in accordance with Article 150 of the Criminal Procedure Law of the State of New York against any persons, parties or entities relating to the enforcement of any ordinance, rule or regulation of the Town of North Hempstead; and, with respect to security officers, ordinance enforcement officers and parking meter and parking facility attendants appointed by the separately elected Board of Commissioners of either the Great Neck Park District or the Port Washington Garbage District, the enforcement of any rule or regulation adopted by each of said Board of Commissioners. Notwithstanding the foregoing, the authorization, direction and permission given by this subsection (A) with regard to the Port Washington Garbage District shall only authorize, direct and permit such enforcement officers of the Port Washington Garbage District to issue appearance tickets in accordance with Article 150 of the Criminal Procedure Law of the State of New York against any persons, parties or entities with regard to Articles I, III, VI and VII of Chapter 28 of the Town Code; Chapter 34 of the

Town Code; Chapter 46 of the Town Code and any rule or regulation of the Port Washington Garbage District.

B. Authorized, directed and permitted bay constables and such other inspectors as shall be assigned by the Department of Public Safety to issue appearance tickets which are returnable in the same manner as those written under the New York State Navigation Law.

C. Authorized, directed and permitted the Town Attorney or his or her designee, in conjunction with the Department of Public Safety, to design appropriate appearance tickets for use by enforcement personnel and to implement procedures for the service and prosecution of such appearance tickets.

Section 3.

Section 4-3 of Chapter 4 of the Town Code is hereby amended as follows:

§ 4-3. Applicability.

The provisions of this chapter shall apply to the unincorporated area within the Town of North Hempstead, and to those properties and facilities within the incorporated villages, which properties and facilities are under the ownership and and/or control of the Town, ~~or~~ the Great Neck Park District **or the Port Washington Garbage District.**

Section 4.

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