



TOWN OF NORTH HEMPSTEAD
OFFICE OF THE TOWN ATTORNEY

PROPOSED LOCAL LAW AMENDING CHAPTER 2 OF THE TOWN CODE
ENTITLED "ADMINISTRATION AND ENFORCEMENT"

LOCAL LAW MEMORANDUM

Purpose of Law:

The purpose of the local law is to amend Chapter 2 of the Town Code entitled "Administration and Enforcement" in order to authorize the Commissioner of Public Safety in addition to the Building Commissioner to issue Stop Orders.

Budget Implications:

The adoption of the proposed local law will not have any significant direct budgetary implications.

Explanation:

Matter in **bold** and underscored is new; matter in brackets with strikethrough [~~---~~] is old law to be omitted.

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. OF 2022**

**A LOCAL LAW AMENDING CHAPTER 2 OF THE TOWN CODE
ENTITLED "ADMINISTRATION AND ENFORCEMENT"**

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 amend Chapter 2 of the Town Code entitled "Administration and Enforcement" in order to authorize the Commissioner of Public Safety in addition to the Building Commissioner to issue Stop Orders.

Section 2.

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

§ 2-15 Stop Orders.

[Amended 4-2-2002 by L.L. No. 4-2002; 5-21-2019 by L.L. No. 9-2019]

- A. Whenever the Building Commissioner or Commissioner of Public Safety has reasonable grounds to believe that work on or in any building or structure is being performed in violation of the provisions of the applicable building laws, ordinances or regulations, or not in conformity with the provisions of an application, plans or specifications on the basis of which a building permit was issued, or in an unsafe and dangerous manner, he shall notify the owner of the property, the owner's agent, the lessee of the property, the tenant of the property, or the person performing the work to suspend all building activities until the stop order has been rescinded. Such order and notice shall be in writing, shall state the conditions under which the work may be resumed and may be served upon a person whom it is directed either by delivering it personally to him, or by posting the same upon a conspicuous portion of the building under construction and sending a copy of same by registered or certified mail.
- B. Penalties for offenses. Any person, association, firm, or corporation which violates this section or assists in the violation of this section shall be guilty of a violation, punishable:
- (1) By a fine of not less than \$1,000 and not exceeding \$5,000 or by imprisonment for a period not to exceed 15 days, or both, for conviction of a first offense.
 - (2) By a fine of not less than \$5,000 nor more than \$10,000 or by imprisonment for a period not to exceed 15 days, or both, for conviction of the second offense.
 - (3) By a fine of not less than \$10,000 nor more than \$20,000 or by imprisonment for

a period not to exceed 15 days, or both, for conviction of the third or subsequent offense of a series of offenses, all of which were committed within a period of five years.

Section 3.

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