

PUBLIC NOTICE

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Head-of-the-Harbor will hold a public hearing on the 9th day of July, 2014, at 7:00 P.M., at Village Hall, 500 North Country Road, St. James, New York, to consider the adoption of a Local Law as follows:

LOCAL LAW (Intro.) #4 OF 2014

**A LOCAL LAW ENACTING VILLAGE CODE CHAPTER 73,
CODE ENFORCEMENT**

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF HEAD-OF-THE-HARBOR AS FOLLOWS:

SECTION 1. PURPOSE.

The purpose of this local law is to improve code enforcement by the engagement of personnel by means of an Inter-Municipal Agreement.

SECTION 2. ENACTMENT OF CHAPTER 73, CODE ENFORCEMENT.

Village Code Chapter 73 is enacted as follows:

§ 73-1 Purpose.

The purpose of this Chapter is to identify personnel authorized to enforce the provisions of all chapters of the Village Code.

§ 73-2 Authorized Enforcement Personnel.

In supplement of any existing enforcement provision of any Chapter of the Village Code including by way of illustration not limitation §§ 53-3(B) and 53-4 (Alarms), 55-5 (Alcoholic Beverages), 65-31 (Building Construction), 76-5 (Dogs and Other Animals), 92-9 (Fires

Uncontained), 109.3 (Hunting), 111-9 (Lights, Outdoor), 113-5 (Mining), 116-6 (Noise), 122-2 (Swimming and Bathing), 122-4 (Injury or Destruction to Trees), 122-6 (Structures in Public Highways), 123-5 (Firearms), 125-2 (Peddling and Soliciting), 136-17 and 136-18 (Solid Waste), 151-4 (Trespassing), 157-5 and 157-6 (Vehicles, Off-Road) and 165-46, 165-133, 165-135 (Zoning and Land Development) and the New York State Uniform Fire Prevention and Building Code, any Public Safety Ordinance Inspector and/or Fire Marshal acting pursuant to an Inter-Municipal Agreement (IMA) between the Village of Head-of-the-Harbor and the Town of Smithtown shall be an additional person authorized individually and/or in cooperation with the Building Inspector or members of the Police Department to enforce all Code provisions of the Village Code susceptible of enforcement.

§ 73-3. Authorization to Appear.

Any Public Safety Ordinance Inspector and/or Fire Marshal acting under the authority of this Chapter 73 shall be authorized to take all steps required to enforce the Village Code.

SECTION 3. SUPERSESSSION.

This Local Law shall supersede any inconsistent law, state or local. This declaration of supersession is made by authority of the Village's municipal home rule law powers, pursuant to §§10(1)(ii)(a)(14) and 10(1)(ii)(e)(3) of the Municipal Home Rule Law, §10(6) of the Statute of Local Governments, and Article 9, §2(b)(3) of the New York State Constitution.

SECTION 4. SEQRA.

This is a Type II action.

SECTION 5. SEVERABILITY.

Should any part or provision of this local law be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the local law as a whole nor any part thereof other than the part so decided to be unconstitutional or invalid.

SECTION 6. EFFECTIVE DATE.

This local law shall take effect immediately upon filing with the Secretary of State as provided by law.

All persons in interest will be heard by the Board of Trustees at the public hearing to be held as aforesaid and may appear in person or by representative. The Village Hall is accessible to handicapped persons.

Dated: June 18, 2014

BY ORDER OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF HEAD-OF-THE-
HARBOR

BY: Margaret O'Keefe,
Village Clerk