

Local Law Filing

DRAFT

Town of Oyster Bay _____

Local Law No. _____ of the year 2024

A local law entitled "A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK, TO SET FORTH PENALTIES ALLOWED TO BE ASSESSED BY THE BUREAU OF ADMINISTRATIVE ADJUDICATION, AMENDING CHAPTER 114 – EXPLOSIVES AND FIREARMS, CHAPTER 231 – UNMANNED AIRCRAFT, CHAPTER 233 - VEHICLES AND TRAFFIC"

Be it enacted by the Town Board of the Town of Oyster Bay as follows

SECTION 1. Amend Chapter 114 – Explosives and Firearms, to read as follows:

§ 114-8. Penalties for offenses

- A. Any person committing an infraction against this chapter or any section or provision thereof is punishable by a fine not exceeding \$250 or imprisonment for a period not exceeding 15 days for each such infraction, or by such fine and imprisonment.
- B. Any person or entity found by the Bureau of Administrative Adjudication to have violated any provision of this chapter is likewise subject to a monetary penalty within the range of fines authorized in this section.

SECTION 2. Amend Chapter 231 – Unmanned Aircraft, to read as follows:

§ 231-5. Penalties for offenses

- A. First offense: fine of \$500 plus the cost of permit.
- B. Second offense within one year of first offense: fine of \$1,000 plus the cost of permit.
- C. Third offense within 18 months of first offense: fine of \$1,500 plus the cost of permit.
- D. Any person or entity found by the Bureau of Administrative Adjudication to have violated any provision of this chapter is likewise subject to a monetary penalty within the range of fines authorized in this section.

SECTION 3. Amend Chapter 233 – Vehicles and Traffic, to read as follows:

§ 233-2. Penalty for violation of chapter

- A. Except as otherwise expressly provided, each violation of any provision of this chapter shall be deemed a traffic infraction punishable by a fine not exceeding \$500 or imprisonment not exceeding 15 days, or both.
- B. Any person or entity found by the Bureau of Administrative Adjudication to have violated any provision of this chapter is likewise subject to a monetary penalty within the range of fines authorized in this section.

SECTION 4. SEQR Determination. It is hereby determined pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., that the adoption of this local law is a “Type II” Action within the meaning of Section 617.5 (c)(26) of 6 N.Y.C.R.R., pertaining to “routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment” and, accordingly, is of a class of actions which do not have a significant effect on the environment and no further review is required.

SECTION 5. Severability. If any section, subdivision or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by a court of competent jurisdiction, such judgment shall be confined in its operation to the section, subdivision or provision of or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law, or the application thereof to other persons or circumstances.

SECTION 6. Effective Date. This local law shall take effect immediately upon its adoption and filing with the Office of the Secretary of State.

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I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2024 of the Town of Oyster Bay was duly passed by the Town Board on _____ 2024, in accordance with the applicable provisions of law.

Clerk of the Town of Oyster Bay

(Seal)

Date: _____, 2024

STATE OF NEW YORK
COUNTY OF NASSAU

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature

Town Attorney
Title

Town of Oyster Bay

Date: _____ 2024