

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, AMENDING CHAPTER 241 – WATERWAYS, TO SET FORTH PENALTIES ALLOWED TO BE ASSESSED BY THE BUREAU OF ADMINISTRATIVE ADJUDICATION.”

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

SECTION 1. Amend Chapter 241- WATERWAYS, to read as follows:

§ 241-33. Penalties for offenses.

- A. A violation of any provision of this chapter or rules and regulations promulgated hereunder by the Town Board or the Department of Planning and Development, the Department of Environmental Resources or the Department of Public Safety, is hereby declared to be an offense and shall be punishable by a fine not exceeding \$750 or imprisonment not exceeding 15 days, or both such fine and imprisonment for a second or subsequent offenses. Each day of violation shall constitute a separate violation.
- B. In addition to and notwithstanding any other remedy for an offense against this chapter, any person violating a directive issued by the Commissioner of the Department of Planning and Development, the Commissioner of the Department of Environmental Resources or the Commissioner of the Department of Public Safety, or their duly authorized representative, made pursuant to the provisions of this chapter, shall be guilty of a violation punishable by a fine not exceeding \$900 or imprisonment for a period not to exceed 15 days, or both.
- C. 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. 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 3. 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 4. Effective Date. This local law shall take effect immediately upon its adoption and filing with the Office of the Secretary of State.

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.

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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

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