

RESOLUTION NO. 389 APRIL 24, 2024
ADOPTING LOCAL LAW 9 OF 2024
AMENDING THE CODE OF THE TOWN OF BABYLON,
CHAPTER 92 (BUIDINGS, UNSAFE)

The following resolution was offered by Councilman Gregory and seconded by Councilman Manetta

WHEREAS, the Town Board of the Town of Babylon duly called and held a Public Hearing at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst NY 11757 on the 24th day of April, 2024 upon the question of the enactment of Local Law No. 9 of 2024 of the Town of Babylon, Suffolk County, New York, being such a local law; and

WHEREAS, in accordance with Part 617.5(c.)(26), State Environmental Quality Review (SEQR), the adoption of this local law is classified a Type II Action and not subject to environmental review under SEQR; and

NOW, THEREFORE, be it

RESOLVED AND ORDAINED, by the Town Board of the Town of Babylon, that Local Law 9 of 2024 of the Town of Babylon, Suffolk County, New York, is hereby enacted as follows and is effective upon its filing with the New York State Department of State:

LOCAL LAW 9 OF 2024
AMENDING THE CODE OF THE TOWN OF BABYLON

ADD as follows:

CHAPTER 92
BUILDINGS, UNSAFE

§ 92-12. Entry into unsafe building; penalties

In addition to the foregoing, any person who shall enter or remain in a building designated and posted as unsafe by an ordinance inspector, building inspector, zoning inspector, fire marshal or police officer, shall be guilty of a misdemeanor, and upon conviction thereof, a fine of not less than \$2,500 nor more than \$7,500 must be imposed and a term of imprisonment for a period not to exceed one year may be imposed, or both. Any person found by the Bureau of Administrative Adjudication to have entered or remained in a building designated as unsafe, shall likewise be subject to a monetary penalty in an amount within the range of fines authorized herein for any such offense. Knowledge that the building had been previously posted by a building inspector, zoning inspector, fire marshal as unsafe is not an element of this violation, and said violation shall be one of strict liability.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.