

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one.)

of GREAT NECK

Local Law No. 3 of the year 20 24

A local law TO AMEND ARTICLE II OF CHAPTER 1 OF THE VILLAGE CODE
(Insert Title)
CONCERNING PENALTIES

Be it enacted by the BOARD OF TRUSTEE of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of GREAT NECK as follows:

SEE ATTACHED

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 3 of 2024 of the ~~(County)(City)(Town)~~(Village) of GREAT NECK was duly passed by the BOARD OF TRUSTEES on FEBRUARY 20 2024, in accordance with the applicable ~~(Name of Legislative Body)~~ provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) ~~(Name of Legislative Body)~~ (repassed after disapproval) by the _____ and was deemed duly adopted ~~(Elective Chief Executive Officer*)~~ on _____ 2024, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) ~~(Name of Legislative Body)~~ (repassed after disapproval) by the _____ on _____ 20____. ~~(Elective Chief Executive Officer*)~~

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) ~~(Name of Legislative Body)~~ (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ above.

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 3/5/24

(Seal)

INCORPORATED VILLAGE OF GREAT NECK
BOARD OF TRUSTEES

Local Law No. 3 of 2024

A LOCAL LAW TO AMEND ARTICLE II
OF CHAPTER 1 OF THE VILLAGE CODE
CONCERNING PENALTIES

BE IT ENACTED, by the Board of Trustees of the Incorporated Village of Great Neck, as follows:

Section 1. Article II of Chapter 1 of the Village Code, entitled “Penalties for Offenses,” is hereby amended as follows:

§ 1-15 Penalties for Offences

- A. Except as otherwise provided or supplemented, in whole or in part, in this Code, and/or in the New York State Vehicle and Traffic Law, any offense against any provision of this Code, or any other local law or ordinance of the Village, or of any resolution, rule, regulation, condition, or other determination or requirement of any Village board, Village commission, or Village department, or direction or order of the Village Building Inspector or Village Engineer, shall be for a first conviction thereof be punished by a fine of not more than \$5,000; for a conviction of a second violation, both of which were committed within a period of 18 months, such person shall be punished by a fine of not more than \$10,000; upon a conviction of a third or subsequent violation, all of which were committed within a period of 24 months, such person shall be punished by a fine of not more than \$15,000.
- B. Each day that an offense shall continue shall be deemed a separate and distinct offense.
- C. In addition, the Board of Trustees may maintain an action or proceeding in the name of the Village in a court of competent jurisdiction to compel compliance or to restrain by injunction any violation of the provisions of this Code, or of the local laws or ordinances of the Village, or of the resolutions, rules, regulations, conditions, or other determinations or requirements of any Village board, Village commission, or Village department, or directions or orders of the Village Building Inspector or Village Engineer.
- D. Alternative sentence. If a person has gained money or property through the commission of any violation of this Code, then, upon conviction thereof, the court, in lieu of imposing the fine authorized for the offense under this Code, may sentence the defendant to pay an amount, fixed by the court, not exceeding double the amount of the defendant's gain from the commission of the offense, as such gain is reasonably determined by the court. The intent of this section is, pursuant to the authority granted to villages by Municipal Home

Rule Law § 10(1)(ii)(e)(3), to supersede Subdivisions 5 and 6 of § 80.05 of the Penal Law, to the extent necessary, to define "persons" as set forth in § 11-2 of this Code and, thereby, to include, inter alia, corporations.

Section 2. This local law shall take effect immediately upon filing with the Office of the Secretary of State.