

# 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 MARBLETOWN

FILED  
STATE RECORDS  
NOV 12 2020

Local Law No. 2 of the year 2020

DEPARTMENT OF STATE

A local law "A LOCAL TO AMEND THE TOWN OF MARBLETOWN CODE:  
APPEARANCE TICKETS"  
(insert title)

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

County  City  Town  Village  
(Select one.)

of MARBLETOWN as follows:

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

# Chapter 5

## Appearance Tickets

[**HISTORY: Adopted by the Town of Marbletown, NY 4-8-1987 by L.L. No. 2-1987. Amendments noted where applicable.**]

### GENERAL REFERENCES

Fire prevention and building construction — See Ch. 111.

Flood damage prevention — See Ch. 115.

Subdivision of land — See Ch. 169.

Trailers and trailer camps — See Ch. 177.

Zoning — See Ch. 200.

Parking Regulations – See Ch. 183

Fill and Grading Law 2020

Illicit Discharge to Storm Sewers Ch. 130

Stormwater Prevention See Ch. 167

### § 5-1 Purpose.

The purpose of this chapter is to designate one name for the employee of the Town of Marbletown charged by law with enforcing various Town and state laws regarding zoning, construction, and fire prevention, Parking, Fill and Grading and to authorize said employee to issue appearance tickets for the purpose of commencing actions in the Justice Court of the Town of Marbletown.

### § 5-2 Statutory authority.

This chapter is enacted pursuant to the authority vested in the Town of Marbletown by the Town Law, the Municipal Home Rule Law, the Criminal Procedure Law and other applicable laws of the State of New York.

### § 5-3 Code Enforcement Officer.

The Town employee who is charged by such law with enforcing Chapter 200, Zoning, Chapter 115, Flood Damage Prevention, Parking Regulations Chapter 183, Illicit Discharge to Storm Sewers Ch. 130, Stormwater Prevention See Ch. 167, and any other zoning, construction, building or fire prevention law, ordinance, rule or regulation, of or effective in the Town of Marbletown, under which laws and ordinances said employee has been referred to as the Zoning Inspector, the Building Inspector, the Fire Code Inspector, the local administrator, any town board duly appointed employee, or by any other name, who is hereby designated and shall henceforth be called and known as the "Code Enforcement Officer" of the Town of Marbletown.

### § 5-4 Authority to issue appearance tickets.

The Code Enforcement Officer of the Town of Marbletown is hereby authorized, in the conduct of his official duties, to issue appearance tickets pursuant to Article 150 of the Criminal Procedure Law of the State of New York, as same may be amended from time to time, for the purpose of prosecuting violators in the Town Justice Court.

(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. 2 of 2020 of the ~~(County)(City)~~(Town)(Village) of MARBLETOWN was duly passed by the TOWN BOARD on OCT. 20 2020, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

**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 \_\_\_\_\_ 20  , 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.)**

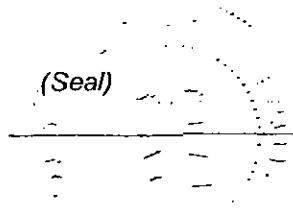
I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_ above.

*Heather Moody, Town Clerk*

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

Date: NOVEMBER 6, 2020

(Seal)



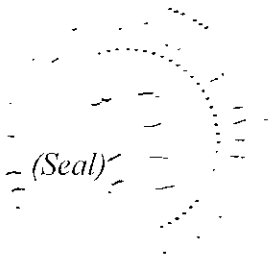
**Effective Date of this Local Law**

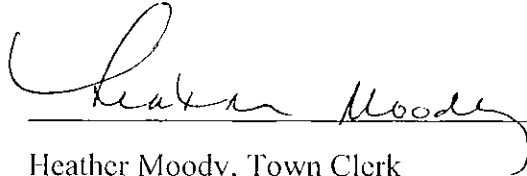
This Local Law shall be effective upon filing with the office of the Secretary of State, and the Town Clerk is directed to immediately file a copy of this Local Law with the New York State Secretary of State as required by law.

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I hereby certify that the local law annexed hereto, designated as Local Law No. 2 of 2020 of the Town of Marbletown, was duly passed by the Town Board on October 20, 2020 in accordance with the applicable provisions of law.

I further certify that I have compared the preceding local law with the original on file in this office and 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 above.



  
\_\_\_\_\_

Heather Moody, Town Clerk

Date: 11/6/2020

STATE OF NEW YORK  
COUNTY OF ULSTER



## TOWN OF MARBLETOWN

A regular meeting of the Town Board of the Town of Marbletown operating under New York State Executive Order 202.1 was convened Via the phone and internet, New York on October 5, 2020 at 6:00 o'clock P.M. local time. The meeting was called to order by Supervisor Rich Parete, and, upon roll being called, the following were:

**PRESENT:** Supervisor Parete, Councilman LaFera, Councilman Stewart, Councilwoman Foote and Councilman Hunt

**ABSENT:**

The following Resolution was offered by Councilman LaFera and seconded by Councilman Stewart:

**RESOLUTION #83-2020; SET A PUBLIC HEARING FOR PROPOSED LOCAL LAW #2-2020; "TO AMEND THE TOWN OF MARBLETOWN CODE, CHAPTER 5: APPEARANCE TICKETS"**

**WHEREAS**, the Town Board of the Town of Marbletown has proposed amendments to Chapter 5 of the Marbletown Code "Appearance Tickets".

**NOW THEREFORE BE IT RESOLVED** that the Town Board of the Town of Marbletown hereby schedules a public hearing, via Zoom, on October 20, 2020 at 6:10pm to hear all interested parties.

**BE IT FURTHER RESOLVED** that the Town Clerk of the Town of Marbletown is hereby directed and authorized to legally advertise same; and

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows:

Councilman Stewart            Voting Aye

Councilman Lafera            Voting Aye

Councilman Foote            Voting Aye

Councilman Hunt            Voting Aye

Supervisor Parete            Voting Aye

Resolution #83-2020 was thereupon adopted.

*Heather Moody, Town Clerk/Tax Collector*

Dated: October 5, 2020



## TOWN OF MARBLETOWN

A regular meeting of the Town Board of the Town of Marbletown operating under New York State Executive Order 202.1 was convened Via the phone and internet, New York on October 20, 2020 at 6:00 o'clock P.M. local time. The meeting was called to order by Supervisor Rich Parete, and, upon roll being called, the following were:

**PRESENT:** Supervisor Parete, Councilman LaFera, Councilman Stewart and Councilman Hunt

**ABSENT:** Councilwoman Foote

The following Resolution was offered by Councilman Hunt and seconded by Councilman Stewart:

**RESOLUTION #89- 2020 TO ADOPT AMENDMENTS TO THE TOWN OF MARBLETOWN CODE**  
**“APPEARANCE TICKETS” CHAPTER 5 LOCAL LAW #2-2020**

**WHEREAS**, the proposed amendments to Chapter 5 “Appearance Tickets” was introduced to the Town Board at a meeting held on 10/5/2020 to consider said proposed amendments, and said public hearing having been held and all persons appearing at said public hearing deeming to be heard having been heard; and,

**WHEREAS**, said amended local law was duly adopted after a public hearing.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Marbletown, New York, does hereby enact and adopt amendments to the Chapter 5 of the Marbletown Code “Appearance Tickets” Local Law #2-2020. Town of Marbletown, State of New York, which local law is annexed hereto and made a part hereof; and,

**BE IT FURTHER RESOLVED**, that this local law shall take effect immediately upon filing with the New York State Secretary of State.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows:

Councilman Stewart	Voting <u>Aye</u>
Councilman Lafera	Voting <u>Aye</u>
Councilman Foote	Voting <u>Absent</u>
Councilman Hunt	Voting <u>Aye</u>
Supervisor Parete	Voting <u>Aye</u>

Resolution #89-2020 was thereupon adopted.

*Heather Moody, Town Clerk/Tax Collector*

Dated: October 20, 2020