

A LOCAL LAW AMENDING CHAPTER 47 OF THE VILLAGE CODE OF THE VILLAGE OF SALTAIRE REGARDING SECURITY AND CODE ENFORCEMENT WHICH SHALL BE KNOWN AS “LOCAL LAW # 1 OF 2009: AMENDMENTS TO CHAPTER 47 REGARDING SECURITY AND CODE ENFORCEMENT IN THE INCORPORATED VILLAGE OF SALTAIRE.”.

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE INCORPORATED VILLAGE OF SALTAIRE AS FOLLOWS:

Section 1.0 Title, Enactment, Effective Date, Purpose.

- 1.1 Title of Local Law
- 1.2 Enactment.
- 1.3 Effective Date.
- 1.4 Purpose and Intent of Local Law.
- 2.0 General Provisions
 - 2.1 Amendments to Section 47-3 Appearance Tickets
 - 2.2 Creation of Section 47-5
 - 2.3 Form of Appearance Tickets
- 3.0 Severability and Validity

Section 1.0 Title, Enactment, Effective Date and Purpose.

1.1. Title

This Local Law shall be entitled, "Local Law No. 1 of 2009: Amendments to Chapter 47

of the Village Code of the Village of Saltaire Regarding Appearance Tickets”

1.2. Enactment.

Pursuant to Section 10 of the Home Rule Law, the Village Law and Zoning regulations and the Incorporated Village of Saltaire, County of Suffolk and State of New York, hereby enacts by this Local Law No. 1 of 2009, a Local Law of the Incorporated Village of Saltaire.

1.3. Effective Date.

This local law shall take effect on the filing of the approved Local Law with the Secretary of State of New York, which shall be within twenty (20) days after its approval by the Board of Trustees of the Incorporated Village of Saltaire.

1.4. Purpose of Local Law.

The purpose and intent of this Local Law is to promote and protect the health, safety and welfare of the residents of and visitors to the Village of Saltaire; and to provide for the efficient and proper administration of the Saltaire Village Court.

2.0 General Provisions

2.1 Amendment to Section 47.3 Appearance Tickets

Section 47.3 Appearance Tickets shall be renumbered and be numbered as Section 47.4.

2.2 Creation of Section 47.5 Pleas by Power of Attorney

There shall be a new Section 47.5 Guilty Pleas by Power of Attorney which shall read as follows:

“Section 47.5 Pleas by Power of Attorney

47-5. Guilty pleas by mail.

(A) The appearance tickets issued by the Village of Saltaire Security Department, as referenced in Section 47-4 hereinabove, may contain a form on the reverse side of such tickets whereby the person named on the appearance ticket may execute a power of attorney and plead guilty by mail to the offense set forth on the ticket, and remit the fine for such offense as specified on said form, by authorizing the Clerk of the Village Justice Court to act with such power of attorney for the limited purpose of appearing before the Village Justice Court, entering a guilty plea on behalf of said person to such offense, and receiving payment of the specified fine remitted with said ticket; provided, that the offense set forth on said ticket has been designated among the provisions of the Village Code for which a guilty plea by mail and the payment of a fine thereby has been adopted by resolution of the Board, as set forth in subsection (B) below.

(B) The language of such form as authorized in subsection (A) above, the provisions of the Code for which a guilty plea by mail shall be permitted and the schedule of fines for such pleas shall be adopted, and as necessary from time to time modified, by resolution of the Board of Trustees, provided that the amount of any fine may not exceed the maximum amount of said fine for the specified offense as set forth by the relevant provisions of the Village Code.

(C) In the event that any part of the procedure hereinabove adopted for permitting guilty pleas by mail shall be found to be invalid, or a judge of the Village Justice Court shall for any reason decline to accept a guilty plea by mail, such pleas shall be deemed to be rescinded and the payment not accepted, and a new date shall be designated for an appearance in the Village Justice Court by the person to whom said appearance ticket had been issued, for the offense specified on said ticket.

3.0 Severability and Validity

In the event that any portion or portions of this Local Law 1 of 2009 shall be determined to be invalid or unenforceable for any reason, the remainder of the Local Law, and its provisions, shall remain in full force and effect