

A LOCAL LAW NO. 8 OF 2008 OF THE VILLAGE OF SALTAIRE AMENDING SECTION 52-10 OF THE VILLAGE CODE OF THE VILLAGE OF SALTAIRE REGARDING STORED ITEMS WHICH SHALL BE KNOWN AS “LOCAL LAW NO. 8 OF 2008: AMENDMENT TO SECTION 52-10 OF THE SALTAIRE VILLAGE CODE REGARDING STORED ITEMS”.

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 52-10

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. 8 of 2008: Amendments to Section 52-10 of the Saltaire Village Code Regarding Items Stored in Village Facilities”.

1.2. Enactment.

Pursuant to Section 10 of the Home Rule Law, the Village Law and the Village Code of the Incorporated Village of Saltaire, the Incorporated Village of Saltaire, County of Suffolk and State of New York, hereby enacts by this Local Law No. 8 of 2008, 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 and Intent of Local Law.

The purpose 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; to preserve, protect and enhance the environment and esthetic assets of the Village of Saltaire, including the environmentally sensitive areas within the boundaries of the Village; and to safeguard the value of public and private property within the Village of Saltaire, and to give Saltaire residents and their guests more convenient access to Village facilities by permitting them to store certain items on Village property, subject to removal or revocation for non-compliance with such permission, by establishing amendments to Section 52-10 of the Saltaire Village Code regarding storage of items in the Village of Saltaire.

2.0 General Provisions.

2.1 Amendment to Section 52-10 of the Saltaire Village Code

Section 52-10 of the Village Code of the Village of Saltaire is hereby amended to read as follows:

“§ 52-10. Stored Items.

A. Village residents and their guests may store their wagons, bicycles and beach chairs, (collectively, a “Stored Item”) in or on any designated dock, rack, shed or other facility or property of the Village (collectively, a “Village Facility”) as provided for in this Section. Neither the Village nor its officers, employees, elected officials or agents shall be responsible to any person for the loss of or damage to any Stored Item stored by

such person in or on a Village Facility, including in connection with any removal, impoundment or disposal of such Stored Item in accordance with this Section. Stored Items other than wagons, bicycles and beach chairs may be stored in or on a Village Facility only with specific written consent of the Village.

B. Wagons and beach chairs stored in or on any Village Facility shall be required to have prominently displayed thereon the last name and/or Saltaire address of the owner of such Stored Item. Bicycles locked or otherwise affixed to any rack provided by the Village of Saltaire shall be required to have prominently displayed on such bicycle the last name and/or Saltaire address of the owner or to have affixed thereto a registration sticker issued by the Village of Saltaire.

C. No person shall attach a locking or affixing device to any Village Facility except for the sole purpose of fastening a Stored Item thereto. No person shall seek to reserve storage space for any Stored Item on any Village Facility by the use of locks, chains or other devices which prevent access to such space by others.

D. The Village Board may by regulation adopt rules regarding the placement of Stored Items in, on or attached to any Village Facility and require that such Stored Items shall be removed from any Village Facility during specified periods of the year.

E. The Village may remove, impound and/or dispose of any Stored Item located or stored on Village property not in compliance with this Section or with regulations that may be enacted relative to this Section, provided that the Village have given at least twenty-four hours written notice of its intention to remove, impound or dispose of such Stored Items, except that notice shall not be required in the event of an emergency situation as determined by the Village Administrator or a Village Security

Officer. For the purpose of this section, the notice shall set forth the alleged violation of this Section and the remedies available to the Village and shall be given to the person whose name is displayed on the Stored Item or who is the owner or resident of the real property referenced by the address displayed on the Stored Item or the bicycle registration by leaving the a copy of such notice in a conspicuous location at the address of such person in the Village of Saltaire. The owner of the Stored Item that is removed, impounded or disposed of pursuant to this Section shall be liable to the Village for any costs incurred by the Village in conjunction with the removal impoundment or disposal. If the owner of such Stored Item does not retrieve his Stored Item within ten (10) calendar days after the Village gives notice of the alleged violation of this Section, such Stored Item shall be deemed abandoned and the Village shall have the authority to dispose of such Stored Item in any manner deemed appropriate by the Village, including but not limited to destruction, thereof, Removal, impoundment or disposal shall not be the exclusive penalty for violation of this Section.

F. A violation of this Section, including regulations that may be enacted relative to this Section, shall be punishable by a fine of up to \$250 and the right to store property in or on a Village Facility for a period not to exceed thirty (30) days, and any person or party in violation of this Section shall be subject to the issuance of an appearance ticket to appear before the Saltaire Village Justice Court.

3.0 Severability and Validity

In the event that any portion or portions of this Local Law of 2008 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.