

A LOCAL LAW NO. 9 OF 2008 OF THE VILLAGE OF SALTAIRE AMENDING SECTION 38-4 OF THE VILLAGE CODE OF THE VILLAGE OF SALTAIRE REGARDING DESTRUCTION OR THEFT OF PRIVATE PROPERTY WHICH SHALL BE KNOWN AS “LOCAL LAW NO. 9 OF 2008: AMENDMENT TO SECTION 38-4 OF THE SALTAIRE VILLAGE CODE REGARDING THEFT OR DESTRUCTION OF PRIVATE PROPERTY.”

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 38-4

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. 9 of 2008: Amendment to Section 38-4 Regarding Theft or Destruction of Private Property.”

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. 9 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 aesthetic 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, by establishing an amendment to Section 38-4 of the Saltaire Village Code regarding theft and destruction of private property.

2.0 General Provisions.

2.1 Amendment to Section 38-4 of the Saltaire Village Code

Section 38-4 of the Village Code of the Village of Saltaire is hereby amended to read as

follows:

“38-4. Real and personal property.

- A. No person shall destroy, disturb or deface any real or personal property not owned by such person within the village without the consent of the owner.
- B. It shall be a violation for any person in the Village of Saltaire to commit a wrongful taking or using of the personal property, including but not limited to bicycles, wagons or beach chairs, of another person or entity,

by trespassory taking, or by trick, embezzlement or obtaining personal property by false pretenses and or a wrongful taking, using, obtaining or withholding of another's personal property, with the intent to deprive the rightful owner of the personal property of the possession or use of that personal property, regardless of the intention of such person to assert ownership or dominion over such personal property. “

3.0 Severability and Validity

In the event that any portion or portions of this Local Law 9 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.