**VILLAGE OF ENDICOTT**

**LOCAL LAW NO. \_\_ OF THE YEAR 2023**

A LOCAL LAW AMENDING CHAPTER 103 OF THE BRUSH, GRASS AND WEEDS LAW REGARDING FINES AND FEES

Be it enacted by the Board of Trustees of the Village of Endicott as follows:

Section 1. Amendment to Section 103-5: Procedure Upon Failure of Owner or Occupant to Cut or Remove

The first sentence of Section 103-5 of the Village of Endicott Code shall hereby be amended by inserting the following between “thereof” and “shall”:

, plus a $50.00 administrative fee,

Section 2. Amendment to Section 103-6: Penalties for Offenses

Section 103-6 of the Village of Endicott Code shall hereby be amended by deleting that Section in its entirety and replacing it with the following:

1. Penalties. In addition to such other penalties as may be prescribed by State law,
2. any Person who violates any provision of this chapter or any term, condition, or provision of any notice issued pursuant to this chapter, shall be punishable by a fine of not more than $250 per day of violation; and
3. any Person who violates any provision of this chapter or any term, condition, or provision of any notice issued pursuant to this chapter, shall be liable to pay a civil penalty of not more than $250 for each day or part thereof during which such violation continues. The civil penalties provided by this paragraph shall be recoverable in an action instituted in the name of this Village.
4. Injunctive Relief. An action or proceeding may be instituted in the name of this Village, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of this chapter. No action or proceeding described in this subdivision shall be commenced without the appropriate authorization from the Village Board of this Village.
5. Remedies Not Exclusive. No remedy or penalty specified in this section shall be the exclusive remedy available to address any violation of this chapter.

Section 3. Remainder

Except as hereinabove amended, the remainder of the Village Code of the Village of Endicott shall remain in full force and effect.

Section 4. Separability

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

Section 5. Effective Date

This Local Law shall take effect immediately upon filing with the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.