

TOWN OF CLARKSTOWN

LOCAL LAW 3 - 2026

Be it enacted by the Town Board of the Town of Clarkstown in the County of Rockland as follows:

Section 1. Title.

A Local Law Amending Chapter 157 (Housing Standards), Sections 47, 55, 68, 76, 102 (Penalties for Offenses) and Chapter 290 (Zoning), Section 34 (Penalties for Offenses) of the Town Code of the Town of Clarkstown-To Increase the Amount of Fines

Section 2. Legislative Intent. Purpose.

The purpose of this Local Law is to amend various sections of the Town Code of the Town of Clarkstown to increase the penalties for Town Code violations.

Section 3. Amendments.

Delete the language in Chapter 157 Section 157-47 in its entirety and replace with the following:

§157-47. Penalties for offenses.

A. Any person committing an offense against any provision of this chapter shall be guilty of a Class B misdemeanor punishable by a fine not exceeding \$2,000 or by a term of imprisonment not in excess of three months, or by both such fine and imprisonment. The continuation of an offense against the provisions of this chapter shall constitute, for each day the offense is continued, a separate and distinct offense hereunder.

Delete the language in Chapter 157 Section 157-55 in its entirety and replace with the following:

§157-55. Penalties for offenses.

A. A violation of this article is a violation as that term is defined in the New York State Penal Law.

B. Notwithstanding any provision of this Code inconsistent herewith, for each violation of this article, the owner and any person who is in charge of the subject property at the time of the violation shall be liable for a fine of not less than \$4,500 and not more than \$6,000 for the first violation, or a sentence of imprisonment not to exceed 15 days, or both; for a second violation, the fine shall be no less than \$8,000 and not more than \$11,000 or a sentence of imprisonment not to exceed 15 days, or both; for the third violation and any subsequent violation, the fine shall

be no less than \$11,000 and no more than \$16,000, or a sentence of imprisonment not to exceed 15 days, or both.

C. Each day that the violation continues to exist shall constitute a separate and distinct violation.

Delete the language in Chapter 157 Section 157-68 in its entirety and replace with the following:

§ 157-68 Penalties for offenses.

A. Any person or entity that shall violate any of the provisions of this article or who fails to comply with any of the requirements thereof shall be guilty of a violation, punishable by:

(1) A fine of not less than \$4,500 and not exceeding \$6,000 upon conviction of a first offense, or a sentence of imprisonment not to exceed 15 days, or both.

(2) A fine of not less than \$8,000 nor more than \$11,000 for a conviction of the second of two offenses, both of which were committed within a period of five years, or a sentence of imprisonment not to exceed 15 days, or both.

(3) A fine of not less than \$11,000 nor more than \$16,000 for a conviction of the third of three offenses, all of which were committed within a period of five years, or a sentence of imprisonment not to exceed 15 days, or both.

B. Each week a violation continues shall be deemed a separate offense subjecting the offender to additional weekly fines in the amount equaling the original fine.

C. The Town Board of the Town of Clarkstown may amend the penalties by resolution.

Delete the language in Chapter 157 Section 157-76 in its entirety and replace with the following:

§ 157-76 Penalties for offenses.

A. Any person or entity that shall violate any of the provisions of this article or who fails to comply with any of the requirements thereof shall be guilty of a violation, punishable by:

(1) A fine of not less than \$4,500 and not exceeding \$6,000 upon conviction of a first offense.

(2) A fine of not less than \$8,000 nor more than \$11,000 for a conviction of the second of two offenses, both of which were committed within a period of five years.

(3) A fine of not less than \$11,000 nor more than \$16,000 for a conviction of the third of three offenses, all of which were committed within a period of five years.

B. Each week a violation continues shall be deemed a separate offense subjecting the offender to additional fines in the amount equaling the original fine.

Delete the language in Chapter 157 Section 157-102 in its entirety and replace with the following:

§157-102 Penalties for offenses.

A. Any entity that shall violate any of the provisions of this article or that fails to comply with any of the requirements thereof shall be guilty of a violation, punishable by a fine of not less than \$4,500 and not exceeding \$6,000 upon conviction.

B. Each week a violation continues shall be deemed a separate offense subjecting the offender to additional fines in the amount equaling the original fine.

Delete the language in Chapter 290 Section 290-34 in its entirety and replace with the following:

§290-34 Penalties for offenses.

A. Any person found guilty of a violation of any provision of this chapter shall be punished by a fine of up to \$3,500 or a sentence of imprisonment not to exceed 15 days, or both. Any person found guilty of a second offense of any provision of this chapter within 18 months from the date of the first conviction shall be punished by a fine of not less than \$3,500 and not more than \$6,000 or a sentence of imprisonment not to exceed 15 days, or both. Any person found guilty of a third offense of any provision of this chapter within 18 months from the date of the second conviction shall be punished by a fine of not less than \$8,500 and not more than \$11,000 or a sentence of imprisonment not to exceed 15 days, or both. Any person found guilty of a fourth or subsequent offense of any provision of this chapter within 18 months from the date of the third conviction shall be punished by a fine of not less than \$11,000 and not more than \$16,000 or a sentence of imprisonment not to exceed 15 days, or both. Each week's continued violation shall constitute a separate additional violation hereunder.

B. The town authorities shall have such other remedies as are provided by law to restrain, correct or abate any violation of this chapter as provided in § 109-18 of Chapter 109, Building Construction Administration, of the Code of the Town of Clarkstown.

Section 4. Effective Date.

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.