

TOWN OF AURORA  
TOWN BOARD WORK SESSION  
February 22, 2016

The following members of the Aurora Town Board met on Monday, February 22, 2016 at 5:30 p.m. in the Southside Municipal Center Town Hall Auditorium, 300 Gleed Avenue, East Aurora, NY, for the purpose of holding a work session:

Present:	Susan A. Friess	Councilwoman
	Jolene M. Jeffe	Councilwoman
	Charles D. Snyder	Councilman
	Jeffrey T. Harris	Councilman
	James J. Bach	Supervisor
Others Present:	Patrick Blizniak	Superintendent of Building
	William Kramer	Code Enforcement Officer

1) Code Review:

The Board reviewed the following proposed local law that would change many of the penalties in the Town code to violations. Violations will allow the Town Prosecutor to address many of the cases that come before the court rather than having to have the District Attorney handle them.

TOWN OF AURORA

LOCAL LAW INTRO. NO. \_\_\_\_-2016

LOCAL LAW \_\_\_\_-2016

A LOCAL LAW, TO AMEND LOCAL LAW 1-1990 KNOWN AS “THE CODES OF THE TOWN OF AURORA”, ADOPTED BY THE TOWN BOARD OF THE TOWN OF AURORA ON JANUARY 22, 1990, BY AMENDING PENALTIES FOR OFFENSES.

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF AURORA AS FOLLOWS:

**SECTION 1. LEGISLATIVE INTENT**

This Local Law amends a prior Local Law known as “The Codes of the Town of Aurora”, adopted by the Town of Aurora on January 22, 1990, as amended, relating to the administrative, legislative and general legislation of the Codes within the Town of Aurora as herein set forth.

**SECTION 2. ALARM SYSTEMS**

Section 35-13, Alarm Systems, is deleted and replaced with the following:

**Section 35-13. Penalties for offenses**

Any person or persons, association or corporation committing an offense against this chapter or any section or provision thereof is guilty of a violation punishable by a fine not exceeding \$250 or imprisonment for a period not exceeding 15 days for each such offense, or by both such fine and imprisonment.

SECTION 3. BUSINESS CONTROL AND PERMITS

Section 47-10, Business Control and Permits, is deleted and replaced with the following:

**Section 47-10. Penalties for offenses**

Any person or persons, association or corporation committing an offense against this chapter or any section or provision thereof is guilty of a violation punishable by a fine not exceeding \$250 or imprisonment for a period not exceeding 15 days for each such offense, or by both such fine and imprisonment.

SECTION 4. ELECTRICAL INSPECTIONS

Section 59-4, Electrical Inspections, is deleted and replaced with the following:

**Section 59-4. Penalties for offenses**

Any person or persons, association or corporation committing an offense against this chapter or any section or provision thereof is guilty of a violation punishable by a fine not exceeding \$250 or imprisonment for a period not exceeding 15 days for each such offense, or by both such fine and imprisonment.

SECTION 5. FIRE PREVENTION

Section 65-27, Fire Prevention, is deleted and replaced with the following:

**Section 65-27. Penalties for offenses**

Any person having been served, either personally or by registered mail, with an order to remedy any condition found to exist in, on or about any building in violation of the Uniform Fire Prevention and Building Code who shall fail to comply with such order within the time fixed by the regulations promulgated by the Secretary pursuant to Subdivision 1 of §381 of the Executive Law, such time period to be stated in the order, and any owner, building, architect, tenant, contractor, subcontractor, construction superintendent or their agents or any other person taking part or assisting in the construction of any building who shall knowingly violate any of the applicable provisions of the Uniform Code or any lawful order of the Town of Aurora, its employees or authorized agents made thereunder regarding standards for construction, maintenance or fire-protection equipment and systems shall be punishable by a fine of not more than \$250 per day in violation or imprisonment not exceeding fifteen (15) days for each offense, or by both such fine and imprisonment.

SECTION 6. GAMES OF CHANCE

Section 70-7, Games of Chance, is deleted and replaced with the following:

**Section 70-7. Penalties for offenses**

Any person or persons, association or corporation committing an offense against this chapter or any section or provision thereof is guilty of a violation punishable by a fine not exceeding \$250 or imprisonment for a period not exceeding 15 days for each such offense, or by both such fine and imprisonment.

**SECTION 7. PARKING, OFF-STREET**

Section 81-9, Parking, Off-Street, is deleted and replaced with the following:

**Section 81-9 Penalties for offenses**

A. Any person or persons, association or corporation committing an offense against this chapter or any section or provision thereof is guilty of a violation punishable by a fine not exceeding \$250 or imprisonment for a period not exceeding 15 days for each such offense, or by both such fine and imprisonment.

B. Every person convicted of a violation of this chapter relating solely to the parking or standing of a vehicle shall be punished by a fine of not less than \$20 nor more than \$100.

**SECTION 8. PONDS**

Section 87-3, Ponds, is deleted and replaced with the following:

**Section 87-3. Penalties for offenses**

Any person or persons, association or corporation committing an offense against this chapter or any section or provision thereof is guilty of a violation punishable by a fine not exceeding \$250 or imprisonment for a period not exceeding 15 days for each such offense, or by both such fine and imprisonment.

**SECTION 9. RECYCLING AND SOLID WASTE MANAGEMENT**

Section 91-11, Recycling and Solid Waste Management, is amended by deleting Sections (B)(2) and (4) and replacing Section (B)(2) with the following:

**Section 91-11(B)(2). Penalties for offenses**

Any person or persons, association or corporation committing an offense against this chapter or any section or provision thereof is guilty of a violation punishable by a fine not exceeding \$250 or imprisonment for a period not exceeding 15 days for each such offense, or by both such fine and imprisonment.

Section 91-12, Effective Date, is deleted in its entirety.

**SECTION 10. VEHICLES ABANDONED**

Section 108-7, Penalties for Offenses, is deleted and replaced with the following:

**Section 108-7. Penalties for Offenses**

Any person or persons, association or corporation committing an offense against this chapter or any section or provision thereof is guilty of a violation punishable by a fine not exceeding \$250 or imprisonment for a period not exceeding 15 days for each such offense, or by both such fine and imprisonment.

SECTION 11. VEHICLE AND TRAFFIC

Article II, Section 109-3, Prohibited Parking Certain Hours, is amended by deleting Sections (D) and (E) and replacing Section (D) with the following:

(D) Every person convicted of a violation of any of the provisions of this Article shall be punished as follows:

(1) For a first conviction, by a fine of not more than \$150 or by imprisonment for not more than 15 days, or both;

(2) For conviction of a second violation, both of which were committed within a period of 18 months, by a fine of more than \$300 or by imprisonment for not more than 45 days, or both;

(3) For conviction of a third or subsequent violation, all of which were committed within a period of 18 months, by a fine of not more than \$450 or by imprisonment for not more than 90 days, or both.

SECTION 12. VEHICLE AND TRAFFIC

Article III, Section 109-5, Penalties for Offenses, is deleted and replaced with the following:

**Section 109-5. Penalties for Offenses**

Any person or persons, association or corporation committing an offense against §109-4 of this article is guilty of a violation punishable by a fine not exceeding \$250 or imprisonment for a period not exceeding 15 days for each such offense, or by both such fine and imprisonment.

SECTION 13. ZONING

Section 165-65(A), Zoning, is deleted and replaced with the following:

**Section 165-65. Penalties for offenses**

(A) Any person or persons, association or corporation committing an offense against this chapter or any section or provision thereof is guilty of a violation punishable by a fine not exceeding \$250 or imprisonment for a period not exceeding 15 days for each such offense, or by both such fine and imprisonment.

SECTION 14 EFFECTIVE DATE This Local Law shall take effect immediately upon filing with the Secretary of State.

The Board will send this to the Attorney for further review and prepare to set a public hearing for the local law.

Martha L. Librock  
Town Clerk