

Local Law Filing

New York STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~
~~City~~
~~Town~~ of Baxter Estates
Village

Bill No. __ of 2023

Local Law _____ of the year 202_

(Insert Title)

A local law establishing a new Chapter 145, “Public Places, Regulation of,” of the Village Code, to prohibit certain unsanitary conduct in public places

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

~~County~~
~~City~~
~~Town~~ of Baxter Estates
Village

Section 1. Legislative Findings and Intent. The Board of Trustees (the “Board”) of the Village of Baxter Estates (the “Village”), has determined that the peace, good order, health, safety and welfare of the Village and its residents has been adversely impacted in certain areas of the Village by the careless and unseemly custom and practice of some individuals who engage in human waste elimination in public places having no sanitary facilities, or by not using available sanitary facilities. The Board has determined that such activity is detrimental to the health, safety and welfare of the public, including Village residents. The Board finds that amending the Village Code to include the provisions set forth hereinafter should discourage and reduce instances of such unsafe and unhealthy conduct.

Section 2. A new Chapter 145, “Public Places, Regulation of,” is hereby added to the Code of the Village of Baxter Estates, to read in its entirety as follows:

“Chapter 145 Public Places, Regulation of

Article 1 Prohibited Sanitary Conduct

§ 145-1 Prohibition. No person may defecate or urinate in or on any public street or sidewalk anywhere within the Village of Baxter Estates, or in or on any park, field, playground, building, facility or other area of public assembly, owned or operated by the Village of Baxter Estates, except in a public or private toilet or restroom.

§ 145-2 Penalties for offenses. Each and every violation of, or failure to comply with, any provision of this Chapter shall constitute a violation, punishable as follows: for a conviction of a first offense, by a fine up to but not more than \$250, or imprisonment for a period not to exceed 15 days, or both such fine and imprisonment; for a conviction of a second offense, both of which were committed within a period of five years, by a fine not less than \$250, nor more than \$500, or imprisonment for a period not to exceed 15 days, or both such fine and imprisonment; and for a conviction of a third or subsequent offense, all of which were committed within a period of five years, by a fine not less than \$500, nor more than \$1,000, or imprisonment for a period not to exceed 15 days, or both such fine and imprisonment. Each day that a violation occurs or continues shall be deemed a separate and distinct violation hereunder.”

Section 3.Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State.