

## LOCAL LAW NO. 6 OF 2023

A LOCAL LAW amending §149-18 (Penalties for Offenses) of the Village Rentals Law to increase the amount of fines.

BE IT ENACTED by the Board of Trustees of the Village of Quogue as follows:

**SECTION 1. Amendment.** Section §149-18 of the Village Rentals Law is amended by deleting strikethrough words and adding underlined words as follows:

### § 149-18 **Penalties for offenses.**

- A. Each and every violation of this chapter shall constitute a violation pursuant to the Penal Law of the State of New York, punishable by a fine not exceeding ~~\$1,000~~ \$2,500 or by imprisonment for a term not exceeding 15 days, or by both such fine and imprisonment for a first offense; by a fine not less than \$2,500 nor more than \$10,000 or by imprisonment for a term not exceeding 15 days, or by both such fine and imprisonment for a second offense, both of which are committed within a period of five years; and by a fine not less than \$8,000 nor more than \$15,000 or by imprisonment for a term not exceeding 15 days, or by both such fine and imprisonment for a third and any subsequent offenses or a series of offenses, all of which are committed within a period of seven years. The continuation of a violation of this chapter shall constitute, for each day the violation is continued, a separate and distinct violation hereunder.
- B. Each and every person responsible for, causing, permitting, assisting in or refusing to abate or correct any violation of this chapter shall be guilty of such violation.
- C. For each and every violation of this chapter, the person or persons responsible for, causing, permitting, assisting in or refusing to abate or correct such violation shall be subject to a civil penalty not exceeding ~~\$1,000~~ \$2,500 for each and every such violation for a first offense; by a civil penalty not less than \$2,500 nor more than \$10,000 for each and every such violation for a second offense, both of which are committed within a period of five years; and by a civil penalty not less than \$8,000 nor more than \$15,000 for each and every such violation for a third and any subsequent offenses or a series of offenses, all of which are committed within a period of seven years. The continuation of a violation of this chapter shall constitute, for each day the violation is continued, a separate and distinct violation hereunder.

**SECTION 2. Authority.** The proposed local law is enacted pursuant to Village Law §4-412 and Municipal Home Rule Law §§10(1)(i), 10(1)(ii)(a)(11), 10(1)(ii)(a), 10(1)(ii)(e)(2)(b) and 10(1)(ii)(e)(4)(b).

**SECTION 3. Severability.** If any section or subsection, paragraph, clause, phrase, or provision of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole, or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

**SECTION 4. Effective Date.** This local law shall take effect upon filing with the Secretary of State pursuant to Municipal Home Rule Law.