

INCORPORATED VILLAGE OF GARDEN CITY
NASSAU COUNTY, NEW YORK
LOCAL LAW NO. 9-2016

A Local Law to Amend Chapter 197 of the Village Code (Water)
Regarding Backflow Fines and Penalties

BE IT ENACTED, by the Board of Trustees of the Village of Garden City, as follows:

Section 1. Chapter 197 of the Village Code, entitled “Water”, is hereby amended as follows:

§ 197-6 Notice of violation; penalties for offenses.

A. Issuance of notice. The owner, lessee or occupant of any dwelling, dwelling unit, multifamily dwelling, industrial or commercial building, structure, enclosure or premises wherein a violation of this Article is found shall be notified of such violation in writing. The notice shall state that the violation must be cured within thirty (30) days of the date of the notice and that failure to comply shall result in penalties and termination of water service.

B. Service of notice. Notices issued pursuant to this Article may be served by delivering a copy of same to and leaving it with the owner, lessee or occupant of the dwelling, building, structure, enclosure or premises wherein the violation is found. If the notice cannot be served with due diligence, then such notice may be served by posting the same upon the dwelling, building, structure, enclosure or premises where such violation is found and also by depositing a copy thereof in a sealed, postpaid wrapper addressed to the owner, lessee or occupant thereof at his last known place of residence.

C. Fines.

Any person or entity served with a notice as prescribed herein and who shall fail to comply with said notice for a period of thirty (30) days or more shall be served with a Final Notice of Violation and Order to Comply, marked as such, assessing a fine of five hundred Dollars (\$500) and advising them that failure to correct the violation within thirty (30) days of the final notice shall result in termination of water service to the affected property or properties.

Termination of water service and additional fines. Upon the failure of an owner, lessee or occupant to correct or remove a violation of this Article following receipt of a Final Notice of Violation and Order to Comply, the Director of Public Works shall cause the water service to the dwelling, building, structure, enclosure or premises wherein such violation is found to be terminated. A written Notice of Water Service Termination, marked as such, shall be served the responsible person or entity on or before the date when water service is actually terminated. Additionally, the person or entity responsible for the violation shall be assessed a second fine of one thousand five hundred Dollars (\$1,500), which fine shall be stated on the Notice of Water Service Termination.

Section 2. This local law shall take effect immediately upon filing with the Office of the Secretary of State.