

**INCORPORATED VILLAGE OF OLD WESTBURY  
BOARD OF TRUSTEES**

**LOCAL LAW NO. 3 OF 2021**

**AMENDING CHAPTER 5, “APPEARANCE TICKETS”  
OF THE CODE OF THE VILLAGE OF  
OLD WESTBURY**

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**WHEREAS**, the Board of Trustees has recommended the enactment of a local law amending Chapter 5, “Appearance Tickets”, relating to the service of appearance tickets within the Village of Old Westbury; and

**WHEREAS**, this Local Law was introduced by the Board of Trustees on June 21, 2021; and

**WHEREAS**, the Board finds that this Local Law is a Type II Action pursuant to the New York State Environmental Quality Review Act (“SEQRA”); and

**WHEREAS**, this Local Law was the subject of a duly noticed public hearing in accordance with New York State Village Law and the Village Code before the Board on July 19, 2021.

**BE IT ENACTED** by the Board of Trustees of the Incorporated Village of Old Westbury as follows:

**Section 1.** Chapter 5, “Appearance Tickets” of the Village Code of the Village of Old Westbury be and is hereby amended to read as follows:

§ 5-1. Persons authorized to issue.

[Amended 9-17-1984 by L.L. No. 7-1984, Amended 7-19-2021 by L.L. No 3-2021]

The following persons are hereby authorized to issue appearance tickets, returnable in the Village Justice Court of the Incorporated Village of Old Westbury, pertaining to the enforcement of any statute, local law, ordinance, rule or regulation relating to parking, licensing of occupations or businesses, fire prevention and safety, health, sanitation and building, zoning and planning:

- A. Village Clerk-Treasurer or his or her designated representative.
- B. Superintendent of Public Works or his or her designated representative.
- C. Superintendent of the Building Department or his or her designated representative
- D. Mayor and Board of Trustees or their designated representative.

§ 5-2. Persons authorized to serve.

[Amended 7-19-2021 by L.L. No 3-2021]

Any employee of the Village is authorized to serve an appearance ticket issued by the Superintendent of Buildings or the Superintendent of Public Works that is returnable in the Village Justice Court of the Incorporated Village of Old Westbury, pertaining to the enforcement of any statute, local law, ordinance, rule or regulation relating to parking, licensing of occupations or businesses, fire prevention and safety, health, sanitation, building, zoning, and planning.

§ 5-3. Additional designations.

[Amended 7-19-2021 by L.L. No 3-2021]

These designations and authorizations are given in addition to any and all authorizations previously given or hereafter given.

§ 5-4. Interpretation.

[Amended 7-19-2021 by L.L. No 3-2021]

This chapter shall be construed liberally in favor of broadened and additional authorization to issue appearance tickets by village officials.

Section 2. Chapter 5, “Appearance Tickets” of the Village Code of the Village of Old Westbury shall otherwise remain in full force and effect.

Section 3. Severability. If a court determines that any clause, sentence, paragraph subdivision, or part of this local law or the application thereof to any person, firm or corporation or circumstance is invalid or unconstitutional, the Court’s order or judgment shall not affect, impair or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 4. Effective Date. This Local Law shall take effect immediately upon filing with the Secretary of State.

On motion made by Trustee Brown, seconded by Trustee Baker, the foregoing Local Law was enacted upon the following vote:

Edward Novick, Mayor	-	Absent
Marina Chimerine, Deputy Mayor	-	Aye
Cory Baker, Trustee	-	Aye
Jeffrey Brown, Trustee	-	Aye
Andrew Weinberg, Trustee	-	Aye

Dated: Old Westbury, New York  
July 19, 2021

Filed: Old Westbury, New York  
July 20, 2021