

Introduced by: County Administration and Finance Committee

Seconded by:

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 8 OF 2007, ENTITLED "A LOCAL LAW AMENDING §106-5 OF THE BROOME COUNTY CHARTER AND CODE ESTABLISHING PENALTIES FOR LITTERING"**

WHEREAS, Legislator Garnar wishes to increase the minimum fines for littering and to give local courts an option to impose community service, and

RESOLVED, that Local Law Intro No. 8 of 2007 entitled "A Local Law Amending §106-5 (County Property, Use of Penalties for Offenses) of the Broome County Charter and Code Establishing Penalties for Littering", be and the same hereby is adopted and approved in accordance with the Broome County Charter, the Municipal Home Rule Law and all applicable statutes and laws pertaining thereto:

**A Local Law Amending §106-5 of the Broome County Charter and Code Establishing Penalties for Littering**

BE IT ENACTED, by the Legislature of the County of Broome as follows:

SECTION 1. Section 106-5 of the Broome County Charter and Code is amended as follows:

- A. Any violation of any provision of the foregoing rules, and regulations or any amendments thereto, with the exception of section 4. D. of this Chapter shall be deemed a violation, and any person found guilty thereof shall be liable to a fine which shall not exceed \$500 or imprisonment not to exceed 30 days, or both such fine and imprisonment.
- B. A violation of any provisions of Section 4. D of this Chapter shall be deemed a violation, and any person found guilty thereof shall be liable to a fine of not less than \$150 and/or 20 hours of community service, but not exceeding \$500 or imprisonment not exceeding 30 days, or by both such fine, community service, and imprisonment. The penalties for a second violation within a one-year period shall be a minimum fine of not less than \$250 and/or 40 hours of community service, but not exceeding \$750 or imprisonment as set forth above. The penalties for more than two offenses within a one-year period shall be a minimum fine of \$500, but not exceeding \$1000 or imprisonment as set above. Each day's violation shall constitute a separate offense.
- C. At the discretion of the County Executive, Commissioner or Administrator, any person found guilty of violating any provision of this chapter may be banned from the buildings and grounds for a period of time specified in writing. Persons so notified are prohibited from entering or remaining upon buildings and grounds, as specified.

SECTION 2. That this Local Law shall take effect immediately.

Material underlined is added