

Town of Ticonderoga
County of Essex, State of New York
LOCAL LAW #1 of 2015
A Local Law Regulating Town Taxicab Services

Be it Enacted by the Town Board of the Town of Ticonderoga as follows:

Section 1. Purpose.

- A. The purpose of this Local Law is to regulate the activities of taxicabs and other vehicles for hire in the Town of Ticonderoga. History has shown that there is a need for investigation and review of the conduct of taxicab drivers and vehicles for hire in order to ensure the health, safety and welfare of residents and visitors within the Town of Ticonderoga. Indeed, one of the Town Board's highest priorities is to protect the peace and security of our citizens on the highways in our community.
- B. Thus, this chapter is intended to enhance the peace and security of our citizens in their homes and neighborhoods; to safeguard consumers against fraud and inferior services; and to prevent congestion and unsafe conditions on the streets and highways of the Town.

Section 2. Word usage; definitions.

- A. Word usage. Words used in the singular in this Local Law shall include the plural and vice versa. The word "shall" is always mandatory.
- B. Definition. The following definitions shall govern the interpretation of this chapter unless otherwise expressly defined herein:

BUSINESS

Includes any single act of transporting a passenger or passengers in a motor vehicle for hire or for compensation of any kind upon the public streets, roads and highways within the Town of Ticonderoga.

BUSINESS LICENSE

Written authorization which permits a person to engage in the business of transportation for hire or to employ others for said purposes.

CRUISING

To travel about the street and roadways at random.

DRUG TESTING POLICY/RANDOM DRUG TESTING POLICY

A written policy that meets the minimum requirements for the testing of holders of a commercial driver's license for drugs and/or alcohol developed by the United States Department of Transportation and Federal Motor Carrier Safety Administration as set forth in the Code of Federal Regulations in 49 CFR Parts 40 and 382.

FARE

A transportation charge or the price of passage or the sum paid or due for conveying a person by taxicab or vehicle for hire.

LIMOUSINE

Any motor vehicle engaged in transportation for hire in connection with funerals, weddings, proms and other events of functions of a similar nature or in connection with general transportation for hire when, at the prior request of the passenger(s), unmarked livery is used and pickup is made by prior arrangement, whether hired by the hour, by the day or for a fixed fare, and/or so licensed by the New York State Department of Motor Vehicles.

OPERATOR

A natural person who is entitled to obtain in his or her own name proper New York State Licensing for the operation of a motor vehicle for the purpose of transportation for hire.

OPERATOR'S PERMIT

Written authorization which permits an operator to engage in the business of transportation for hire within the Town of Ticonderoga.

OWNER

Includes a person, as defined herein, who is a business owner, principal, director and/or officer of a business, a purchaser under a reserve title contract, conditional sales contract or vendor's lien agreement and a lessee who is entitled to obtain in his or her own name proper New York State registration of the vehicles engaged in the business of transportation for hire, and/or a person owning or controlling one or more taxicabs or limousines and operating/driving or causing to be operated/driven any such vehicle for hire.

PASSENGER

Includes any person other than the operator/driver who is an occupant of a taxicab or limousine upon the public streets, roads and highways within the Town of Ticonderoga.

PERSON

Includes natural persons, corporations, partnerships, unincorporated associations or any other organizations of two or more persons.

TAXICAB

Any motor vehicle engaged in the business of transportation for hire, other than a limousine.

TOWN

Includes all areas within the Town of Ticonderoga exclusive of areas wholly within any incorporated village.

TRANSPORTATION FOR HIRE

Includes the transporting of a passenger or passengers in a motor vehicle, for hire or for compensation of any kind, upon the public streets, roads and highways within the Town of Ticonderoga.

VEHICLE FOR HIRE

Includes any motor vehicle used in the transporting of a passenger or passengers, for hire or for compensation of any kind, upon the public streets, roads and highways within the Town of Ticonderoga.

VEHICLE PERMIT

Written authorization which permits the use of a specific vehicle in the business of transportation for hire within the Town of Ticonderoga.

Section 3. Exemptions.

The provisions of this Local Law shall not apply to vehicles solely owned and operated for the activities set forth herein:

- A. Business vehicles engaged in a business other than transportation for hire, wherein said vehicles are used solely for transportation of clients of said business, whether for a fee or not, and are not made available for hire by persons other than clients of the principal business
- B. Hotel Vehicles engaged in the transportation of hotel guests only
- C. Club Vehicles engaged in the transportation of club members only
- D. Public or private school vehicles engaged in the transportation of school pupils only
- E. Buses as defined by the New York State Vehicle and Traffic Law
- F. Limousines as defined in this local law
- G. Vehicles for hire engaged in transportations from a point outside the Town of Ticonderoga to a point within the Town of Ticonderoga or from a point outside of the Town of Ticonderoga to another point outside the Town of Ticonderoga and passing through the town

Section 4. Business License.

- A. It shall be unlawful for any person to engage in the business of transporting people for hire by a taxicab, from within of the Town of Ticonderoga or from a point within the Town of Ticonderoga to a point outside the Town of Ticonderoga and back to the Town of Ticonderoga (Round Trip) without having a business license described herein.

B. Application

1. To obtain a business license required by the section, or any renewal thereof, a verified application shall be made to the Town Clerk, upon a form to be furnished by the Town Clerk, which application shall set forth the following information:
 - a. The name and permanent address of the applicant, the applicant's social security number and telephone number. If the applicant is a corporate entity, the name and address of all officers, partners, directors, members and/or stockholders of the applicant, the applicant's federal tax identification number and whether the applicant is applying for a license to transport all public or a specific clientele (i.e. medical transports only)
 - b. The make, model, year, seating capacity, vehicle identification number and license plate number or each vehicle to be used in said taxicab business.
 - c. The registered owner of each vehicle to be used in said taxicab business. No business license shall be issued to any person unless he is the owner of each taxicab operated in his name.
 - d. The names and addresses of all vehicles operators.
 - e. The names, address, telephone number and title of the person designated to accept process or other legal notices on behalf of the licensee. The licensee is required to designate an agent who resides in the County of Essex for the service of process of any notices set forth in this Local Law or for the service of process of a violation of this Local Law.
 - f. Details of any convictions for misdemeanors and felonies, including the nature of the offense for which arrested and ultimately convicted, the date of arrest and conviction, the place where said conviction was had and the sentence imposed.
 2. In addition to the requirements set forth in Subsection B(1) of this section, prior to obtaining a business license required by this section, or any renewal thereof, the business owner shall certify that the business has a written drug testing policy as defined herein.
- C. Form. A business license shall state the name and address of the licensee, the date of the issuance and expiration of said business license, and that the licensee is authorized to engage in the business of transportation for hire by the Town of Ticonderoga.
- D. Term. The term of the business license shall be for a term of two years.
- E. Posting of business license. A business license shall be conspicuously posted, in full public view in the main office of the licensee.
- F. Renewal. Application for the renewal of a business license shall be filed no later than 30 days prior to its expiration. The application shall be verified and shall set forth the information listed in Section 4.B of this Local Law. Forms for the renewal application shall be supplied by the Town Clerk and shall be requested by the licensee.
- G. Modification. Any change in circumstance with regard to the information required hereinabove shall be reported to the Town Clerk within 30 day of occurrence.

Section 5. Operator's Permit.

- A. It shall be unlawful for any person to drive or operate or, as an owner, to allow any person, including the owner, to drive or operate the taxicab or other motor vehicles engaged in transportation for hire, as defined herein, without having first obtained an operator's permit to drive or operate a taxicab from the Town Clerk.
- B. Application. To obtain a permit required by this section, or any renewal thereof, a verified application shall be made to the Town Clerk, upon a form to be furnished by the Town Clerk, which application shall set forth the following information:
1. The name and permanent address of the applicant.
 2. Any other names ever used by the applicant
 3. The applicant's place of residence for the past five-year period.
 4. The applicant's age, date of birth, height, weight, color of eyes, color of hair, place of birth and citizenship.
 5. Whether or not the applicant has ever been convicted of a crime and, if so, the details of such conviction, including the offense the applicant was convicted of, the date and court of conviction, and the sentence imposed.
 6. The applicant's license classification and license number. All applicants must hold the proper license from the State of New York to operate a taxicab to be issued an operator's permit.
 7. Photograph. All applicants applying for an operator's permit must come to the Ticonderoga Police Department during regular business hours to have their photograph taken within 30 days of the date of the application.
 8. Provide details of any convictions for misdemeanors and felonies, including the nature of the offense for which arrested and ultimately convicted, the date of arrest and conviction, the place where said conviction was had and the sentence imposed.
 9. Physician's statement. The applicant must submit a written statement from a medical doctor licensed to practice medicine in the State of New York stating that the applicant is physically and mentally fit to safely operate a motor vehicle.
 10. Drug Test. The applicant must submit a certification from his employer that he has passed a pre-employment drug test.
 11. Driver's license and abstract. The applicant must submit a copy of the applicant's New York State driver's license along with a New York State driver's abstract detailing the applicant's driving history dated within 10 days of the date the application is submitted to the Town Clerk.
- C. Form. The permit shall contain the name, address, date of birth, signature and photograph of the applicant. It shall state the dates of issuance and expiration of the permit. In addition, there shall be sufficient blank spaces to record any suspension or revocation of the permit.
- D. Term. The term of the permit shall be for two years from date of issuance

- E. Posting. The permit shall be conspicuously posted and securely fastened on the visor on the driver's side of the taxicab. [\(Personal Information will be listed on back of form for Posting\)](#)
- F. Renewal. Application for the renewal of an operator's permit shall be filed no later than 30 days prior to its expiration. The application shall be verified on a form furnished by the Town Clerk and shall contain the information required by Section 6.B and C An applicant requesting to renew an operators permit shall request a renewal form from the Town Clerk either in person or in writing.
- G. Denial of operator's permit. The Town Clerk shall not issue an operator's permit in the following instances:
 - 1. The applicant has a conviction for any of the offenses.
 - a. A felony within the last 10 years
 - b. Any crime involving the manufacture, transportation, possession, or sale of illegal drugs as defined by New York Penal Law
 - c. A crime involving the operation of a motor vehicle under the influence of alcohol or drugs
 - d. Any offense that requires the applicant to register as a sex offender
 - e. Reckless driving
 - f. Endangering the welfare of a child
 - g. 6 or more points on the New York State Drivers Abstract

NOTE: A properly issued certificate of relief from disabilities will be considered for conditions listed above except for Subsection G 1(d)

- 2. Subject to the provisions of Section 15 of this Local Law and in addition thereto, an applied for or issued permit may be denied or revoked at any time on notice to the applicant or permit holder whenever it is determined by the Town Clerk that the applicant or permit holder.
 - a. Made a false, misleading or fraudulent statement in the application for an operators permit; or
 - b. The applicant has been convicted of offense for violating a provision of this Local Law a minimum of three times

Section 6. Vehicle Permit.

- A. It shall be unlawful for any person to operate or permit to be operated a taxicab, from point to point within the municipal boundary of the Town of Ticonderoga, without having first obtained therefor a vehicle permit from the Town Clerk. All taxicab licensed by the Town of Ticonderoga shall be registered in the State of New York and must have the proper registration and license plates for a taxicab as required by the New York State Department of Motor Vehicles.
- B. Application.
 - 1. To obtain a vehicle permit as required by this section, or any renewal thereof, a verified application shall be made to the Town Clerk, which application shall set forth the following information:

- c. The name and resident address of the applicant and the registered owner of the vehicle
 - d. The business address from which the taxicab will be used and the business license under which it will be used
 - e. The make, model, year, seating capacity, vehicle identification number and the license plate number
 - f. If the vehicle has been previously used as a taxicab and where
2. In addition to the application, an applicant for a vehicle permit shall provide the following:
- a. Proof that the vehicle is properly registered in New York State as required by this section
 - b. A valid certificate of inspection from a business licensed as a New York State Vehicle Inspection Station
 - c. Proof that the vehicle is insured as required by the New York State Department of Motor Vehicles
 - d. Proof of the bonding pursuant to New York State Vehicle & Traffic Law Section 370
- C. Form. The vehicle permit shall state the name and address of the registered owner; if the vehicle is leased, the name and address of the party to which it is leased; the seating capacity; the year, make and model; the license plate number; and the business license number under which the taxicab is being operated.
- D. Term. The term of the vehicle permit shall be for two years from date of issuance.
- E. Posting. The vehicle permit shall be conspicuously posted and securely fastened on the interior of such vehicle in such a manner as to be readily visible to a passenger in the rear seat.
- F. Identification sticker.
- 1. When issuing a vehicle permit, the Town Clerk shall also deliver a sticker bearing the vehicle permit number, the vehicle license plate number and the expiration date of the vehicle permit. Each such sticker must be securely affixed to the rear bumper of the vehicle. The sticker is to remain there and shall be kept clearly visible at all times.
 - 2. Should this sticker become lost, stolen or destroyed through no fault of the owner, the Town Clerk shall issue a duplicate sticker at a fee as set by the Town Board
- G. Renewal. An application for the renewal of a vehicle permit shall be filed no later than 30 days prior to expiration. The application shall be verified and shall set forth the information listed in Section 6.B of this Local Law. Forms for the renewal applications shall be supplied by the Town Clerk and shall be requested by the licensee, in writing or in person no later than 45 days prior to the expiration date of the current permit.
- H. Modification. Any change in circumstance with regard to the information required hereinabove shall be reported to the Town Clerk within 30 days of occurrence.

Section 7. Operator Regulations.

It shall be the duty of every operator of a taxicab to comply with the following;

- A. Each operator shall keep the interior and exterior of his taxicab clean at all times.
- B. A public operator must transport all orderly persons upon request, unless already under hire.
- C. An operator must inform the Town Clerk, in writing, of any change in address within 72 hours.
- D. An operator shall thoroughly search his taxicab for lost or misplaced items after the discharge of each fare.
- E. Operators shall inform the Town Clerk, in writing within 24 hours of the loss or theft of the operator's permit.
- F. Operators shall not transport a greater number of persons than the rated capacity of the taxicab as listed on the vehicle permit.
- G. After having accepted a person for transportation, an operator must refuse to accept any other passengers without the consent of the person first accepted for transportation.
- H. At the request of any passengers, operators must enforce no smoking in their vehicle by all occupants, including the driver, during the presence of the passenger making said request.
- I. All taxicab must require that all persons under the age of 8 years old must be restrained in an approved child safety seat, and any persons under the age of 16 years old must wear a safety belt at all times.
- J. Operators may not peddle any goods or property from the vehicle for hire.
- K. Operators may not use loudspeakers, noisemaking devices, or other attention-seeking devices.
- L. An operator may not allow any other person to use his operator permit.
- M. Operators shall maintain a written log of all trips, showing the time and place each passenger engages the taxicab and the time and place he leaves the taxicab. The operator shall deliver a copy of this log to the owner of the taxicab. The log shall be retained by the operator and the owner for a period of one year.
- N. No operator shall engage in the act of the cruising as defined in this chapter.
- O. An operator shall not conduct himself in any manner or way that is either dangerous or offensive to the general public.
- P. Operators shall, upon request of a member of the Town Clerk or Town of Ticonderoga Police Department, produce for inspection their trip log.
- Q. Operators shall be subject to the same requirements as a holder of a commercial driver's license as set forth by the United States Department of Transportation and the Federal Motor Carrier Safety Administration with regard to the operation of vehicle and the consumption of alcohol and drugs.
- R. Operators must submit to and pass all alcohol and/or drug test required by this Local Law.
- S. No person shall operate a vehicle registered as a taxicab or livery vehicle unless he possess a valid driver's license and an Operators permit.

Section 8. Owner Regulations.

It shall be the duty of every owner of a taxicab, as defined in this chapter, to:

- A. Inspect and repair all damage or malfunction to or in the vehicle or equipment each week. All said repairs and maintenance to the vehicles shall not be made while the vehicle is on the public street, public way or public place
- B. Not allow the taxicab to be used in business if not in proper working condition
- C. Equip and maintain each taxicab with interior lights, under the control of the driver, which shall fully illuminate the passenger area when a passenger is boarding or alighting from the vehicle
- D. Not allow any person to operate the taxicab without an operator's permit as defined by this Local Law and a Class E license issued by a New York State Department of Motor Vehicles
- E. Maintain the operator's log for a period of one year and which must be available for inspection by the Town, upon request, at all times during said period
- F. Report to the Town Clerk the lost or theft of the vehicle permit, in writing, within 24 hours
- G. Ensure that all operators employed by the owner comply with all of sections regarding the duties, requirements and responsibilities of operators contained in this chapter
- H. Develop, implement and follow a written drug testing policy as defined in this chapter
- I. Upon notification that an operator employed by the owner has failed a drug test, the owner must within 24 hours notify the Town Clerk in writing that the operator has failed a drug test and is no longer eligible to operate a taxicab in the Town of Ticonderoga. Notice to the Town Clerk must be sent by certified mail
- J. Prevent an operator from driving any taxicab owned by the owner upon notification that the operator has failed a drug test until such time that the owner is notified by the Town Clerk in writing that the operator's privilege to drive a taxicab in the Town of Ticonderoga has been restored
- K. Maintain written records regarding all drug test administered pursuant to this Local Law for a period of three years and produce said records for inspection upon the request of the Town Clerk, Town Board or the Town of Ticonderoga Police Department
- L. Maintain a maintenance log for each vehicle owned by the owner for a period of one year and which must be available for inspection by the Town, upon request, at all times during said period

Section 9. License and Permit Seal; Recordkeeping.

- A. Each license and permit issued pursuant to the provisions of this Local Law shall be stamped with the Seal of the Town of Ticonderoga.
- B. In addition, the Town Clerk, shall keep a record of all licenses and permit holder and such record shall be open to view by the public during regular business hours. Upon receiving any complain, the Town Clerk shall forward such complaint to the Town of Ticonderoga Police Department for investigation.

Section 10. Transfer or assignment.

It shall be a violation of this Local Law for any person to transfer or assign, or to accept transfer or assignment, of any license or permit issued under this Local Law from person to person or vehicle to vehicle.

Section 11. Loss of License or Permit.

Should any license or permit issued pursuant to this chapter be lost or stolen through no fault of the licensee or permit holder, the Town Clerk shall issue a duplicate license or permit for a fee to be set by the Town Board.

Section 12. Lost and Found Articles.

All property which is lost or misplaced in the taxicab shall be kept at the address listed on the business license under which the taxicab is operated for a period of one month. After this period, if the property is still not claimed, it shall be brought to the Ticonderoga Police Department and a receipt obtained.

Section 13. Inspection.

Each and every taxicab licensed pursuant to the provision of this Local Law shall be subject to inspection by the Ticonderoga Police Department. Said inspection shall concern the cleanliness of the taxicab, the required safety equipment, and the proper posting of licenses and other items required by this Local Law.

Section 14. Request to Submit to Testing.

Any member of the Ticonderoga Police Department may, upon reasonable suspicion that an operator has consumed drugs or alcohol in violation of this Local Law, the New York Vehicle and Traffic Law and/or the New York Penal Law, request that the operator submit to a drug and/or alcohol test.

Section 15. Denial, Suspension or Revocation of License or Permit.

- A. The Town Clerk shall suspend or revoke a license or permit upon learning of a violation of this Local Law. Notice of the revocation or suspension shall be mailed to the license holder or permit holder by registered mail, at the address listed on the license application notifying the license holder or permit holder that their license or permit has been suspended or revoked and the reason for such suspension or revocation. If a permit is being suspended or revoked for any violation of this Local Law the license holder will also be notified by registered mail at the address listed on the license application.
- B. Any license or permit holder shall be entitled to a hearing to appeal a denial, suspension or revocation. Any license holder or permit holder who wants to appeal a denial, or suspension or revocation must notify the Town Clerk in writing that they wish to appeal the denial, suspension or revocation. Said hearing shall be held before the Town Board. The Town Clerk shall notify the license holder or permit holder of the date, time and place of the hearing, in writing, at least 30 days prior to the hearing. At the close of the hearing, the Town Board may suspend, revoke or

uphold the denial of the license or permit or dismiss the charges alleged. The Town Board must state the facts upon which the ruling is based.

- C. Failure to comply with the provisions of this Local Law shall be seen as sufficient cause for the revocation or suspension of such license or permit.
- D. Conviction of a violation of the New York State Vehicle and Traffic Law in a court of competent jurisdiction regarding the equipment or working condition of the taxicab shall be grounds for the suspension or revocation of the vehicle permit.
- E. The Town Clerk shall suspend any license or permit issued pursuant to this Local Law upon learning that the license or permit holder has been charged with any of the offenses listed in Section 5.G (1).
- F. The Town Clerk shall revoke any license or permit issued pursuant to this Local Law upon learning:
 - a. That the license or permit holder has been convicted of an offense listed in Section 5.H(1).
 - b. That an application contained a false, misleading or fraudulent statement;
 - c. That a license or permit holder has three or more conviction or violating provisions of the Ticonderoga Town Code; or
 - d. That an operator has failed a drug test as defined herein.

Section 16. Vehicle Regulation.

- A. Each vehicle used as a cab, as defined hereinabove, must be equipped with a permanent raised operational dome light affixed to the roof with "taxi" or "taxicab" or the business name imprinted thereon, or must have "taxi" or "taxicab" and the business telephone number permanently affixed to each side of the exterior, not less than four inches in height, and the business name and address must be permanently affixed to the lower portion of the front door, on each side of the exterior, not less than two inches in height.
- B. The owner of each vehicle shall ensure that the vehicle and its equipment are inspected at least once during each week, the results of which must be noted in the written log maintained for that vehicle. Each vehicle in use must be capable of passing all town, state and police inspections. Any and all repairs to the vehicle must be recorded in the maintenance log.
- C. Each vehicle must be kept clean, sanitary, fit, of good appearance and in a safe condition for the transportation of passengers; including repair of all malfunctions and/or damages and must comply with all alterations and/or additions that may be required.

Section 17. Passenger regulations, rights and complaints.

- A. Issuance. Upon approval of an application for a taxicab license, the Town Clerk shall issue a placard for each vehicle bearing the title: "Passenger Regulations, Rights and Complaints."
- B. Posting. Owners, at all times, and operators, while in possession of a vehicle, are responsible for keeping said placard conspicuously posted and securely fastened in the interior of each vehicle, in a clear and readable manner.

- C. Contents. The placard shall set forth the activities by passengers that are prohibited their rights and where to file complaints, as prescribed by this Local Law.

Section 18. Surrender of License of Permit.

- A. Disapproval, suspension or revocation. Holders of licenses issued pursuant to this Local Law must surrender same to the Town Clerk immediately upon demand after the disapproval, suspension or revocation thereof.
- B. Sales. Holders of a license issued pursuant to this Local Law must surrender same to the Town Clerk immediately upon, and in no case later than seven days from, the sale or other disposition of a business or any vehicle.
- C. State actions. Holders of licenses issued pursuant to this Local Law must surrender same to the Town Clerk immediately upon, and in no case later than seven days from, suspension or revocation by the State of New York of any relevant license, permit or registration.

Section 19. Sale of Disposition of vehicle.

Each person licensed pursuant to this chapter shall, upon the sale or other disposition of a licensed taxicab or limousine, within 24 hours, notify the Town Clerk of the sale or other disposition, surrender the taxicab license issued for the vehicle and submit proof that the license plates have been surrendered to the Department of Motor Vehicles.

Section 20. Prohibited Activities by Passengers.

The activities by passengers set forth herein are unlawful, are therefore prohibited and are the responsibility of the passenger while occupying, engaging or in any way using a vehicle for hire;

- A. Nonpayment. Passengers must pay the agreed or established fare, as indicated on the schedule of fares posted in the vehicle.
- B. Disorderly conduct. Passengers must conduct themselves in an orderly manner.

Section 21. Passengers Rights and Complaints.

- A. Rights. Passengers in vehicles for hire are entitled to quiet, safe, orderly, timely, comfortable transportation, at a price stated on a schedule of fares, posted in the vehicle in a clear and readable manner.
- B. Complaints. Passengers who wish to file complaints regarding poor service, poor vehicle conditions, improper conduct or any other reason should do so by completing a complaint form obtained from the Town Clerk and shall file with the Town Clerk the completed complaint form.

Section 22. Fees.

- A. Regular fees. The Town Board shall set all fees under this Local Law by resolution and shall adjust said fees as the Board deems appropriate. The Town Clerk shall collect a fee, for processing the following applications, at the time applications are presented for issuance, replacement, substitution, processing or hearing:
 - a. For an Owner's License
 - b. For a Vehicle Permit
 - c. For an Operator's Permit
 - d. For a revocation hearing
 - e. For an appeal of disapproval, suspension hearing or revocation hearing.
- B. Late fees. The Town Clerk shall collect additional fees at the time applications are presented for renewal when said applications are made in excess of 30 days after the expiration date thereof.
- C. Refunds. Fees shall not be refunded in the event that an application is denied.

Section 23. Penalties for Offenses.

- A. Any person or persons committing an offense against this Local Law or any section or provision thereof is guilty of a violation punishable by a fine as indicated herein below or imprisonment for a period not to exceed 15 days, or by both fine and imprisonment, and each day's continued violation shall constitute a separate offense.
 - a. First offense: not more than \$500.
 - b. Second offense: not more than \$1,500 but not less than \$500.
 - c. Third offense: not less than \$1000, an additionally, revocation of the license issued pursuant to this Local Law for a minimum of one year, after which reinstatement shall be based on a complete new application process.
- B. In addition to any other remedy provided by law, the Town may bring an injunction proceeding or Supreme Court proceeding to enforce the provisions of this Local Law.
- C. Notwithstanding conviction for a violation hereunder, and imposition of a fine and/or imprisonment therefor, any license or permit holder shall also be liable for suspension, revocation or future disapproval of any license held by him or her in his or her own or any business or corporate name for offense against this Local Law. The provisions contained in this Local Law regarding disapproval, suspension and revocation shall be controlling to effectuate any disapproval, suspension or revocation provided for herein.

Section 24. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of the Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this Local Law, or in its

application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 25. When Effective.

- A. This Local Law shall take effect upon filing with the New York State Secretary of State.
- B. Notwithstanding the foregoing, owners and operators, as defined herein, shall have two months from the date of adoption of this Local Law to comply with the requirements of this Local Law.