

LOCAL LAW 1 OF THE YEAR 1996

TO CONTROL AND PREVENT LOITERING, UNLAWFUL ASSEMBLY AND DISORDERLY CONDUCT

**SECTION 1. FINDINGS** The Board of Trustees finds that the gathering of individuals upon sidewalks, streets and other public right of ways and thoroughfares within the village of Tannersville is of concern to the Village residents and poses potential safety and health hazards. The Board of Trustees further finds that individuals within the Village of Tannersville exhibiting disorderly or offensive conduct and behavior is of concern to Village residents and regulation of such conduct is necessary.

**SECTION 2. PURPOSE** The purpose of this Local Law is to safeguard the public health, safety and general welfare of the residents of the Village of Tannersville by assuring that public right of ways and thoroughfares are maintained in a passable condition and that such residents are not exposed to disorderly or offensive conduct by individuals within the Village of Tannersville.

**SECTION 3. LOITERING AND UNLAWFUL ASSEMBLY** No person or persons shall congregate, stand, loaf or loiter upon any sidewalk, street, entrance to building, alley or other thoroughfare or public area within the Village of Tannersville so as to obstruct same, hinder or prevent persons lawfully passing or attempting or desiring to pass thereon; nor shall any person congregate, stand, loaf or loiter in such a manner so as to annoy, disturb, inconvenience, alarm or be offensive to others.

**SECTION 4. DISORDERLY CONDUCT** No person shall indulge in disorderly or noisy or disturbing conduct upon any sidewalk, street, entrance to building, alley or other thoroughfare or public area within the Village of Tannersville. Any person who commits any of the following acts shall be considered in violation hereof:

- a. Offensive language. Uses or indulges in offensive, disorderly, threatening, abusive or insulting language, conduct or behavior.
- b. Disorderliness. Acts in such manner as to annoy, disturb, alarm, interfere with, obstruct or be offensive to others.

**SECTION 5. PENALTIES FOR OFFENSES** The violation of any provision of this Local Law shall be punishable by a fine not exceeding Two Hundred Fifty and 00/100 (\$250.00) Dollars or by imprisonment for not more than fifteen (15) days or by both such fine and imprisonment.

**SECTION 6. PRIOR LAW** Any Local Law, ordinance or resolution of the Village of Tannersville in conflict herewith is hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any such Local Law, ordinance or resolution hereby repealed prior to the taking effect of this Local Law.

**SECTION 7. UNCONSTITUTIONALITY OR ILLEGALITY** If any clause, sentence, paragraph, section, article or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section article or part thereof directly involved in the controversy in which such judgment shall have been rendered.

**SECTION 8. EFFECTIVE DATE** This Local Law shall take effect as provided by law upon filing with the Secretary of State of New York.