Local Law Filing

(Use this form to file a local law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of Brookhaven

Local Law No. 20 of the year 2012

A Local Law amending Chapter 82 of the Code of the Town of Brookhaven entitled “Neighborhood Preservation by amending § 82-10 entitled “Rental Registration Required”

Be enacted by the Town Board of the Town of Brookhaven as follows:

Section 1. Legislative Intent. It is the intent of this proposed Local Law to place the burden of proof of an immediate familial relationship on the owner by creating an affirmative defense to the violation of Chapter 82 § 82-10 which requires any rental occupancy in any dwelling to have first obtained a rental registration from the Chief Building Inspector.

Section 2. Text Amendment. Chapter 82 entitled “Neighborhood Preservation” is hereby amended by amending § 82-10 as follows:

§82-10 Rental registration required.

A. It shall be unlawful for any rental occupancy to exist in any dwelling without the owner’s first having obtained a rent registration from the Chief Building Inspector.

   (1) It shall be an affirmative defense to a violation of Subsection A of this section that the rental occupant or occupants is/are immediate family members, of the owner of the subject premises, as defined in this Chapter.

Section 3. Authority. The Town Board is vested with the authority to make these amendments by Local Law pursuant to Municipal Home Rule Law §10 and in conformance with Municipal Home Rule Law §20.

Section 4. Effective date. This local law shall become effective immediately upon filing with the Secretary of State of the State of New York.

Dated: August 28, 2012
Farmingville, New York

P. A. Eddington, Town Clerk
Town of Brookhaven

(If additional space is needed, attach pages the same size as this sheet, and number each.)

DOS-239 (Rev. 11/99)