

# Local Law Filing

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## (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.

**County City Town x Village**

*(Select One)*

of Island Park

**Local Law No. 14 of the year 2017**

**A local law** amending Local Law 4 of 2014, entitled Contractor's License to add provisions for Suspension, Revocation or Nonrenewal of a License.

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Be it enacted by the BOARD OF TRUSTEES of the  
*(Name of Legislative Body)*

**County City Town x Village**

*(Select One)*

### SECTION 1. LEGISLATIVE INTENT

The Village of Island Park is adding provisions for suspension, revocation, or nonrenewal of a Contractor's license.

### SECTION 2. ADDITION TO LOCAL LAW

#### Section 2. Renewal

Unless application for a renewal of a license is filed more than 20 days prior to the expiration date thereof, such application shall be subject to all of the requirements of an original application. Any person who has filed an application for a license renewal and

complied with all the requirements of filing of said application and whose license is not renewed by the Chief Building Inspector shall have a right to a hearing in accordance with the procedures set forth in Section 4 of this chapter. Any of the causes set forth in Section 3 of this chapter shall be sufficient basis for the refusal to renew a license. The refusal to renew shall not be in effective until the hearing is held and a report and recommendation rendered to the board of Trustees and action is taken thereon pursuant to Section 4 of this chapter.

### **Section 3. Suspension, Revocation or Nonrenewal**

- A. Any license issued pursuant to the provisions of this or any other local law may be suspended or revoked by the Chief Building Inspector, or renewal of any such license may be denied, for any of the following causes:
  - 1. Fraud or false statement in the application for the license.
  - 2. Fraud or false statement in connection with operating or carrying out the business, activity or enterprise for which the license was issued.
  - 3. Any violation of a provision of this chapter or of any other local law pursuant to which the license was issued.
  - 4. Conviction of the licensee of any crime.
  - 5. Operating or carrying out the licensed business, enterprise or activity in an unlawful manner or in such a way as to breach the peace or constitute a danger to or disrupt the health, safety or general welfare of the public.
  - 6. Transfer or assignment of the license to any person or entity without the written consent of the Chief Building Inspector after due written application and presentation of information concerning the proposed transferee's qualifications, similar in nature and scope to those furnished by or required of the original applicant.
- B. No such suspension or revocation shall be effective until after a hearing is held and a report and recommendation rendered to the Board of Trustees and action is taken by the Board of Trustees pursuant to Section 4 of this chapter, except that a suspension or revocation shall take effect immediately, or at any specified time prior to the conclusion of such hearing, in the event the suspending or revoking authority determines that continuation of the business or activity authorized by such license would constitute a danger to the public health, safety or general welfare if permitted to continue before the conclusion of such hearing.

#### Section 4. Hearing

Any person who has had his license suspended, revoked or not renewed by the Chief Building Inspector pursuant to Section 2 or Section 3 shall have the right to a hearing upon such suspension, revocation or nonrenewal before the Village Justice as designated by the Board of Trustees. A written request for such hearing must be filed by the licensee with the Village Clerk within 15 days of notification to him of the suspension, revocation or nonrenewal by the Chief Building Inspector. Failure to timely file such request shall be deemed a waiver of the right to a hearing. The hearing shall be held within 30 days after the filing of the request thereof. All persons interested or affected shall have the opportunity to be heard at the hearing. The Village Justice, upon the completion of the hearing, shall render a written report and recommendation thereon to the Board of Trustees. The Board of Trustees after the report and recommendation of the Village Justice is reviewed may reinstate the license, revoke the license or continue the suspension of the license for a specified period of time.

#### **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 judgement shall not effect, 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 judgement or order shall be rendered.

#### **SECTION 4. EFFECTIVE DATE**

This local law shall take effect immediately upon filing with the Secretary of State.