

APPEARANCE TICKETS

LOCAL LAW NO. 9 OF THE YEAR 1979

**A Local Law Authorizing the Issuance of Appearance Tickets
By Public Servants of the Town of Kirkwood**

**Adopted November 7, 1979
Amended April 2, 2013 by LL #2-2013**

Be it enacted by the Town Board of the Town of Kirkwood.

Section 1.

The purpose of this local law is to authorize public servants of the Town of Kirkwood to issue and serve appearance tickets in connection with violations of state statutes, local laws, ordinances, or rules and regulations of the town which the public servants are authorized or required to enforce.

Section 2.

A. The following public servants of the Town of Kirkwood are hereby authorized to issue and serve an appearance ticket with respect to violation of a state statute, a local law, ordinance, rule or regulation of the Town of Kirkwood that such public servants are, respectively, required or authorized to enforce:

1. Building Inspector – Building, zoning, planning matters.
2. Enforcement Officer – All local laws and ordinances of the Town of Kirkwood.
3. Dog Control Officer – Article 7 of Agriculture and Markets Law of the State of New York and Local Law 3-1975 “A Local Law of the Town of Kirkwood Relating to the Control, Confining and Leashing of Dogs.”

B. In addition, any police or peace officer with law enforcement jurisdiction in the Town of Kirkwood is hereby authorized to issue and serve an appearance ticket with respect to violation of a state statute, a local law, ordinance, rule or regulation of the Town of Kirkwood.

Section 3.

Appearance tickets may be served:

A. Personally, or

B. By (1) certified mail with return receipt requested and (2) by first class mail with an accompanying affidavit of mailing to be submitted to the court.

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Section 4.

The provisions of this local law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

Section 5.

All Ordinances, Local Laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 6. This Local Law shall take effect immediately upon its filing in the office of the Secretary of State.