



Town of Islip



TOWN CLERK

PUBLIC HEARING
655 Main Street
Islip, NY 11751

December 17, 2024
2:00 p.m.



- 1. To consider amending the Town of Islip Uniform Traffic Code.**
- 2. To consider the proposed code amendments to Chapter 68 of the Islip Town Code, entitled “Zoning”.**
- 3. To consider amending Islip Town Code, Chapter 39A, § 39A-5, “Department of Planning and Development” by Local Law 6 of 2024.**
- 4. To consider amending Islip Town Code, Chapter 39A, § 39A-3, “Department of Planning and Development by Local Law 7 of 2024.**
- 5. To consider amending Islip Town Code, Chapter 10A, § 10A-4,” Environmental Control Department” by Local Law 8 of 2024.**
- 6. To consider amending Islip Town Code, Chapter 3A, § 3A-3, “Aviation and Transportation Department” by Local Law 9 of 2024.**
- 7. To consider amending Islip Town Code, Chapter 40B, § 40B-3, “Department of Public Safety Enforcement” by Local Law 10 of 2024.**
- 8. To consider amending Islip Town Code, Chapter 50, § 50-3 “Town Attorney, Department of”, by Local Law 11 of 2024.**
- 9. To consider amending Islip Town Code, Chapter 36A, § 36A-3, “Parks, Recreations and Cultural Affairs Department” by Local Law 12 of 2024.**

- 10. To consider amending Islip Town Code, Chapter 10B, § 10B-3, “Comptrollers Department” by Local Law 13 of 2024.**
- 11. To consider amending Islip Town Code, Chapter 41, § 41-3, “Public Works Department”, by Local Law 14 of 2024.**
- 12. To consider amending Islip Town Code, Chapter 51 entitled, “Towing Business”, by Local Law 15 of 2024.**

GIVEN that any person who needs a sign language interpreter or has concerns regarding accessibility to the Town Board Meeting, please call Constituent Services at 631-224-5380.

**Dated at Islip, NY
TOWN OF ISLIP
Published
LDV/tb**

TOWN BOARD,

**By: LINDA D. VAVRICKA
TOWN CLERK**

PLEASE TAKE NOTICE, that the Islip Town Board held a meeting on Tuesday, December 17, 2024 at 2pm, 655 Main Street, Islip, NY 11751 to amend the Islip Uniform Traffic Code.

On a motion made by

Seconded by

BE IT RESOLVED, that the Uniform Traffic Code of the Town of Islip has been amended.

**SCHEDULE C
PROHIBITED TURNS
ADD**

LOCATION	CONTROLLING TRAFFIC	PROHIBITED TURN	HOURS
Fifth Avenue (CR 13) at 1444 Fifth Avenue (BSR)	East on commercial driveway; Northbound on Fifth Avenue	Left	

**SCHEDULE G
STOP AND YIELD INTERSECTIONS
ADD**

INTERSECTION	SIGN	CONTROLLING TRAFFIC
Dogwood Road at Foxglove Road/ Paris Court (WIS)	Stop	East on Paris Court
Pine Drive at Wohseepee Drive (WBS)	Stop	East on Wohseepee Drive

**SCHEDULE J
PARKING, STOPPING AND STANDING REGULATIONS
AMEND TO READ**

LOCATION	REGULATION	HOURS/DAYS
Pond Road/East Form South First Street north for 200 ft. to terminus (RNK)	No parking	

**SCHEDULE J
PARKING, STOPPING AND STANDING REGULATIONS
ADD**

LOCATION	REGULATION	HOURS/DAYS
Pond Road/West From 20 ft. north of #2184 to driveway	No Parking Here to Driveway	
From 20 ft. north of #2174 to driveway	No Parking Here to Driveway	
From 20 ft. south of #2184 to driveway	No Parking Here to Driveway	
From 20 ft. south of #2174 to driveway	No Parking Here to Driveway	

Upon a vote being taken the result was

TOWN BOARD RESOLUTION

Date: _____

WHEREAS, a review of the Islip Town Code has been conducted by the Department of Planning and Development (the "Planning Department") and the Office of the Town Attorney; and

WHEREAS, on the basis of said review, amendments are proposed to Chapter 68 of the Islip Town Code (entitled, "Zoning"); and

WHEREAS, pursuant to New York State General Municipal Law, the proposed code amendments have been referred to the Suffolk County Planning Commission; and

WHEREAS, a review of the environmental impacts of these proposed regulations indicates that no significant environmental impact will occur; and

WHEREAS, the Town Clerk has placed a Public Notice in the newspaper circulated locally which indicates the nature of the proposed Code amendments; and

WHEREAS, on _____, a public hearing was held;

NOW, THEREFORE, on motion of Councilperson _____, seconded by Councilperson _____, be it

RESOLVED, that the Town Board hereby amends the Islip Town Code Chapter 68, as specified herein; and

SEE ATTACHED

Additions are indicated by UNDERLINING
Deletions are indicated by ~~STRIKEOUTS~~.

Upon a vote being taken the result was:

Chapter 68 Zoning

Article I General Provisions

§ 68-3 Word usage and definitions.

B. Definitions.

GROSS FLOOR AREA (GFA)

The total floor area, including all levels or stories, of a structure as measured from the exterior faces of the walls.

(2) The following structures shall not contribute towards gross floor area:

(m) The area below the finished first floor of a dwelling raised for flood damage prevention with a headroom of less than seven feet six inches if enclosed, or the unenclosed area below the finished first floor of a dwelling that has been raised for flood damage prevention.

HOUSE OF WORSHIP

A building, a collection of buildings, or parcel designed primarily for the purpose of conducting organized religious services and/or related activities. These functions may encompass clerical services or other socially beneficial programs, including but not limited to office and retail uses, child and adult day care, and educational uses while excluding overnight transient accommodations. The facilities aim to address individuals' physical, mental, and spiritual needs and advance the objectives of the associated religion and community in general. These structures are affiliated with and owned by an incorporated nonprofit religious organizations that maintain tax-exempt status.

Article IVA Amendments

§ 68-36 Restrictive covenants.

B. The failure to comply with any and all conditions shall be deemed a violation of this article, subject to the penalties provided in § 68-421. In addition, the Town Board, Planning Board or Zoning Board of Appeals reserves the right to rescind or revoke, in whole or in part, any and all approvals after due public hearing in the event violation of the above-referenced provisions occurs. Thereafter, the operation of the use previously authorized shall be terminated and there shall be no right to nonconformity. In the event the owner or applicant of an application before the Town Board, Planning Board or Zoning Board of Appeals fails to record the required declaration of deed covenants and restrictions within 180 days of the date of the grant, ~~the governing Board it will be presumed that the applicant objects to the conditions imposed and the governing board reserves the right to rescind any and all approvals and deny the application.~~

D. All conditions shall be enforceable through all the powers of the Town Attorney's Office and Division of Law Enforcement, and the Town Board, Planning Board and Board of Appeals reserve the right after due public hearing, to revert the subject parcel to its former zoning classification ~~or any intermediate zoning classification~~ and/or rescind the special permit or special exception issued, if violation of the conditions persists.

E. The improvement of the premises, in accordance with the determination of the Town Board, Planning Board or Board of Appeals, must be completed within 36 months after the date of grant, or as modified by said Board. If not so commenced and completed within this period, then, the governing board reserves the right to revert the subject property to its former zoning classification or any intermediate zoning classification, or the governing body reserves the right to revoke any and all special permits or special exceptions associated with the subject property after due public hearing. Thereafter the operation of the use previously authorized shall be terminated and there shall be no right to nonconformity. The governing board may shorten this time frame in the event the application is made to legalize an unauthorized use of the property.

Article V Use District Regulations: Residence AAA District

§ 68-48 Accessory uses.

A. Permitted accessory uses.

(g) Outside boat storage on land. Boats may be stored, subject to the following regulations:

[1] Boat storage on land for boats twenty five feet (25') or less, is restricted to the rear yard, side yard and driveway; Boat storage on land for boats over twenty five feet (25') is restricted to the rear yard and shall be required to meet the requirements of an accessory structure;

[2] Any boat(s) stored on land may not encroach upon a public right-of-way;

[3] Any boat(s) stored pursuant to this section which are required to be registered with the New York State Department of Motor Vehicles and/or documented by the United States Coast Guard must have a current registration and/or documentation.

Article X Use District Regulations: Residence C District

§ 68-129 Front yards.

A. The minimum required front yard setback for senior citizen apartments shall be 50 feet from all streets ~~for all parcels two acres and less in size,~~ unless arterial setback is greater. The front yard setback may be modified by the Planning Board, taking into consideration the scale of the proposed buildings and the nature and character of the structures on the street on which the apartment development will be fronting.

~~B. The minimum required front yard setback for senior citizen apartments shall be 75 feet from all streets for all parcels greater than two acres in size, unless arterial highway setback is greater.~~

Article XV Use District Regulations: Residence CA District

§ 68-175 Front yard.

A. The minimum required front yard setback for an apartment house or garden apartment shall be 50 feet from all streets for all parcels two acres and less in size, unless arterial setback is greater. The front yard setback may be modified by the Planning Board, taking into consideration the scale of the proposed buildings and the nature and character of the structures on the street on which the apartment development will be fronting.

~~B. The minimum required front yard setback for an apartment house or garden apartment shall be 75 feet from all streets for all parcels greater than two acres in size, unless arterial highway setback is greater.~~

Article XIX Use District Regulations: Business District (BD)

§ 68-269 Exterior site improvements and parking.

This district is specifically designed to encompass the so-called "downtown" areas of the Town of Islip. These areas do not have adequate parking, and in each "downtown" section the Town has endeavored to purchase land and provide parking itself. Therefore, the following guidelines are to be followed:

A. Parking. Any new building or change of use to a use requiring more parking shall be required to provide parking on site pursuant to the Table of Minimum Required Parking Spaces, which is located in Town of Islip Subdivision and Land Development Regulations (<https://www.islipny.gov/community-and-services/documents/planningdevelopment/engineering/303-town-of-islip-subdivision-and-land-developmentregulations/file>), except as provided herein. Where there is more than one use, the minimum requirements shall be cumulative for all uses. If requesting a parking relaxation, applicant shall submit a parking management plan to demonstrate that the parking arrangement will satisfy the purposes of the parking requirements, resulting in approvals if demonstrated to the satisfaction of the Planning Board. An applicant may demonstrate alternative methods of providing parking, including, but not limited to, off-street parking requirements on another site, within walking distance, upon review and approval of the Planning Board, pursuant to agreements in place. Should a parking management plan fail to adequately address a parking shortfall, the Planning Board may relax the minimum number of required parking spaces provided a mitigation fee as per the Town's fee schedule is paid.

~~F. Screen planting. Screen planting shall be installed in accordance with Article XXXI. A minimum buffer area of 25 feet in width in accordance with Town standards shall be provided and maintained adjacent to any residential use or zone. In the Business District only, and only when adjoining the "Main Street" thoroughfare, a buffer of at least 10 feet shall be provided and maintained adjacent to any residential use of zone, subject to the following:~~

1. The buffer area shall consist of a mix of evergreens (minimum 6 foot in height at time of planting) and deciduous trees (minimum of 2 ½ inch caliper at time of installation) installed at the direction of the Commissioner of Planning or their designee;
2. An 8 foot decorative solid buffer fence, the design of which shall be approved by the

Commissioner of Planning or their designee;

3. An offer of additional plantings is required on the adjacent residential property impacted by the reduced buffer. These plantings shall consist of evergreen or deciduous trees, or combination of both, pursuant to the direction of the Planning Commissioner or their designee. This requirement may be waived pursuant to an affidavit signed by the adjoining property owner declining such plantings.

A standard 25 foot buffer shall be provided if the above reduced buffer is not proposed.

Article XXVI Use District Regulations: Industrial 2 District

~~§ 68-356.2 Uses permitted after review and approval of Planning Board.~~

~~{Added 9-12-2000}~~

~~A. The following uses are permitted after the review and approval of the Planning Board, subject to compliance with the following criteria:~~

- ~~(1) A parking relaxation of no greater than 20%;~~
- ~~(2) A landscaping relaxation of no greater than 20%;~~
- ~~(3) Approval will not result in any on- or off-site traffic impacts, as determined by the Planning Board;~~
- ~~(4) The use is consistent with the spirit and intent of the Town Code and Comprehensive Plan;~~
- ~~(5) The site is not adjacent to any residential use or zone;~~

~~B. Uses:~~

- ~~(1) Minor restaurant;~~
- ~~(2) Vehicle repair shop;~~

ARTICLE XXXVIII

Special Regulations and Standards Dealing with Property in the Fire Island National Seashore

§ 68-427.1 Parking

Parking requirements shall be waived for any property located on Fire Island. Parking requirements shall be waived for any property located on Fire Island.

Article XXXIX Tents

§ 68-434 Tents in all other use districts.

A. Tents, canopies and membrane structures having a total area in excess of 400 square feet shall not be erected, operated or maintained for any purpose without first obtaining a tent permit from the Division of Fire Prevention.

(1) Exception. A tent permit is not required for tents that are open on all sides and comply with all of the following:

- (a) Individual tents having a maximum size of 700 square feet.
- (b) The aggregate area of multiple tents placed side by side without a fire break clearance of 12 feet, not exceeding 700 square feet total.
- (c) A minimum clearance of 12 feet to all structures and other tents.

- B. Tents or canopies located in other than residential use districts shall be a minimum of 200 feet from the nearest residence.
- C. There must be, within a reasonable distance from the tent or canopy, one off-street parking space for every 50 square feet of area occupied by the tent or tents.
- D. No noise emanating from any activity occurring in or at the tents or canopies shall be audible more than 500 feet into the nearest residential area.
- E. No tent or canopy pursuant to this section shall be erected or maintained for a period of time in excess of 30 days for a retail use or ~~180 days for a restaurant use~~. Only one such permit shall be granted on a site per calendar year. In the case of three-day events, a maximum of three events per calendar year may be permitted.
- F. Tents erected and in use for longer than 30 days shall require additional inspections at the discretion of the Chief Fire Marshal to ensure public safety.
- G. Tents, when utilized as an accessory use to a restaurant, shall require the review and approval of the Planning Board. Permanent tents shall count towards the gross floor area of the property.
- H. All tents shall comply with all applicable zoning requirements of the underlying district it is located in.

Article XLIII Use District Regulations: Industrial Corridor District

§ 68-467 Accessory uses.

(1) A walk-up counter or service window may be permitted as of right as an accessory use to a restaurant or minor restaurant use, provided the site otherwise complies with all applicable Code requirements and subject to the following requirements:

(1) A walk-up counter or service window shall be subject to the prior written approval of the Planning Department, which Department shall have the authority to require whatever information may be necessary to evaluate such a request and may charge a reasonable fee for this review.

(2) A walk-up counter or service window shall be permitted for food purposes only. Service of alcoholic beverages from a walk-up counter or service window shall not be permitted.

(3) Outdoor loudspeakers, exterior live entertainment or dancing of any kind shall not be permitted.

(4) A walk-up counter or service window shall only be permitted to operate between the hours of 8:00 a.m. and 11:00 p.m.

(5) A minimum unobstructed sidewalk area of at least eight feet shall be maintained in front of any walk-up counter or service window.

December 17, 2024
Resolution #

WHEREAS, a review of Islip Town Code Chapter 39A has been conducted by the Islip Town Board; and

WHEREAS, on the basis of said review certain modifications are deemed appropriate in order to increase transparency and accountability within the “Department of Planning and Development”; and

WHEREAS, the Town Clerk has placed a Public Notice in the newspaper circulated locally which indicates the nature of the proposed Code changes; and

WHEREAS, on December 17, 2024, a public hearing was held.

NOW, THEREFORE, on motion of _____,
seconded by _____, be it

RESOLVED, that the Town Board of the Town of Islip hereby amends Local Law No. 3-1997, entitled Chapter 39A , §39A-5 subsection c “Department of Planning and Development”, by Local Law 6 of 2024 of the Islip Town Code as follows:

SEE ATTACHED

ADDITIONS are indicated by UNDERLINING
DELETIONS are indicated by ~~STRIKEOUTS~~

Upon a vote being taken, the result was:

C. The powers and duties of individual Divisions shall be as follows:

(1) Division of Building. Its powers and duties are to administer, supervise, manage, coordinate and enforce the zoning laws and applicable local laws, ordinances, rules and regulations of the Town of Islip, the applicable building codes, state and/or local and applicable laws of the State of New York, as legally required throughout the properties of the Town of Islip, to review, evaluate, judge and advise on applications related thereto. The Chief Building Inspector shall be the director of the Building Division. The Town Board is empowered herein to appoint deputies, who shall act generally for and on behalf of the Commissioner.

[Amended 6-8-2010]

(3) Division of Engineering and Contracts. Its powers and duties are to perform the duties of Town Engineer and to have general charge and supervision of the engineering design of all highways, roads, streets, sidewalks, bridges, municipal parking areas, drains and drainage structures of the Town or any of its special districts and to have general charge and supervision of the engineering design and construction of Town buildings, parks, grounds and other structures or improvements in the nature of public works as the Town or any of its special districts may construct. The division head of the Division of Engineering and Contracts will be the Town Engineer for the Town of Islip, who shall be appointed by the Town Board for the term fixed by law, upon the recommendation of the Commissioner of Planning and Development. The Town Board is empowered herein to appoint deputies, who shall act generally for and on behalf of the Town Engineer.

[Amended 5-28-2008 by L.L. No. 11-2008]

(4) Division of Planning. Its powers and duties are to prepare and update the Town of Islip Comprehensive Plan, carry out any plans and programs, including capital programming, and initiate developmental policy recommendations for the Town Board. In addition, the Division will perform the duties, studies and supervision as delegated by the Town Board in order to provide for the orderly growth of the Town and to achieve the highest and most efficient available levels of services for its residents. This Division also serves the staff of the Planning Board and Zoning Board of Appeals and other boards of commissions assigned to it by the Town Board, as established under Town Law and will prepare studies, reports and programs, as the Planning Board may require. The Town Board is empowered herein to appoint deputies, who shall act generally for and on behalf of the Commissioner.

December 17, 2024
Resolution #

WHEREAS, a review of Islip Town Code Chapter 39A has been conducted by the Islip Town Board; and

WHEREAS, on the basis of said review certain modifications are deemed appropriate in order to increase transparency and accountability within the Department of Planning and Development; and

WHEREAS, the Town Clerk has placed a Public Notice in the newspaper circulated locally which indicates the nature of the proposed Code changes; and

WHEREAS, on December 17, 2024, a public hearing was held.

NOW, THEREFORE, on motion of _____,
seconded by _____, be it

RESOLVED, that the Town Board of the Town of Islip hereby amends Local Law No 3.-1997, entitled Chapter 39A §39A-3 “Department of Planning and Development”, by Local Law No. 7 of the Islip Town Code as follows:

SEE ATTACHED

ADDITIONS are indicated by UNDERLINING
DELETIONS are indicated by ~~STRIKEOUTS~~

Upon a vote being taken, the result was:

Chapter 39A. Planning and Development, Department of

§ 39A-3. Department established.

- A. There shall be in the Town of Islip a Department of Planning and Development. The principal executive officer and administrative head of such Department shall be the Commissioner of Planning and Development who shall be appointed by the Town Board for the term fixed by law at such a salary as may from time to time be fixed by said Town Board. The Commissioner of Planning and Development shall be appointed on the basis of his administrative experience and qualifications for the duties of such office and such additional standards as may be required by the Town Board. He shall be the executive secretary of any advisory board or commission assigned to his jurisdiction by the Town Board. The Commissioner shall be the head of the Department with power and authority to appoint and remove officers and employees under his jurisdiction in accordance with Civil Service Law and other applicable laws.
- B. ~~The Commissioner, Town Board~~ is empowered herein to appoint two Deputy Commissioners who shall generally act for and in on his or her behalf and who shall perform such duties as are vested in and imposed upon that office by the provisions of this local law, by statute or other lawful authority. Upon Town Board approval there ~~There~~ may also be designated a Deputy Commissioner of Planning who shall have administrative jurisdiction of the Divisions of Planning and Economic Development. Upon Town Board approval there ~~There~~ may also be designated a Deputy Commissioner of Development who shall have administrative jurisdiction of the Divisions of Building and Engineering. Both Deputy Commissioners shall report directly to the Commissioner of Planning and Development. In the absence of the Commissioner, the Deputy Commissioner of Planning shall act as the chief executive officer of the Department. In the absence of the Commissioner and Deputy Commissioner of Planning, the Deputy Commissioner of Development shall act as the chief executive officer of the Department. The Commissioner shall be authorized to modify the divisions assignments and the responsibilities of the Deputy Commissioners as he or she shall deem necessary.
- C. The Commissioner or his deputy(s) may also serve as a division head within the Department.

WHEREAS, a review of Islip Town Code Chapter 10A has been conducted by the Islip Town Board; and

WHEREAS, on the basis of said review certain modifications are deemed appropriate in order to increase transparency and accountability within the Department of Environmental Control; and

WHEREAS, the Town Clerk has placed a Public Notice in the newspaper circulated locally which indicates the nature of the proposed Code changes; and

WHEREAS, on December 17, 2024, a public hearing was held.

NOW, THEREFORE, on motion of _____,
seconded by _____, be it

RESOLVED, that the Town Board of the Town of Islip hereby amends Local Law No.3 – 1974, entitled Chapter 10A-4 “Environmental Control Department” by Local Law 8 2024 of the Islip Town Code as follows:

SEE ATTACHED

ADDITIONS are indicated by UNDERLINING
DELETIONS are indicated by ~~STRIKEOUTS~~

Upon a vote being taken, the result was:

Chapter 10A. Environmental Control Department

§ 10A-4. Appointment of Commissioner and Deputy Commissioner.

The Commissioner and Deputy Commissioners of Environmental Control shall be appointed by the Town Board and shall serve at the pleasure of the Town Board. A first Deputy Commissioner may be appointed by the Commissioner and he may, but need not, be the head of one of the divisions of the Department. ~~He~~ The Deputy Commissioners shall assist the Commissioner in the performance of his or her duties and shall have the authority to act generally for and ~~in place of~~ on behalf of the Commissioner.

WHEREAS, a review of Islip Town Code Chapter 3A has been conducted by the Islip Town Board; and

WHEREAS, on the basis of said review certain modifications are deemed appropriate in order to increase transparency and accountability within the Department of Aviation and Transportation; and

WHEREAS, the Town Clerk has placed a Public Notice in the newspaper circulated locally which indicates the nature of the proposed Code changes; and

WHEREAS, on December 17, 2024, a public hearing was held.

NOW, THEREFORE, on motion of _____,
seconded by _____, be it

RESOLVED, that the Town Board of the Town of Islip hereby amends Local Law No. 14-1980, entitled Chapter 3A -3 “Aviation and Transportation Department” by Local Law 9 of 2024 of the Islip Town Code as follows:

SEE ATTACHED

ADDITIONS are indicated by UNDERLINING
DELETIONS are indicated by ~~STRIKEOUTS~~

Upon a vote being taken, the result was:

Chapter 3A. Aviation and Transportation Department

§ 3A-3. Department established.

- A. There shall be in the Town of Islip a Department of Aviation and Transportation. The principal executive officer and administrative head of such Department shall be the Commissioner, who shall be appointed by the Town Board for the term fixed by law at such salary as may from time to time be fixed by said Town Board. The Commissioner shall be appointed on the basis of his administrative experience and qualifications for the duties of such office and such additional standards as may be required by the Town Board. The Commissioner shall be the head of the Department, with power and authority to appoint and remove officers and employees under his jurisdiction in accordance with the Civil Service Law and other applicable laws.
- B. ~~The Town Board Commissioner~~ is empowered herein to appoint two Deputies who shall generally act for and on behalf of the Commissioner ~~in his behalf~~ and who shall perform such duties as are vested in and imposed upon that office by the provisions of this local law, by statute or by other lawful authority.
- C. Before entering upon the duties of his office, the Commissioner shall execute and file with the Town Clerk an official undertaking, if the same is required by the Town Board, and in such form as approved by the Town Attorney.

December 17, 2024
Resolution #

WHEREAS, a review of Islip Town Code Chapter 40B has been conducted by the Islip Town Board; and

WHEREAS, on the basis of said review certain modifications are deemed appropriate in order to increase transparency and accountability within the Department of Public Safety Enforcement; and

WHEREAS, the Town Clerk has placed a Public Notice in the newspaper circulated locally which indicates the nature of the proposed Code changes; and

WHEREAS, on December 17, 2024, a public hearing was held.

NOW, THEREFORE, on motion of _____,

seconded by _____, be it

RESOLVED, that the Town Board of the Town of Islip hereby amends Local Law No. 3-2009, entitled Chapter 40B§ 40B-3 “Department of Public Safety Enforcement” by Local Law 10 of 2024 of the Islip Town Code as follows:

SEE ATTACHED

ADDITIONS are indicated by UNDERLINING
DELETIONS are indicated by ~~STRIKEOUTS~~

Upon a vote being taken, the result was:

Chapter 40B. Public Safety Enforcement, Department of

§ 40B-3. Establishment.

- A. There shall be in the Town of Islip a Department of Public Safety Enforcement. The principal executive officer and administrative head of such Department shall be the Commissioner, who shall be appointed by the Town Board for the term fixed by law, at such salary as may from time to time be fixed by said Town Board. The Commissioner shall be appointed on the basis of his administrative experience and qualification for the duties of such office and such additional standards as may be required by the Town Board. The Commissioner shall be the head of the Department, with the power and authority to appoint and remove officers and employees under his jurisdiction in accordance with the Civil Service Law and other applicable laws.
- B. ~~The Islip Town Board Commissioner is empowered herein to shall~~ appoint a Chief Deputy Commissioner and a Deputy Commissioner who shall generally act for and in his on behalf of the Commissioner and who shall perform such duties as are vested in and imposed upon that office by the provisions of this chapter, by statute or by other lawful authority. In the absence of the Commissioner, the Chief Deputy Commissioner shall act as the chief executive officer of the Department. In the absence of the Commissioner and Chief Deputy Commissioner, the Deputy Commissioner shall act as the chief executive officer of the Department. The Commissioner shall be authorized to modify the divisions, assignments and the responsibilities of the Chief Deputy Commissioner and Deputy Commissioner as he or she shall deem necessary.
- C. The Commissioner is also empowered herein to appoint an executive assistant for such administrative functions as may be assigned and to advise and aid the Commissioner in the planning and coordination of projects and policies of the Department.
- D. The Commissioner is also empowered herein to appoint a secretary who shall perform such duties, functions and assignments as are proper and necessary in executing the administrative and clerical obligations and needs of the Commissioner and the Department.
- E. Before entering upon the duties of his office, the Commissioner shall execute and file with the Town Clerk an official undertaking, if the same is required by the Town Board, in such form as approved by the Town Attorney.

WHEREAS, a review of Islip Town Code Chapter 50 has been conducted by the Islip Town Board; and

WHEREAS, on the basis of said review certain modifications are deemed appropriate in order to increase transparency and accountability within the Department of the Office of the Town Attorney; and

WHEREAS, the Town Clerk has placed a Public Notice in the newspaper circulated locally which indicates the nature of the proposed Code changes; and

WHEREAS, on December 17, 2024, a public hearing was held.

NOW, THEREFORE, on motion of _____,
seconded by _____, be it

RESOLVED, that the Town Board of the Town of Islip hereby amends Local Law No. 9-1980 Chapter 50 § 50-3, entitled Town Attorney, Department of' by Local Law 11 of 2024 of the Islip Town Code as follows:

SEE ATTACHED

ADDITIONS are indicated by UNDERLINING
DELETIONS are indicated by ~~STRIKEOUTS~~

Upon a vote being taken, the result was:

§ 50-3 Department established.

[Amended 6-17-1980 by L.L. No. 9-1980]

A. There shall be established herewith as a department of the Town of Islip a department to be known as the "Town of Islip Department of the Office of the Town Attorney." The principal executive officer and administrative head of such Department shall be the Town Attorney, who shall be appointed by the Town Board for the term fixed by law at such salary as may from time to time be fixed by said Town Board. The Town Attorney shall be appointed on the basis of his administrative experience and qualifications for the duties of such office. He shall be the attorney for the Town Board and all of the Town officers in their official capacity and shall be the legal counsel and representative of the Town Board in all proceedings, undertakings or activities which the Town Board of the Town of Islip is concerned with or involved therein. The Town Attorney shall be the head of the Department with power and authority to appoint or remove officers and employees under his jurisdiction in accordance with the Civil Service Law and other applicable laws.

B. The Town Attorney is empowered herein to appoint ~~deputies and~~ assistants who shall generally act for and in his behalf and who shall perform such duties as are vested in and imposed upon that office by the provisions of this local law, by statute or by other lawful authority.

C. The Town Attorney shall have powers as shall be necessary for the proper administration of the Department, consistent with applicable provisions of law, and at his sole discretion and judgment he may amend or modify the allocation of responsibilities of his Department.

D. The Town Board, upon the recommendation of the Town Attorney, is empowered herein to appoint deputies, who shall act generally for and on behalf of the Town Attorney.

December 17, 2024
Resolution #

WHEREAS, a review of Islip Town Code Chapter 36A has been conducted by the Islip Town Board; and

WHEREAS, on the basis of said review certain modifications are deemed appropriate in order to increase transparency and accountability within the Department of Parks, Recreation, and Cultural Affairs; and

WHEREAS, the Town Clerk has placed a Public Notice in the newspaper circulated locally which indicates the nature of the proposed Code changes; and

WHEREAS, on December 17, 2024, a public hearing was held.

NOW, THEREFORE, on motion of _____,
seconded by _____, be it

RESOLVED, that the Town Board of the Town of Islip hereby amends Local Law No. 15-1974, entitled Chapter 36A § 36A-3 entitled “Parks, Recreation and Cultural Affairs Department” by Local Law 12 Of 2024 of the Islip Town Code as follows:

SEE ATTACHED

ADDITIONS are indicated by UNDERLINING
DELETIONS are indicated by ~~STRIKEOUTS~~

Upon a vote being taken, the result was:

Chapter 36A. Parks, Recreation and Cultural Affairs Department

§ 36A-3. Department established.

- A. There shall be in the Town of Islip a Department of Parks, Recreation and Cultural Affairs. The principal executive officer and administrative head of such Department shall be the Commissioner, who shall be appointed by the Town Board for the term fixed by law at such salary as may, from time to time, be fixed by the said Town Board. The Commissioner shall be appointed on the basis of his administrative experience and qualifications for the duties of such office, and such additional standards as may be required by the Town Board. The Commissioner shall be the head of the Department with the power and authority to appoint and remove employees under his jurisdiction in accordance with the Civil Service Law and other applicable laws.
- B. ~~The Town Board shall~~ Commissioner is empowered herein to appoint three Deputy Commissioners, who shall generally act for and ~~in his behalf on behalf of the Commissioner~~ and who shall perform such duties as are vested in and imposed upon that office by the provisions of this local law, by statute or by other lawful authority. In addition, the Deputy Commissioner(s) may serve as head of the divisions of this Department.
- C. The Commissioner is also empowered herein to appoint an executive assistant for such administrative functions as may be assigned and to advise and aid the Commissioner in the planning and coordination of projects and policies of the Department.

WHEREAS, a review of Islip Town Code Chapter 10B has been conducted by the Islip Town Board; and

WHEREAS, on the basis of said review certain modifications are deemed appropriate in order to increase transparency and accountability within the Department of the Comptroller; and

WHEREAS, the Town Clerk has placed a Public Notice in the newspaper circulated locally which indicates the nature of the proposed Code changes; and

WHEREAS, on December 17, 2024, a public hearing was held.

NOW, THEREFORE, on motion of _____,
seconded by _____, be it

RESOLVED, that the Town Board of the Town of Islip hereby amends Local Law 12 of-1974 Chapter 10B § 10B-3, entitled “Comptroller Department” by Local Law 13 of 2024 of the Islip Town Code as follows:

SEE ATTACHED

ADDITIONS are indicated by UNDERLINING
DELETIONS are indicated by ~~STRIKEOUTS~~

Upon a vote being taken, the result was:

§ 10B-3 Department established.

[Amended 6-17-80 by L.L. No. 12, 1980]

A. There shall be in the Town of Islip a Department designated as the Office of the Comptroller in compliance with § 20, Subdivision 3(b), of the Town Law of the State of New York. The principal executive officer and administrative head of such Department shall be the Comptroller, who shall be the accounting officer of the Town and who shall be appointed by the Town Board for the term fixed by law at such salary as may from time to time be determined by the said Town Board. The Comptroller shall be appointed upon the basis of his administrative experience and qualifications for the duties of such office and such additional standards as may be required by the Town Board. The Comptroller shall be the head of the Department with power and authority to appoint and remove officers and employees under his jurisdiction in accordance with the Civil Service Law and other applicable laws.

B. The ~~Comptroller Town Board~~ is empowered herein to appoint a Deputy who shall generally act for and on behalf of the Commissioner in his behalf and who shall perform such duties as are vested in and imposed upon that office by the provisions of this local law, by statute or by other lawful authority.

C. Before entering upon the duties of his office, the Comptroller shall execute and file an official undertaking, if the same is required by the Town Board, in such sum as prescribed by the Town Board and in such form as approved by the Town Attorney.

D. The Comptroller shall have such powers as shall be necessary for the administration of the Department consistent with applicable provisions of law.

December 17, 2024
Resolution #

WHEREAS, a review of Islip Town Code Chapter 41 has been conducted by the Islip Town Board; and

WHEREAS, on the basis of said review certain modifications are deemed appropriate in order to increase transparency and accountability within the Department of Public Works; and

WHEREAS, the Town Clerk has placed a Public Notice in the newspaper circulated locally which indicates the nature of the proposed Code changes; and

WHEREAS, on December 17, 2024, a public hearing was held.

NOW, THEREFORE, on motion of _____,
seconded by _____, be it

RESOLVED, that the Town Board of the Town of Islip hereby amends Local Law No. 18-1974, entitled Chapter 41 § 41-3 “ Public Works Department” by Local Law 14 of the Islip Town Code as follows:

SEE ATTACHED

ADDITIONS are indicated by UNDERLINING
DELETIONS are indicated by ~~STRIKEOUTS~~

Upon a vote being taken, the result was:

Chapter 41. Public Works Department

§ 41-3. Department established; powers and duties of Commissioner.

[Amended 3-1-77 by L.L. No. 1, 1977; 6-17-80 by L.L. No. 16, 1980]

- A. There shall be in the Town of Islip a Department of Public Works. The principal executive officer and administrative head of such Department shall be the Commissioner, who shall be appointed by the Town Board for the term fixed by law at such salary as may from time to time be fixed by said Town Board. The Commissioner shall be appointed on the basis of his administrative experience and qualifications for the duties of such office and such additional standards as may be required by the Town Board. The Commissioner or his designee shall have the powers and duties of the Highway Superintendent, pursuant to the Highway Law, and shall be the head of the Department with the power and authority to appoint and remove employees under his jurisdiction in accordance with the Civil Service Law and other applicable laws.
- B. Powers and duties of Commissioner.
- (1) ~~The Town of Islip Department of Public Works may employ. Commissioner is empowered herein to appoint a Chief Deputy Commissioner and two Deputy Commissioners who shall be appointed by the Town Board. The Chief Deputy Commissioner and Deputy Commissioners shall generally act for and in on his behalf of the Commissioner and who shall perform~~ such duties as are vested in and imposed upon that office by the provisions of this local law, by statute or by other lawful authority.
 - (2) The Commissioner is also empowered herein to appoint executive assistants to the Commissioner for such administrative functions as may be assigned and to advise and aid the Commissioner in the planning and coordination of projects and policies of the Department.
 - (3) The Commissioner is also empowered herein to appoint Division heads of each Division of the Department, and it shall be the duty of each Division head to carry out the duties and functions of the Division as provided herein or by direction of the Commissioner. Deputy Division heads may be appointed by the Commissioner to assist the Division heads in the performance of their duties and, in the absence of the Division head, to perform the duties and possess the power of the Division head.
 - (4) Before entering upon the duties of his office, the Commissioner shall execute and file with the Town Clerk an official undertaking, if the same is required by the Town Board, in such form as approved by the Town Attorney.

December 17, 2024
Resolution #13

WHEREAS, a review of the Islip Town Code Chapter 51 has been conducted by the Islip Town Board; and

WHEREAS, on the basis of said review certain modifications are deemed appropriate in order to increase transparency and accountability within the Department of the Town Clerk: and

WHEREAS, the Town Clerk has placed a Public Notice in the newspaper circulated locally which indicates the nature of the proposed Code changes; and

WHEREAS, on December 17, 2024, a public hearing was held.

NOW, THEREFORE, on a motion made by
Seconded by,

BE IT, RESOLVED, that the Town Board of the Town of Islip amends Local Law No. 1-2002, entitled Chapter 51 "Towing Businesses", by Local Law No. 15 of 2024.

SEE ATTACHED

ADDITIONS are indicated by UNDERLINING
DELETIONS are indicated by ~~STRIKOUTS~~

Upon a vote being taken the result was:

Chapter 51. Towing Businesses

§ 51-1. Findings and declaration of purpose

- A. Findings. It is hereby declared and found that delay in removal of damaged and disabled motor vehicles results in congestion of traffic and causes accidents; that, therefore, it is of vital importance to remove damaged and disabled vehicles from the roads as promptly as possible; that motorists whose vehicles have become damaged and/or disabled are frequently concerned with more pressing problems than the removal of their vehicles, or through absence or injury are unable to do so; that in the past, when towing services have been selected from a rotating list maintained at the behest of the Town, motor vehicles damaged as the result of accidents have been towed to places where they could not be located or when located could not be repaired, thus causing the owner loss of time, confusion and additional expense either in the form of further towing charges or premiums paid to the shop which ultimately repairs the vehicle; that unfair competition has occurred among tow truck operators; and that, in the past, members of the motoring public have been the victims of frauds, overcharges and similar abuses in connection with towing services.
- B. Declaration of purpose. It is, therefore, the purpose and intent of this local law to establish an orderly system for the safe and expeditious removal of damaged and/or disabled motor vehicles from the roads of the Town of Islip; to supervise and control the operation of towing businesses within the Town; to ensure that, when towing services are selected from a rotating list maintained at the behest of the Town, motor vehicles damaged and disabled as the result of accidents are towed to convenient and certain locations where they may be lawfully repaired; and to protect the public from frauds, overcharges and similar abuses.

§ 51-2. Definitions.

Unless otherwise expressly provided, the following words, for the purposes of this local law, shall have the meanings herein indicated:

ACCIDENT

Any incident or occurrence in which one or more motor vehicles come in contact with each other, or other object, thereby causing damage to a motor vehicle.

APPLICANT

A person who is applying for a towing business license and/or a medallion.

BODY SHOP

A motor vehicle repair shop as defined in, and holding a license as required by, the State Motor Vehicle Repair Shop Registration Act (Vehicle and Traffic Law § 398-b or any amendment thereto).

DEPOT

Any place where tow trucks and/or motor vehicles can be stored.

DRIVER

Any person driving a tow truck upon the roads in the Town.

FOR HIRE

Any incident where a fee, charge or other consideration is directly or indirectly imposed for towing, including any case where any person makes repairs on a towed vehicle for a consideration and no charge is expressly imposed for the towing of such vehicle.

GARAGE

Any place where mechanical repairs of motor vehicles are conducted.

HEAVY-DUTY TOW TRUCK

A tow truck capable of righting and towing a motor vehicle over ~~three~~ nine tons, with a minimum fourteen-ton boom capacity.

HOLDING AREA

A leased, owned or operated garage, depot or body shop consisting of one single or several contiguous parcel(s) of land and comprised of an enclosed fenced area suitable for the storage of motor vehicles.

[Added 3-1985 by L.L. No. 2-1985]

LICENSE

A certificate issued by the Town Clerk to conduct a towing business.

LICENSEE

A person who is the holder of a valid license.

MEDALLION

Identification plate (number) assigned to a particular tow truck by the Town Clerk.

OPERATE

Includes the control and direction of the use of a vehicle and the use of a vehicle for towing from places within the Town.

PERSON

Includes an individual, a partnership, any unincorporated association, a corporation or any other entity.

TOWER

A person owning or leasing or controlling one or more tow trucks and driving or operating or causing any such vehicle to be operated upon the public highways for hire.

TOWING

The carrying, lifting or moving of a single motor vehicle by another motor vehicle.

TOWING BUSINESS

The operation of one or more tow trucks for hire.

TOWN

The unincorporated area of the Town of Islip, outside the incorporated villages located within the Town of Islip, whether on private property or on the roads of the Town of Islip.

TOW TRUCK

A motor vehicle which is designed or equipped for carrying, lifting or moving another motor vehicle.

§ 51-3. License required; exceptions.

- A. No person or entity shall conduct a towing business in the Town without having first obtained a license therefor as hereinafter provided.
- B. A person or entity shall be deemed to be conducting a towing business within the Town, and shall be required to obtain a license hereunder, when ~~he~~ that person or entity operates one or more tow trucks for hire, and either has a garage, depot or body shop within the Town or regularly advertises or solicits towing business, responds to calls or otherwise regularly provides towing services within the Town.
- C. Nothing herein shall be construed to require a license for a tow truck to traverse the Town, with or without a motor vehicle in tow, or to require a license of or otherwise prevent any person not conducting a towing business within the Town from providing towing services at the request of an owner, operator or other person in charge of a motor vehicle.
- D. A person who is towing a vehicle that he owns shall not be required to obtain a towing license as provided for in this local law.
[Added 9-5-1978; amended 3-19-1985 by L.L. No. 2-1985]

§ 51-4. Medallion required.

- A. A licensee must obtain a medallion for each tow truck operated in the Town in connection with his towing business.
- B. Each medallion must be securely affixed to the driver's door of the tow truck it was assigned to by the Town Clerk, and shall remain there and be clearly visible for inspection at all times the medallion is valid.

§ 51-5. Application for license and medallion.

No license or medallion shall be issued unless an application is completed and filed with the Town Clerk on a form, prescribed by the Town Clerk, requiring:

- A. The name and address of the applicant, along with a certified copy of ~~his~~ a valid certificate of doing business, specifying, in the case of a partnership or unincorporated association, the name and address of each partner or member thereof and, in the case of a corporation, a certified copy of the certificate of incorporation, including any certificates of amendment thereto, in addition to the name and address of each officer, director and stockholder,

except that if the corporation is listed on the stock exchange, the names and addresses of the stockholders owning 5% or more of the stock issued shall be included. In addition, the applicant shall furnish the name and address of all agents and employees who shall be authorized to operate a tow truck under the applicant's license, as well as the operator license number of every such agent or employee issued by the New York State Department of Motor Vehicles.

[Amended 3-19-1985 by L.L. No. 2-1985]

- B. The date of birth of the applicant or each partner, member, officer, director or stockholder where applicable.
- C. With respect to each tow truck to be operated in the Town by the applicant for which a medallion is requested:
 - (1) The vehicle identification number.
 - (2) The license plate number.
 - (3) The make, model and year.
 - (4) The amount of liability and property damage insurance; the name of the insurance company, policy number and expiration date of the policy.
 - (5) The name and address of the owner.
 - (6) Whether each tow truck is equipped as required herein.
 - (7) Whether each tow truck is a heavy-duty wrecker.
- D. The address of any and all depots, garages or body shops, ~~whether located inside or outside the Town,~~ that will be used by the applicant in connection with ~~his~~ the applicant's towing business and which tow trucks will be stationed at each location. Any and all depots, garages or body shops must be located within the Town.
- E. The name and address of ~~a~~ the single holding area in the Town to which the applicant will tow motor vehicles in connection with applicant's towing business, in the absence of a designation to the contrary, in accordance with § **51-19**, by the owner or person in charge of the motor vehicle.
[Amended 3-19-1985 by L.L. No. 2-1985]
- F. Whether the applicant wants to be placed on the accident roster, the nonaccident roster and/or the heavy-duty roster.
- G. Statement whether the applicant or, if the applicant is a partnership, an unincorporated association or a corporation, any partner, member, officer, director or stockholder (as defined in Subsection **A** above):

- (1) Has within the last five years ever been convicted of a crime, and if so, the date, crime, charge and sentence imposed.
 - (2) Has ever been denied a license for a tow truck or towing business, or a license issued to the applicant has ever been suspended or revoked, and if so, the date, the location and the circumstances thereof.
- H. A list of all valid licenses, held by the applicant, which authorize ~~him~~ the applicant to conduct a towing business, ~~and/or a body shop, and/or garage.~~
- I. At least one but no more than two working telephone numbers where the applicant, ~~his or the applicant's~~ agent or employees can be located at all ~~times~~ times, including nighttime, weekends and holidays.
- J. Fingerprints. When the application form has been completed, the applicant shall ~~submit~~ agree to be fingerprinted by ~~to~~ an officer of the ~~Town Division of Public~~ Town's Safety Office. It will be the applicant's responsibility to make an appointment for fingerprinting through the Town Clerk's Office to be fingerprinted. A copy of such fingerprints shall be mailed to the Division of Criminal Justice Services, Albany, New York, requesting a fingerprint search. The Town Clerk shall secure from the applicant the required fee in the form of a money order made payable, as required, to the New York State Division of Criminal Justice Services in the amount of the required fee, to be forwarded with such prints.^[1]
[Added 8-28-1979; amended 3-19-1985 by L.L. No. 2-1985; 11-18-1986 by L.L. No. 7-1986; 7-16-2002 by L.L. No. 1-2002]
- [1] *Editor's Note: Former Subsection K, Temporary license, added 12-16-1980, as amended, which immediately followed this subsection, was repealed 4-7-2015.*
- K. The applicant shall permit the inspection of its proposed garage, depot or body shop to be utilized in connection with its towing business by a Fire Marshal as designated by the Town, to ensure compliance with all applicable Zoning, Building and Fire Codes, as well as the provisions of this Chapter.

§ 51-6. Issuance of license.

[Amended 7-16-2002 by L.L. No. 1-2002]

Upon receipt of a properly completed application and the applicable license and medallion fees, the Town Clerk shall issue a license or renewal thereof for a towing business, unless upon investigations:

- A. The Town Clerk determines that the applicant is an undesirable person or incapable of properly conducting a towing business in the Town.
- B. The Town Clerk determines that an applicant, who has been convicted of a misdemeanor or felony, is unfit or undesirable to carry on a towing business in the Town.

- C. The applicant's garage, depot or body shop used in connection with ~~his~~ the applicant's towing business is in violation of the zoning, building or fire laws, ordinances or regulations in the municipality in which it is located.
- D. The Town Clerk finds that the applicant has made a materially false statement or misrepresentation in his application.

§ 51-7. Issuance of medallion.

[Amended 7-16-2002 by L.L. No. 1-2002]

Upon receipt of the fees, the Town Clerk shall issue a medallion or renewal thereof for each tow truck to be operated within the Town by a licensee, if upon inspection by the Town it is determined that the tow truck is equipped as provided herein. All tow trucks to be utilized in connection with the applicant's towing business within the Town must be fully operational at the time of inspection, including, but not limited to, the engine, lifts, lights and winch.

§ 51-7.1. Conditions for use of license privilege.

[Added 9-15-1981 by L.L. No. 3-1981]

~~No person shall conduct a towing business within the Town, unless he~~ All licensees shall comply with the following requirements:

- A. All tow trucks used by such ~~person~~ licensee shall comply with the provisions of § 51-7 of this local law, ~~whether garaged inside or outside the Town,~~ as well as the applicable safety provisions of the Vehicle and Traffic Law.

[Amended 3-19-1985 by L.L. No. 3-1985]

- B. All tow trucks used by such ~~person~~ licensee shall be insured in accordance with the provisions of the Vehicle and Traffic Law, and in addition, shall be insured for liability for damage to any vehicle, without regard to negligence, for damage caused to such vehicle during the course of towing or winching said vehicle pursuant to this local law.
- C. Each licensee shall maintain each garage, depot and body shop used in connection with such towing business in full compliance with the Zoning Ordinance, Chapter 68 of this Code, the New York State Building Construction Code and all other applicable statutes, codes, rules and regulations.
- D. Each ~~licensee~~ licensee shall maintain a garage, depot or body shop in the Town to which all motor vehicles towed pursuant to this local law shall be transported. Unless otherwise directed in writing by the owner or operator thereof, no such motor vehicle may be transported to any location other than such garage, depot or body shop. No such motor vehicle shall thereafter be removed from said garage, depot or body shop without the written consent of the owner of such motor vehicle.

E. For the purposes of this local law, each parcel of real property comprising a single street address shall be deemed a single garage, depot or body shop. Only one licensee may operate a towing business from a single street address. Only one license shall

be granted to any ~~person applicant~~ he the applicant operating a towing business within the Town, regardless of the number of tow trucks ~~he the applicant~~ may own or operate. No garage, depot or body shop shall be designated ~~more than once or~~ by more than one licensee as a holding area under this local law. Each licensee shall be permitted only one position on the accident roster, one position on the nonaccident roster and one position on the heavy-duty roster, regardless of the number of tow trucks and/or medallions owned or operated.

[Added 2-2-1982 by L.L. No. 1-1982; amended 3-19-1985 by L.L. No. 4-1985]

§ 51-8. Equipment and identification for trucks.

A. Tow trucks used to respond to calls from the nonaccident roster must be equipped at all times with:

- (1) Emergency flashing yellow lights.
- (2) A CO₂ or dry powder fire extinguisher with a minimum capacity of 15 pounds.
- (3) At least one dozen red railroad-type flares; reflective triangles or reflective cones.
- ~~(4) A dolly.~~
- (5) Safety chains.
- (6) A push bar
- (7) A shovel.
- (8) A rigid tow bar.
- (9) A lifting boom on the rear of the truck.
- (10) A minimum one-and-one-half-ton power winch equipped with 150 feet of three-eighths-inch steel cable.

B. Tow trucks used to respond to calls from the accident roster and the heavy-duty towing roster must be equipped at all times with:

- (1) The equipment specified in Subsection **A** above.
- (2) Dual rear wheels.
- (3) A broom.
- (4) A crowbar.
- (5) A hacksaw.

- C. Every tow truck operated in connection with a licensee's towing business in the Town must have inscribed on each side thereof, in legible letters not less than three inches high, the ~~name and address of the licensee.~~ licensee's name, telephone number and address where the vehicle will be stored.

§ 51-9. Term of license and medallion.

Every license and medallion issued hereunder shall be effective from the date of issuance and shall expire on the first day of September following the issuance thereof, unless earlier suspended or revoked by the Town Board as provided herein.

§ 51-10. Nontransferability of license and medallion.

- A. No license or medallion issued hereunder shall be transferred to another person, entity or vehicle.
- B. The licensee shall notify the Town Clerk if any tow truck for which a medallion was issued is destroyed, sold or otherwise transferred, within 10 days thereof, and immediately return the medallion to the Town Clerk.

§ 51-11. Fees.

[Amended 7-16-2002 by L.L. No. 1-2002]

The Town Board shall, by resolution, adopt a schedule of license and medallion fees as shall be necessary pursuant to this chapter. Such fees shall be collected by the Town Clerk and shall be the fees required under the chapter until the same shall be amended or modified or repealed by a subsequent resolution of the Town Board. No annual fee shall be prorated or rebated.

§ 51-12. Certification of rosters.

- A. The Town shall be divided into the following sections, each with its own accident and nonaccident roster:
- (1) North: to be bounded on the west by the Town of Babylon and running northerly by the Town of Huntington; on the north by the Town of SmithTown; on the east by the Veterans Memorial Highway to its junction with Connetquot Brook and then running southerly by the Connetquot Brook; on the south by the Sunrise Highway and running westerly by Heckscher Spur and then Southern State Parkway to the Town of Babylon line.
 - (2) South: to be bounded on the west by the Town of Babylon line; on the north by the Southern State Parkway and running easterly along Heckscher Spur and then along Sunrise Highway to Connetquot Brook; on the east by Connetquot River and on the south by the Great South Bay.
 - (3) East: to be bounded on the west by the Connetquot River and then running northerly by the Connetquot Brook to its junction with the Veterans Memorial Highway and then northerly

along Veterans Memorial Highway to the Town of SmithTown line; on the north by the Town of SmithTown and running easterly by the Town of Brookhaven; on the east by the Town of Brookhaven and on the south by the Great South Bay.

- B. The Town Clerk shall prepare and certify to the Commander of the interested precincts of the Suffolk County Police Department the accident rosters and nonaccident rosters, with the names of the licensees in each section listed in the order in which the licensees qualify for such listing.

[Amended 3-19-1985 by L.L. No. 2-1985]

- C. The Town Clerk shall prepare and certify to the Commander of the interested precincts of the Suffolk County Police Department a heavy-duty towing roster, with the names of the licensees listed in the order in which the licensees qualify for such listing. The roster shall be maintained on a Town-wide basis.

[Amended 3-19-1985 by L.L. No. 2-1985]

- D. No person or entity shall qualify for a position on the accident roster, the nonaccident roster or the heavy-duty roster unless ~~he~~ such applicant shall maintain a holding area within the Town to which the applicant will tow all motor vehicles picked up as a result of a call from the accident, nonaccident or heavy-duty roster, absent a specific designation to the contrary by the owner or operator of the motor vehicle requiring such a tow. The holding area must consist of or include 2,000 square feet of enclosed fenced space and no less than six-foot-high opaque fencing or equivalent fencing, which shall be used to store all vehicles towed thereto, and must comply with the regulations of the Town Zoning, Building and Fire Prevention Ordinances. A licensee shall make the holding area accessible to the owners of vehicles towed thereto.

[Added 3-19-1985 by L.L. No. 2-1985; amended 4-7-2015]

- E. Any person or entity who legally qualified for a position on any one of the described rosters prior to the effective date of this revision may continue to hold a position on said roster despite the fact that ~~he~~ such applicant does ~~is~~ not presently have a holding area of ~~4,000~~ 2,000 square feet, provided that:

[Added 3-19-1985 by L.L. No. 2-1985]

~~(1) He~~ The applicant ~~renew shall not fail to his~~ has continued to renew its towing license with the Town on an annual basis without interruption since the date of this revision; and ~~license with the Town annually.~~

- (2) ~~He~~ The applicant shall comply with all other provisions of this local law, including the enclosed fencing requirement: ~~set forth in section 51-12.D.~~

§ 51-13. Nonaccident roster.

- A. Motor vehicles not involved in accidents, but which are disabled and which must be removed from the road, and where the owner or other person in charge thereof does not

request the services of a specific tow truck operator, shall be towed by licensees from the nonaccident roster on a rotating basis.

B. In order to qualify for the nonaccident roster, the person or entity must:

- (1) Hold a valid towing business license issued pursuant to this local law.
- (2) Have at least one tow truck equipped as provided herein, with a valid medallion affixed to it.
- (3) Maintain a minimum of \$100,000/\$300,000 of automobile liability insurance and a minimum of \$25,000 of property damage insurance on each tow truck that will be used to respond to calls from the nonaccident roster and provide evidence of garage liability insurance covering any depot, garage and body shop specified in the licensee's application. [Amended 3-19-1985 by L.L. No. 2-1985]
- (4) Maintain twenty-four-hour service to answer calls to remove disabled motor vehicles.

C. A licensee shall have one turn on the nonaccident roster regardless of how many tow trucks and/or medallions the licensee ~~he~~ may own or operate.

D. Only tow trucks properly equipped and with medallions that have been issued hereunder may respond to calls from the nonaccident roster.

§ 51-14. Accident roster.

A. Motor vehicles which are involved in accidents and which are disabled, and whose owners do not request the services of a specific tow truck operator, shall be towed by licensees on the accident roster on a rotating basis.

B. In order to qualify for the accident roster, a person or entity must:

- (1) Hold a valid towing business license issued pursuant to this local law.
- (2) Have at least one tow truck equipped as provided herein, with a valid medallion affixed to it.
- (3) ^[1]Maintain twenty-four-hour service to answer emergency calls to remove damaged and disabled motor vehicles.

[1] Editor's Note: Former Subsection B(3), which provided for the designation of a single body shop, was repealed 3-19-1985 by L.L. No. 2-1985, which also provided for the renumbering of former Subsection B(4) and (5) as Subsection B(3) and (4), respectively.

- (4) Maintain a minimum of \$100,000/\$300,000 of automobile liability insurance and a minimum of \$25,000 of property damage insurance on each tow truck that will be used to respond to calls from the accident roster and provide evidence of garage liability insurance covering any depot, garage and body shop specified in the licensee's application. [Amended 3-19-1985 by L.L. No. 2-1985]

- C. A licensee shall have one turn on the accident roster regardless of how many tow trucks and/or medallions the licensee ~~he~~ may own or operate.
- D. Only tow trucks properly equipped and with medallions that have been issued hereunder may respond to calls from the accident roster.

§ 51-15. Heavy-duty towing roster.

- A. In order to qualify for the heavy-duty towing roster, a person or entity must:
 - (1) Hold a valid towing business license issued pursuant to this local law.
 - (2) Have at least one heavy-duty tow truck, equipped as provided herein, with a valid medallion affixed to it.
 - (3) Maintain a minimum of \$100,000/\$300,000 of automobile liability insurance and a minimum of \$25,000 of property damage insurance on each heavy-duty tow truck that will be used to respond to calls from the heavy-duty towing roster and provide evidence of garage liability insurance covering any depot, garage and body shop specified in the licensee's application.
[Amended 3-1985 by L.L. No. 2-1985]
 - (4) Maintain twenty-four-hour service to answer calls to remove damaged and disabled motor vehicles over ~~three~~ nine tons.

(Reserved)^[1]

[1] *Editor's Note: Former Subsection A(5), which provided for the designation of a single body shop, was repealed in its entirety 3-19-1985 by L.L. No. 2-1985.*

- B. When the police officer at the scene determines that heavy-duty towing services are required, the licensee shall be called from the heavy-duty towing roster on a rotating basis. However, such licensee shall not lose ~~his~~ its turn on any other roster on which ~~his~~ the licensee's name might appear.
- C. A licensee shall have one turn on the heavy-duty towing roster regardless of how many heavy-duty tow trucks and/or medallions the licensee ~~he~~ may own or operate.
- D. Only heavy-duty tow trucks properly equipped and with medallions that have been issued hereunder may respond to calls from the heavy-duty towing roster.

§ 51-16. Maximum permitted charges.

[Amended 7-16-2002 by L.L. No. 1-2002; 3-16-2010 by L.L. No. 3-2010]

- A. No tower shall charge more than the maximum charges set forth herein for each tow truck used in towing a motor vehicle picked up within the Town and towed to a place within the Town.
- B. No licensee shall charge more than the maximum charges set forth herein for each tow truck used in towing a motor vehicle picked up pursuant to §§ **51-13** through **51-15** herein when towed to the licensee's place of business or any location in the Town designated by the owner or person in charge of the motor vehicle.
- C. The following descriptions of services shall define the permissible types of charges set forth in this section:

CLEAN UP AT SCENE

The removal of all debris, glass, vehicle parts, vehicle contents and/or fluids from the scene (not to be left at the side of the road, curb or sidewalk).

RECOVERY

The extraction of a disabled vehicle from extreme conditions, including removal from water, removal from a wooded area where the vehicle is embedded 50 feet or more into the wooded area, removal from the top of roadway dividers, or similar conditions that require special skills, manpower and/or additional equipment.

STORAGE

A per day fee, regardless of whether the vehicle is stored inside or outside in a locked yard. Storage fees do not apply to vehicles kept on a tow truck. Charges begin on the day the vehicle arrives at the licensee's depot, body shop or garage and ends inclusively on the day the vehicle is released to the owner or their authorized representative.

TOWING

The carrying, lifting or moving of a single motor vehicle by another motor vehicle. Weight is determined by the unladen vehicle weight.

WINCHING

Repositioning the vehicle onto the roadway to allow access to a flatbed or tow arm. A winching fee is not applicable for the use of a winch cable to secure a vehicle on a flatbed for transport.

YARD FEE

The labor required to place, maneuver and/or remove a vehicle within the authorized storage area. A yard fee is not applicable if the vehicle is kept on a tow truck.

- D. The maximum charges shall be:
 - (1) For towing of ~~passenger cars, regardless of weight, and all other~~ motor vehicles with a weight of not more than ~~two~~ three tons; from the ~~non~~accident roster: ~~\$160.~~ \$200.

- (2) For towing of ~~passenger cars, regardless of weight, and all other~~ motor vehicles with a weight of not more than ~~two three~~ tons; from the ~~non~~accident roster: ~~\$125- \$300.~~
 - (3) For towing of motor vehicles weighing between 4 tons and 9 tons from the nonaccident roster: \$500.
 - (4) For towing of motor vehicles weighing between 4 tons and 9 tons from the accident roster: \$750.
 - (5) For winching: ~~\$45.00~~ \$75.00 per ½ hour, ~~not to exceed \$90.~~
 - (6) The labor to right an overturned ~~passenger car, regardless of weight, and all other~~ motor vehicles with a weight of not more than ~~two three~~ tons, may not exceed ~~\$75- \$250.~~
 - (7) The labor to right an overturned motor vehicle weighing between 4 tons and 9 tons may not exceed \$550.
 - (8) Storage, whether inside or outside, may not exceed ~~\$30~~ \$75 per day ~~up to 40 days.~~
 - (9) Heavy duty; for trucks, buses and all other motor vehicles with a weight of two tons or more: ~~\$250.~~
 - (10) ~~The labor to right an overturned truck, bus and all other motor vehicles with a weight of more than two tons: \$150 per truck hour.~~
 - (11) ~~The labor to perform any and all cleanup at the scene of an accident: \$25. ,~~ including the removal of all debris and vehicle fluids at the scene, may not exceed \$75 per ½ hour, for a maximum charge of 1 hour.
 - (12) Reimbursement of oil absorbent material ~~and/or speed dry~~ used to clean up vehicle fluids will be made at the rate of \$10 per ~~bag- ten~~ (10) pounds of material used.
 - (13) Yard fees, as defined in subsection C herein, ~~(the labor to secure a disabled vehicle within an authorized storage yard): \$45- may not exceed \$100.~~
 - (14) Light-duty recovery Recovery: when extracting a disabled motor vehicle from extreme conditions, including removal from water, wooded areas where the disabled motor vehicle is located more than fifty feet into the wooded area, from atop roadway dividers or any other condition requiring special skills, manpower or additional equipment, fees, as defined in subsection C herein, may not exceed: a fee of \$45 per 1/2 hour for passenger vehicles and \$150 per ½ hour for trucks; a fee of \$75 per ½ hour for motor vehicles weighing up to 3 tons; a fee of \$250 per ½ hour for motor vehicles weighing between 4 tons and 9 tons.
- E. The maximum permitted charges provided in § 51-16 shall not apply to ~~the~~ heavy-duty towing services for motor vehicles with a weight of 10 tons or more. However, any towing charges issued for heavy duty recovery and clean up services as defined in this section must be substantiated upon request by any Town official. This includes, but is not limited to,

photographs showing the original location and condition of any disabled heavy duty motor vehicle, as well as itemized documentation and invoices detailing the type of labor and equipment utilized, number of personnel, time spent and any specialized equipment costs. The failure of a licensee to maintain such records shall be grounds for suspension and/or revocation of a license or medallion under §51-28 of this Chapter.

§ 51-17. Review of maximum charges.

- A. The maximum charges set forth herein may be reviewed and revised at any time by the Town Board.
- B. Upon receipt of a petition signed by at least 51% of the persons or entities currently holding valid towing business licenses, the Town Board shall conduct a public hearing and review the maximum charges set forth herein; however, the Town Board shall conduct no more than one review based upon such a petition in any calendar year.

§ 51-18. Designation of licensees in rotation; posting of roster.

- A. The interested Precinct Commander of the Suffolk County Police Department or his authorized representative shall designate licensees from the accident, nonaccident and heavy-duty towing rosters on a rotating basis unless the owner or other person in charge of the motor vehicle requests the services of a specific tower and provides the police officer at the scene with the correct name or telephone number of the requested tower.
[Amended 3-19-1985 by L.L. No. 2-1985]
- B. Notwithstanding the fact that the owner or other person in charge of the motor vehicle has requested the services of a specific tower, if, in the judgment of the police officer at the scene of an accident or disablement, an emergency exists which requires the immediate removal of a motor vehicle which cannot be provided by the requested tower, the police officer may call the next tower from the applicable list for the purpose of removing the vehicle from the roadway. In this event, the tower requested by the owner or other person in charge of the motor vehicle shall pick up the vehicle from the location to which it was moved by the tower called by the Police Department. The tower called by the Suffolk County Police Department shall be entitled to charge the owner or operator in accordance with the applicable provisions hereof.
- C. The interested Precinct Commander of the Suffolk County Police Department or his authorized representative shall post the accident, nonaccident and heavy-duty towing rosters, which have been certified by the Town Clerk, in a public place selected by the Suffolk County Police Department.
[Amended 3-19-1985 by L.L. No. 2-1985]

§ 51-19. Location for towing and storing motor vehicle.

- A. Any motor vehicle picked up in the Town must be removed to a location designated by the owner or the person in charge of the motor vehicle.

B. When the owner or other person in charge of the motor vehicle does not designate a place to which the motor vehicle is to be towed, in the case of a motor vehicle involved in an accident which is damaged or disabled and picked up as a result of a call from the accident or heavy-duty roster, such motor vehicle shall be towed to the holding area designated in the licensee's application pursuant to § **51-5E**.

[Amended 3-1985 by L.L. No. 2-1985]

C. Whenever a motor vehicle is towed to the holding area designated in the licensee's application pursuant to § **51-5E** or to the depot, garage or body shop used by the licensee in connection with his towing business, as indicated on his application for a towing license, that motor vehicle must be made accessible to the owner or the person in charge of the motor vehicle, during storage, for the purpose of inspection to ascertain the extent of damage, if any, to that motor vehicle.

[Added 2-6-1979; amended 3-19-1985 by L.L. No. 2-1985]

§ 51-20. Refusal to tow vehicle.

It shall be unlawful for any licensee on the accident, nonaccident and heavy-duty towing roster to refuse to tow away a motor vehicle after having appeared on the scene at the request of the Suffolk County Police Department, provided that his equipment is capable of towing the vehicle.

§ 51-21. Nonassignability of place on roster.

It shall be unlawful for a licensee to assign his place on the accident, nonaccident or heavy-duty towing roster to any other person ,entity or licensee on the accident, nonaccident or heavy-duty towing roster.

§ 51-22. Cleaning up of debris.

[Amended 3-19-1985 by L.L. No. 2-1985]

A tower called to the scene of an accident or disablement must clean up any debris resulting therefrom to the satisfaction of the police officer on the scene. Failure to do so ~~shall result in the tower being removed from the roster. may result in the suspension or revocation of the licensee's license or medallion pursuant to section 51-28 herein.~~

§ 51-23. Accidents requiring more than one tow truck.

If more than one tow truck is required at the scene of an accident, the choice of the damaged motor vehicles to be towed shall be determined by the order in which the licensees arrive at the scene, irrespective of the time each was called. Each licensee that appears on the scene shall, however, if requested, assist the police officer in clearing the motor vehicles from the road onto the shoulders or side of the road. No additional charge shall be made for this service. No licensee shall forfeit his right to select any particular damaged motor vehicle by virtue of having assisted the police officer in clearing the road.

§ 51-24. Unauthorized towing prohibited.

It shall be unlawful for any person or entity who is not designated from the accident, nonaccident or heavy-duty towing roster to tow away any motor vehicle which has been disabled or involved in an accident, unless such removal is with the consent and by the direction of the police officer at the scene or the owner or person in charge of the motor vehicle.

§ 51-25. Solicitation of towing or repair work at accident scene.

It shall be unlawful for any person to solicit towing or repair work at the scene of an accident or a location where a motor vehicle is disabled or damaged, or to go to the scene of such accident or disablement for the purpose of soliciting towing or repair work.

§ 51-26. Loss of turn on roster.

- A. A licensee who cannot be reached when called by the Suffolk County Police Department at the telephone numbers provided by ~~him~~ the licensee in ~~his~~ its application, or ~~who~~ a licensee that declines to provide services after answering the call, shall lose ~~his~~ its turn on the appropriate roster and must wait for that roster to be called in its entirety before ~~he is~~ such licensee will be eligible to be called again.
- B. In any case where a licensee has not arrived at the scene within 30 minutes from the time ~~he~~ the licensee receives a call for service from the Suffolk County Police Department, or where a licensee arrives at the scene with equipment which in the opinion of the police officer on the scene is not adequate to perform the requested services, ~~he~~ the licensee shall lose ~~his~~ its turn on the appropriate roster and shall not be entitled to receive any charges for responding.
- C. In any case where a tower requested pursuant to § 51-18 does not arrive upon the scene within 30 minutes from the time ~~he~~ such licensee receives a call for service from the Suffolk County Police Department, or where ~~he~~ the licensee arrives on the scene with equipment which in the opinion of the police officer on the scene is not adequate to perform the requested services, the police officer may call a tower from the appropriate roster, and the requested tower shall not be entitled to receive any charges for responding.
- D. In responding to a call, the truck or company responding must be the truck or company assigned to that spot on the roster. Any other vehicle responding is in violation of the Town Code and therefore subject to a fine and/or suspension.
[Added 7-16-2002 by L.L. No. 1-2002]

§ 51-27. Consideration for delivery of disabled vehicle.

No tower shall solicit or receive any consideration, premium or other emolument for the delivery of any damaged or disabled motor vehicle to a body shop.

§ 51-28. Suspension or revocation of license.

[Amended 6-6-1978 by L.L. No. 3-1978]

- A. The Town Clerk shall have the authority under this Chapter to periodically review a licensee's compliance with this Chapter, including the scheduling of inspections of a licensee's tow trucks, depot, garage or body shop. Any license or medallion issued hereunder may be suspended by the Town Clerk for a period to be determined by the Town Clerk after a hearing at which the licensee shall have an opportunity to be heard.

[Amended 7-16-2002 by L.L. No. 1-2002]

- B. The Town Board may revoke or suspend any license or medallion issued hereto if the licensee ~~shall have been convicted of a violation of~~ has violated any provision of this ~~local law Chapter,~~ or any provision of the zoning, building or fire prevention laws, rules or regulations of the Town of Islip relating to premises used by the licensee in connection with ~~his~~ its towing business, or ~~who~~ if the licensee has made a materially false statement or misrepresentation in ~~his~~ its application for a license or medallion, or if the Town Board shall determine that the licensee is for any other reason an undependable person or is incapable of properly conducting ~~the~~ a towing business in the Town.

§ 51-29. Procedure for hearings.

[Amended 6-6-1978 by L.L. No. 3-1978]

- A. The Town Clerk shall notify the licensee by registered mail, return receipt requested, that charges have been made against ~~him/her the licensee,~~ which may warrant a suspension or revocation of the license. The licensee may respond by letter or in person and explain the circumstances of the allegations. If the Town Attorney determines, after hearing both sides, that there may be cause to suspend or revoke the license, ~~he/she~~ the Town Attorney shall schedule a hearing before a hearing officer appointed by ~~him/her the Town Attorney~~ at a convenient time and place for all parties. The hearing officer shall make a recommendation to the Town Attorney who shall, in turn, make a recommendation to the Town Board. The Town Board shall consider the recommendation and take such action as it sees fit.

[Amended 7-16-2002 by L.L. No. 1-2002]

- B. Upon any hearing for the suspension or revocation of a license or medallion, the licensee involved shall be entitled to be represented by legal counsel and to present testimony or other evidence ~~in his~~ on its own behalf as may be relevant to the subject matter of the hearing.

§ 51-30. Written authorization to tow.

- A. No vehicle damaged in an accident or otherwise disabled shall be removed without a written authorization signed by the owner or other person in charge of the motor vehicle or, if no such person is present, by the police officer in charge thereof.
- B. Such authorization shall contain the following:

- (1) The make, model, year and vehicle identification number of the motor vehicle.
 - (2) The name and address of the owner or person in charge of the motor vehicle, if known.
 - (3) The name and badge number of the police officer in charge, if applicable.
 - (4) The amount charged for the towing and related services.
 - (5) The location to which the vehicle will be towed and stored.
- C. The signed authorization must be retained by the tower for a period of six months from the date the vehicle was towed and shall be exhibited upon demand to the owner or person in charge of the motor vehicle and any official of the Town or member of the Suffolk County Police Department investigating violations of this local law.

§ 51-31. Bill for towing and towing related services.

- A. “Towing and towing related services”, as defined herein, only applies to the specific charges set forth in section 51-16 of this chapter. It does not include any charges pertaining to the evaluation or repair of the motor vehicle, including, but not limited to, inspections, estimates, teardown, repairs, parts and reassembly. Any such charges relating to the evaluation and/or repair of the motor vehicle shall be contained in a separate bill and not combined in the bill for “towing and towing related services”.
- B. A tower shall prepare a bill for towing and towing related services, the original of which shall be furnished to the owner or the person in charge of the motor vehicle.
- C. The bill must be printed in a form approved by the Town Clerk and shall contain the following information:
- (1) The name and address of the tower.
 - (2) The full name and address of the owner or the person in charge of the motor vehicle.
 - (3) The name and badge number of the police officer at the scene, if towed at the request of the Suffolk County Police Department.
 - (4) The make, model, year and vehicle identification number of the motor vehicle.
 - (5) An itemization of the charges for towing and towing related services, broken down, as follows:
 - (a) Towing.
 - (b) Storage, giving dates.

(c) Winching.

(d) Uprighting of overturned vehicle (Labor).

~~(e) Dollying-Yard Fee.~~

(f) Clean-up.

(g) Recovery.

(6) The tow truck medallion number and the licensee's license number, if applicable.

(7) A schedule of the maximum allowable fees as prescribed by § 51-16 hereunder.
[Added 3-19-1985 by L.L. No. 2-1985]

D. The duplicate of each bill shall be retained by the tower for a period of six months from the date of towing. The bill shall be exhibited upon demand to the owner or person in charge of the motor vehicle and any official of the Town or member of the Suffolk County Police Department investigating violations of this local law.

E. Upon payment of the bill, the licensee shall acknowledge, in writing, receipt of the same.

F. The falsification and/or inflating of charges, and/or the inclusion of impermissible fees as delineated in section 51-31A herein by a licensee on towing bills, shall be grounds for suspension and/or revocation of a license or medallion under §51-28 of this Chapter.

§ 51-32. Changes in ownership; other changes.

A. Upon the sale or other disposition of a tow truck for which a medallion was issued, the licensee shall, within five days thereof, notify the Town Clerk of such sale or other disposition and surrender the medallion.

B. Where a licensee changes its name, location or telephone number, notification thereof shall be given to the Town Clerk within five days thereof.

§ 51-33. Penalties for offenses.

[Amended 3-19-1985 by L.L. No. 2-1985]

A violation of this local law is hereby declared to be a violation, and any person or entity violating the same may, upon conviction, be punished by a fine of not less than \$250 nor greater than \$500.

§ 51-34. Severability.

If any section, subsection, sentence, clause, phrase or portion of this local law is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed

a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this local law.

§ 51-35. Repealer.

- A. Upon the effective date of this local law, Chapter **51** of the Code of the Town of Islip, known as the "Tow Truck Ordinance of the Town of Islip," is repealed.^[1]

[1] *Editor's Note: Former Ch. 51, Tow Trucks, was adopted 5-21-1963 and subsequently amended.*

- B. Notwithstanding Subsection **A** above, any valid and current license and medallion issued under the Tow Truck Ordinance of the Town of Islip shall remain in effect until September 1, 2002.

[Amended 7-16-2002 by L.L. No. 1-2002]

§ 51-36. Effective date.

[Amended 7-16-2002 by L.L. No. 1-2002]

This chapter shall take effect September 1, 2002.