

Public Hearing April 8, 1992

Proposed Amendments and Corrections to the Town of Jackson Subdivision Regulations:

1. On page 26, rename Article VI as “Variances, Waivers, Enforcements, Penalties and Court Action.”
2. On page 27, add new subdivision VI-4 and VI-5 to read as follows:
 - a. VI-4 Enforcement. The chairperson of the Planning Board or a designated representative from the Planning Board shall administer and enforce all provisions of these regulations.
 - b. VI-5 Penalties and Court Action.
 - VI-5.1 Civil Penalties. Violation of any provision or requirement of these regulations or violation of any statement, plan, application or permit approved under these regulations shall be considered an offense punishable by a fine of not more than three hundred fifty dollars or imprisonment for a period not to exceed six months, or both for conviction of a first offense; for conviction of a second offense both of which were committed within a period of five years, punished by a fine not less than three hundred fifty dollars nor more than seven hundred dollars or imprisonment for a period not to exceed six months, or both; and upon conviction for a third or subsequent offense all of which were committed within a period of five years, punishable by a fine not less than seven hundred dollars nor more than one thousand dollars or imprisonment for a period not to exceed six months, or both. However, for the purpose of conferring jurisdiction upon courts and judicial officers generally, violations of these regulations shall be deemed misdemeanors and for such purpose only all provisions of law relating to misdemeanors shall apply to such violations. Each week’s continued violation shall constitute a separate additional violation.
 - VI-5.2 Court Action. The imposition of penalties described in these regulations shall not prevent the Town from instituting appropriate legal action in a court of competent jurisdiction to prevent any continued violation of any provision of these regulations including any illegal subdivision of land or nonconformance with any approved plat.
3. On page 29, the definition of “Subdivision” shall be amended to read as follows: the division of any parcel of land into two or more lots, plots, sites, dwelling or commercial units, or other division of land, with or without streets, for the purpose of immediate or future sale or lease or building development. Such division shall include resubdivision of plats already filed in the office of the County Clerk if such plats are entirely or partially undeveloped.
4. On page 30, the definition of “Town Authorized Engineer” shall be amended to read as follows: Town Authorized Engineer or Town Engineer – Means the duly designated

engineer of the Town whether such individual is an Employee of the town or an Independent Contractor hired by the Town.