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CHAPTER 112 COMMUNITY HOUSING ADMINISTRATION

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ARTICLE I

GENERAL PROVISIONS

§ 112-1. Purpose; Findings.

The purpose of this Chapter is to provide for administration and control of community housing opportunities within the Town of Southold (the "Town"). It is also to clarify the procedures for creating, obtaining, and transferring community housing, and ensuring alignment with the goals of the Southold Town Comprehensive Plan, the Community Housing Plan, and Town Code Chapters 17 Community Preservation and Housing Fund, 34 Southold Housing Fund, 117 Sanitary Flow Credits, 240 Subdivision of Land, and Chapter 280 Zoning.

The lack of community housing creates many adverse effects for the Town of Southold. Regional employers grapple with the task of hiring and retaining employees due to the limited availability of affordable housing. Recruiting and retaining essential personnel such as police officers and health care professionals, as well as teachers, municipal staff, mechanics, and many others, has become increasingly challenging due to the lack of affordable housing. Our volunteer EMS and fire protection services are also impacted by the lack of affordable housing, prompting the possible necessity of replacing volunteer services with paid employees. Town participation is necessary to provide new housing options and make existing housing accessible for working residents.

While the Town has benefited from increased tourism and second-home ownership, it must also sustain a population that can afford to live and work in the Town. The demand to reside in the Town of Southold has reduced the housing available to year-round community members and is reflected in real estate values across the spectrum, including moderately priced housing.

The availability of rental housing has been further diminished by property owners' increased use of online short-term rental agencies to make what once may have been year-round residents' housing available only for vacation, seasonal, or other short-term rentals. As a result of the housing crisis and high cost of housing for local individuals and families, longtime residents are forced to leave the area and commute from elsewhere.

Therefore, to the extent permitted by federal, state, and county fair housing laws and applicable federal, state, and county housing programs, the Town has determined that in furtherance of its public safety needs, it must sustain the ranks of its volunteers who provide critical fire and emergency services. Additionally, the Town must ensure housing opportunities are available for essential personnel, teachers, municipal staff, and other working households who are residents of the Town of Southold and/or employed within the Town. To preserve the affordability into the future, and provide the most effective benefit for the Town, community housing must remain affordable in perpetuity.

§ 112-2. Applicability.

A. The requirements of this Chapter shall apply to all Community Housing created, funded, administered, regulated or otherwise subject to affordability requirements imposed by the Town pursuant to the Community Housing Plan, Chapter 17 Community Preservation and Community Housing Fund, Chapter 34 Southold Housing Fund, Chapter 117 Sanitary Flow Credits, Chapter 240 Subdivision of Land, Chapter 280 Zoning.

B. Nothing in this Chapter shall expand, restrict, or modify the purposes for which monies in the Community Housing Fund or Southold Housing Fund may be lawfully expended. All expenditures shall comply with the enabling law, applicable provisions of the Town Code, Community Housing Plan, its implementation plans, and any other requirements governing the source of funds.

§ 112-3. Definitions.

As used in this Chapter, the following terms shall have the meanings indicated:

ASSET – Includes real property holdings and equity, personal property (car, boat, etc.) valued in excess of $10,000, savings, cash, IRAs, 401(k)s, and any federally recognized tax-deferred investment vehicles.

COMMUNITY HOUSING FUND – A fund established pursuant to Southold Town Code Chapter 17 Community Preservation and Community Housing Fund.

COMMUNITY HOUSING– For the purposes of this chapter, Community Housing is generally defined as a dwelling unit/units offered at below market rate housing values pursuant to §112-2A.

CONSUMER PRICE INDEX – The Consumer Price Index published by the United States Department of Labor, Bureau of Labor Statistics, for the New York Metropolitan Area.

FAMILY – One or more persons occupying a dwelling unit as a single nonprofit housekeeping unit. More than five persons 18 years of age or older, exclusive of domestic servants, not related by blood, marriage or adoption shall not be considered a "family."

FAMILY MEMBER – The spouse, domestic partner, child, grandchild, stepchild, parent, aunt, uncle, niece, nephew, brother, or sister of the owner or of the owner's spouse or domestic partner.

FIRST TIME HOMEBUYER – An eligible individual who has not owned a primary residential property and is not married to a person who has owned a residential property during the three-year period prior to his or her purchase of the primary residential property, and who does not own a vacation or investment home.

HOUSEHOLD – See “Family”.

HOUSING DEPARTMENT – The designated personnel appointed by the Town Board responsible for managing housing policy and creating community housing programs.

HOUSING REGISTRY – An administrative listing tool, maintained by the Housing Department for the purposes of notifying individuals of community housing opportunities.

INCOME-ELIGIBLE HOUSEHOLDS – Households whose income is classified as low-moderate income or middle income as defined annually by Town Board resolution.

LOW-MODERATE INCOME HOUSEHOLD – Households, according to the United States Department of Housing and Urban Development (HUD), whose gross annual income is less than 80% of the median gross household income for households of the same size within the housing region in which the housing is located.

MIDDLE INCOME HOUSEHOLD – Households, according to the United States Department of Housing and Urban Development (HUD), whose gross annual income is greater than 80% but does not exceed 120% of the median gross household income for households of the same size within the housing region in which the housing is located.

PERMANENT FIXED IMPROVEMENT – An improvement to a lot or community homeownership unit that cannot be removed without substantial damage to the subject premises or total loss of value of said improvements and provides value beyond ordinary repairs necessary to maintain the property. The actual cost of the improvement must exceed 1% and is not more than 20% of the purchase price of the premises paid by the owner. Valid written documentation of the cost of said improvement must be presented to the Housing Department.

PRIMARY RESIDENCE – For the purposes of this chapter, a Primary Residence is a place where a person has his or her true, fixed, and permanent home and principal establishment to which, whenever absent, he or she has the intention of returning. A person may have only one (1) Primary residence at a time; and, once a permanent residence is established in a foreign state or country, it is presumed to continue until the person shows that a change has occurred. The establishment of a primary residence in the Town is a factual determination to be made by the Housing Department, based on objective evidence such as, but not limited to: a driver's license or non-driver ID, voter registration, state income tax filings, school district registration, utility usage records, or other documentation demonstrating year-round occupancy.

SOUTHOLD HOUSING FUND – A fund established pursuant to Southold Town Code Chapter 34 Southold Housing Fund.

ARTICLE II

ADMINISTRATION AND AUTHORITY OF THE HOUSING DEPARTMENT

§ 112-4. Administration.

A. Responsibility for Administration.

The Housing Department shall be responsible for the administration and control of all community housing opportunities. This responsibility shall apply to all community housing projects. The Housing Department shall also be responsible for the following:

(1) Rules and Recommendations.
  (a) The Town may promulgate such rules, regulations, model agreements, forms, policies, and procedures as are necessary to implement this Chapter and any related community housing provisions of Town Code.

(2) Housing Registry.
  (a) The Housing Department shall prepare and maintain a housing registry, as defined within this Chapter, of applicants interested in community housing opportunities.
  (b) The Housing Registry does not create an entitlement, priority, vested right or guarantee of housing.

(3) Record Keeping.
  (a) The Housing Department shall maintain an inventory and records of all community housing units and unimproved lots.

(4) General duties of the Community Housing Advisory Board.
  (a) The Community Housing Advisory Board, established pursuant to Chapter 17, works under the direction of the Housing Department to evaluate and make recommendations to the Town Board on the consistency of community housing projects and funding programs with the Community Housing Plan.

B. Applicability.

(1) All Community Housing projects shall comply with §112-2A. This includes, and is not limited to, income eligibility determinations, maximum sales prices, rental rates, resale restrictions, affordability covenants, housing lottery requirements or other selection procedures, compliance monitoring, and enforcement.
(2) The absence of requests for Town funding shall not relieve any community housing developer, property owner, and/or any other entity from compliance with these Chapters or with any recorded affordability covenants and restrictions.

(3) The Housing Department shall be responsible for the same oversight, inspection, compliance, and enforcement authority for unfunded community housing projects as for funded community housing projects.

ARTICLE III

FUNDING ADMINISTRATION

§ 112-5. Availability and Utilization of Funds.

A. Notice of Funding Availability (NOFA).

The Town may, from time to time as funding is available and as determined appropriate by the Town Board, issue a Notice of Funding Availability (NOFA) and/or Request for Applications notifying the public of available Community Housing funding opportunities. The NOFA shall include:

(1) Available funding from any subsidy sources;
(2) Allocated funding amounts;
(3) Eligible project types;
(4) Application requirements as specified in Article IV §112-8; and
(5) Submission deadlines.

B. Funding Sources Depleted.

At the time of the posting, if there is not a funding allocation for a specific program, the Notice shall specify the same and alert the public when a funding allocation becomes available.

C. Sources of Funds.

Funding may be available from one or more of the following sources:

(a) Southold Town Code Chapter 17 Community Housing Fund, in conjunction with New York State Town Law Section 64-k;
(b) Southold Town Code Chapter 34 Southold Housing Fund; or
(c) Additional funding sources established for the purpose of fostering affordable or community housing.

D. Utilization of Funds.

Allowable uses of funds shall be established consistent with the goals and recommendations provided within the Community Housing Plan, and statutory requirements pursuant to Chapter 17, Chapter 34, and Town Code.

ARTICLE IV

ELIGIBILITY AND REQUIREMENTS

§ 112-6. General Regulations for Community Housing.

A. General Applicability.

The provisions of this Article shall apply to all community housing created or administered pursuant to §112-22A unless otherwise expressly provided herein.

§ 112-7. General Asset Requirements.

The sale or lease of dwelling units shall be reserved for income-eligible households who do not have any ownership interest in any other residence or vacant lot.

§ 112-8. Authorized Eligibility Preferences

A. Preferences.
Any preference authorized by this section may be applied only where permitted by Federal, State, and County fair housing laws and by applicable housing programs. Priority for community housing opportunities shall be provided in accordance with the following preferences:

(1) Volunteer Firefighters and First Responders.
Priority may be provided to income eligible households in which at least one adult member is a qualified volunteer firefighter or other qualified first responder, provided that the housing opportunity is located within the service area of the volunteer organization. Qualifying service shall be verified through volunteer service credit records maintained for the Length of Service Award Program (LOSAP) or other documentation acceptable to the Town.

(a) **Firefighters.**
As used in this subsection, "firefighter" shall mean a person who is duly certified and trained to engage in firematic services and who has actively performed such services within Suffolk County, in good standing, during the three-year period immediately preceding qualification.

(b) **First Responders.**
As used in this subsection, "first responder" shall mean a person licensed and trained to provide emergency medical services who has actively provided such services within Suffolk County, in good standing, during the three-year period immediately preceding qualification.

(2) Residency and Other Eligibility Preferences.

The provisions of this Chapter may establish income and other eligibility requirements for community housing and may provide additional eligibility preferences based upon residency, employment, occupation, or other criteria authorized by law and adopted by resolution of the Town Board, provided same does not conflict with any Federal, State, and County law.

(a) Priority may be provided to households where at least one adult member is a resident of the Town of Southold or has been a resident of the Town of Southold within the last 5 years; OR

(b) Work in the Town of Southold.

POLICY DECISION #1:

Alternative Code Proposal: (b) Work in the Town of Southold, where at least one family member occupant must work at least 30 hours a week at a business located within the Town.

§ 112-9. Applications.

A. Submission of Applications.

Owners or Developers seeking funding assistance from the Community Housing Fund or Southold Housing Fund or participation in a community housing program shall submit a completed application in the form and manner prescribed by the Housing Department.

B. Required Documentation for Community Housing Project Developers.

Project funding applications shall include all documentation necessary to demonstrate:

(1) Financial viability;
(2) Affordability structure;
(3) Community impact;
(4) Long-term sustainability; and
(5) Compliance with any additional application requirements established by the Town.

C. Required Documentation for all Other Community Housing Projects.

Applications shall include all documentation necessary to demonstrate:

(1) Financial viability;
(2) Affordability structure (if applicable);
(3) Compliance with any additional application requirements established by the Town.

D. Additional Information.

The Housing Department reserves the right to request clarification, supplemental documentation, or additional information as necessary to complete its review of any application.

§ 112-10. Policies and Procedures.

A. General Authority.

The Town may adopt policies, procedures, administrative guidelines, forms, and program requirements for the administration of Community Housing programs established pursuant to this Chapter.

B. Housing Lotteries.

Community Housing projects or developments may require a housing lottery to ensure a fair, transparent and non-discriminatory selection process for newly constructed Community Housing units reserved for income-eligible households. All administrative costs associated with using a qualified and Town-approved entity to screen applicants, conduct the lottery process and file any and all required documents, pursuant to this Chapter, shall be the responsibility of the project developer unless, for a not-for-profit developer, waived by resolution of the Town Board and absorbed as a Town cost.

The Town or its agent will develop procedures for housing lotteries for the newly constructed Community Housing opportunities. To the extent practicable, such lottery procedures will be consistent with those promulgated by the New York State Affordable Housing Corporation, its successors and/or assigns.

C. Certificates of Occupancy.

Certificates of Occupancy for any unit in a project containing Community Housing units will not be issued by the Building Inspector until the occupant selection for the Community Housing units has been conducted and verified by the Housing Department.

D. Post-Award Monitoring.

The Housing Department shall monitor all Community Housing units to ensure continued compliance with the requirements of this Chapter, recorded affordability covenants, funding agreements, and any other applicable Federal, State, County, or Town requirements.

On or before the end of the second quarter of each year, the Housing Department shall notify the owner, manager or the tenant in writing that it is required to certify that the Community Housing unit complies with the provisions of this Chapter.

The Town may establish additional monitoring and reporting requirements as necessary.

E. Additional Administrative Procedures.

The Town may adopt additional administrative procedures in accordance with the programs established and administered by the Housing Department governing:

(1) Application processing;

(2) Waiting lists;
(3) Income verification;
(4) Household certification;
(5) Appeals;
(6) Compliance monitoring;
(7) Resale procedures;
(8) Rental administration; or
(9) Any additional procedures necessary to implement this Chapter.

§ 112-11. Maintenance and Upkeep.

A. Property Maintenance.

All Community Housing Units shall be maintained in compliance with all applicable federal, state, county and Town building, housing, fire, sanitary and property maintenance requirements.

§ 112-12. Compliance and Continuing Obligations.

A. Compliance with Recorded Restrictions.

All owners, developers, property managers, tenants, and occupants shall comply with the affordability covenants, deed restrictions, funding agreements, regulatory agreements, and other restrictions recorded or imposed pursuant to Town Code.

B. Continuing Obligations.

All affordability covenants, deed restrictions and other recorded restrictions intended to bind successors and assigns shall run with the land for the period stated therein. Owners, successors and assigns shall remain subject to all continuing obligations imposed by such recorded instruments and applicable law.

C. Perpetual Affordability.

All Community Housing units shall remain affordable in perpetuity.

D. Enforcement.

The Housing Department may monitor compliance and recommend enforcement actions to the Town Board consistent with Town Code and applicable law pursuant to Article VII Enforcement.

§ 112-13. Variation of Regulations.

Where the requirements of an applicable federal, state or county law or funding program conflict with this chapter, the Town Board may, by resolution, authorize the acceptance and implementation of such alternative requirements to the extent necessary to comply with the applicable funding program.

ARTICLE V

HOME OWNERSHIP

§ 112-14. Applicability.

The provisions of this Article shall govern all Community Housing home ownership units and unimproved lots that are subject to this Chapter, created pursuant to §112-2A unless otherwise provided by law or applicable funding requirements.

§ 112-15. Initial Sale Requirements.

A. Maximum Sales Price.

The maximum sales price for all Community Housing home ownership units shall be established in accordance with the applicable program, funding agreement, affordability covenant or methodology approved-by resolution of the Town Board.

B. Compliance with Affordability Restrictions.

Each sale shall comply with all affordability restrictions, covenants, deed restrictions, regulatory agreements, and resale controls, established by the Town or required pursuant to this Chapter and any applicable funding source.

§ 112-16. Resale Requirements for Community Housing Ownerships and Unimproved Lots.

A. Income and Asset Eligibility.

All Community Housing home ownership units and unimproved lots shall be reserved for and resold only to income-eligible households meeting the income, asset and other eligibility requirements applicable to the particular housing program or unit.

B. Maximum Resale Price.

To ensure perpetual affordability, the maximum resale price shall not exceed a sum of the following:

(1) The original purchase price;
(2) The cost of approved permanent fixed improvements; and
(3) An adjustment based upon the increase in the Consumer Price Index (CPI) during the period of ownership.

§ 112-17. Permanent Fixed Improvements.

A. Prior Approval Required.

All permanent fixed improvements shall require the prior written approval of the Housing Department.

B. Documentation.

Requests for approval shall include sufficient documentation describing the proposed improvement and estimated costs in accordance with procedures established by the Housing Department.

C. Effect on Resale Price.

Only approved permanent fixed improvements may be considered in calculating the maximum resale price of a Community Housing home ownership unit.

§ 112-18. Eligibility.

A. Ownership Income Eligibility.

Community Housing home ownership units shall be sold only to income-eligible households meeting the income and other eligibility requirements applicable to the particular housing program or unit.

B. Additional Ownership Asset Requirements.

In addition to the assets specified in 112-7, the assets of a household purchasing a community ownership unit pursuant to this chapter shall not exceed 25% of the purchase price of the home.

C. Annual Compliance Certification.

The Housing Department shall annually require all households residing in Community Housing home ownership units to complete a primary residence certification form. The certification form and all supporting documentation shall be used by the Town or its designated agent to determine continued primary residency and maintain compliance with the provisions of Southold Town code.

§ 112-19. Leasing of Ownership Units.

A. General Prohibition.

The Community Housing dwelling unit shall remain the primary residence of the owner. Community Housing home ownership units shall not be leased for any reason.

B. Allowed Exceptions.

Military service members called to active duty shall be permitted to lease their ownership unit, provided that the owner notifies and provides proof to the Housing Department, in writing prior to the start of the lease.

§ 112-20. Procedure for Resale

The resale of each Community Housing home ownership unit shall be subject to the following conditions and procedures:

A. The Seller of such unit shall give written notification via certified mail to the Housing Department of the intent to sell a Community Housing Ownership Unit.
B. Upon receipt of such written notice, the Housing Department shall have 90 days to locate an income eligible qualified buyer. In the event an income eligible buyer is not located within such 90-day period, the Town must purchase the unit and continue the process for resale to an eligible buyer.

ARTICLE VI

RENTALS

§ 112-21. Applicability.

The provisions of this Article shall govern all Community Housing rental units that are subject to this Chapter, created pursuant to §112-2A unless otherwise provided by law or applicable funding requirements.

§ 112-22. Rental Rates.

A. Establishment of Rental Rates.

Rental rates for low-moderate income and middle-income households are based upon the information published by the United States Department of Housing and Urban Development, or its successor, and adopted by Town Board resolution.

B. Annual Rent Increases.

Annual rental rate increases shall comply with rates established by Town Board resolution.

§ 112-23. Eligibility.

A. Income Eligibility.

All Community Housing rental units shall be rented to income-eligible households for Low-Moderate- or Middle-Income households as determined by the Town.

B. Additional Tenant Asset Requirements.

In addition to the asset requirements specified in §112-7, the assets of a household renting a community rental unit pursuant to this section shall not exceed the amount of the current HUD income limit for a four-person household for the AMI limit applicable to such unit.

POLICY DECISION #2:

Renters need to be able to accumulate savings and/or retirement funds if they hope to someday purchase a home. There are different methods for establishing tenant asset limits while still allowing tenants to maintain the valuable ability to save. The recommended approach reflects a methodology similar to that used by the New York City Department of Housing Preservation and Development (HPD), with asset limits established as follows for 2026:

AMI LEVEL	ASSET CAP
80% AMI	$128,100
100% AMI	$164,300
120% AMI	$197,160

This approach is the least time-consuming and most practical as compared to other methods considered.

C. Primary Residence/ Occupancy Requirement.

All Community Housing rental units shall be the primary residence of the tenant.

D. Annual Income Certification.

The Housing Department shall annually require all tenants residing in Community Housing rental units to complete a tenant certification form. The certification form and all supporting documentation shall be used by the Town or its designated agent to determine continued income eligibility and primary residency compliance.

E. Increased Income during a Lease Term.

Eligibility is determined at initial occupancy and periodically thereafter; an increase in household income during a lease does not terminate the lease.

F. Grace Period Following Income Recertification.

A tenant who no longer meets the required income eligibility shall be allowed to complete the lease term. Property owners and landlords may permit the tenant a minimum six-month grace period.

§ 112-24. Subleasing of Rental Units.

A. General Prohibition.

Community Housing rental units shall not be subleased for any reason.

§ 112-25. Lease Requirements.

A. Rental Rates.

Community Housing rental units shall be leased according to the applicable affordability program, funding source, covenant or methodology approved by resolution of the Town Board.

B. Written Lease Required.

All Community Housing rental units shall be occupied pursuant to a written lease agreement. Prior to entering into a lease agreement, the landlord of a Community Housing unit must provide a copy of the proposed lease to the Housing Department. The Housing Department will notify the landlord in writing whether or not the terms of the lease are in compliance with all the applicable provisions of Town Code.

An owner of a Community Housing unit shall not lease the property without obtaining written approval from the Town.

C. Minimum Lease Term.

The lease term shall be not less than one (1) year and not more than two (2) years.

§ 112-26. Maintenance and Upkeep.

A. Community Housing Rental Unit Management.

All Community Housing rental projects shall maintain on-site or off-site property management capable of responding to resident concerns and property emergencies 24 hours a day, seven days a week.

POLICY DECISION #3:

Under Suffolk County's Affordable Housing Article, any housing development containing more than 34 rental units receiving County subsidies is required to set aside at least one on-site unit for a manager/superintendent responsible for ongoing maintenance of the development.

Alternative Code Proposal: All Community Housing rental projects shall maintain on-site or

§ 112-27. Ongoing Compliance.

A. Annual Notice.

The Housing Department shall annually notify the owner or manager of community rental units reserved for income-eligible households of the applicable income eligibility limits and maximum rental rates based upon the information published by the United States Department of Housing and Urban Development and adopted by Town Board resolution. Failure of the Town to provide such notice shall not relieve an owner or manager of the obligation to comply with applicable affordability requirements.

B. Compliance and Enforcement.

Owners and managers of Community Housing rental units shall ensure that all units remain in compliance with the eligibility, affordability, occupancy, and reporting requirements established by this Chapter pursuant to Article VII and any applicable affordability covenants or regulatory agreements.

ARTICLE VII

ENFORCEMENT

§ 112-28. Violations.

A. General.

Any violation of the provisions of this Chapter, any regulation adopted pursuant thereto, any affordability covenant, deed restriction, regulatory agreement, funding agreement, lease restriction, resale restriction, or other condition imposed pursuant to this Chapter shall constitute a violation subject to the enforcement provisions of this Article.

B. Continuing Violations.

Each day that a violation continues after notice has been provided may constitute a separate violation.

§ 112-29. Enforcement Authority.

A. Housing Department.

The Housing Department shall have the authority to monitor compliance with this Chapter, investigate violations, conduct audits and inspections, require the submission of documents necessary to determine compliance, and recommend enforcement action to the Town Board.

B. Other Town Officials.

The Building Department, Town Attorney, Town Clerk, Code Enforcement personnel, and any other Town department designated by the Town Board may assist in the administration and enforcement of this Chapter.

§ 112-30. Administrative Remedies.

In addition to any other remedy authorized by law, the Town may:

A. Suspend or terminate participation in any Town Community Housing program.
B. Require repayment of grants, loans, subsidies, or other financial assistance provided pursuant to this Chapter.
C. Require reimbursement of improperly received benefits.
D. Require corrective action necessary to restore compliance.
E. Require the sale, resale, or transfer of a Community Housing unit in accordance with this Chapter and any recorded affordability restrictions.

F. Disqualify an applicant, owner, tenant, developer, or other participant from future participation in Town Community Housing programs.

§ 112-31. Building and Occupancy Remedies.

A. Certificate of Occupancy.

The Building Inspector may withhold, suspend, revoke, or decline to renew a Certificate of Occupancy or Certificate of Compliance where authorized by law and where a violation of this Chapter has occurred.

B. Building Permits.

The Building Inspector may withhold permits or approvals necessary to ensure compliance with this Chapter.

§ 112-32. Civil Enforcement.

The Town may commence any civil action or proceeding authorized by law to:

A. Compel compliance with this Chapter.
B. Enforce affordability covenants, deed restrictions, regulatory agreements, or other recorded instruments.
C. Obtain injunctive relief.
D. Recover damages, costs, attorneys' fees where authorized by law, or other appropriate relief.

§ 112-33. Misrepresentation and Fraud.

A. Any person who knowingly provides false, misleading, incomplete, or fraudulent information in connection with an application, certification, recertification, transfer, sale, lease, or occupancy of a Community Housing unit shall be subject to the remedies provided in this Article.
B. The Town may refer suspected criminal violations to the appropriate law enforcement agency.

§ 112-34. Fines and Penalties.

Unless otherwise specifically provided by law:

A. First Offense.

A fine of not less than one thousand dollars ($1,000) nor more than five thousand dollars ($5,000).

B. Second and Subsequent Offenses.

A fine of not less than five thousand dollars ($5,000) nor more than ten thousand dollars ($10,000) for each offense.

C. Separate Violations.

Each separate violation and each day a violation continues may constitute a separate offense.

§ 112-35. Cumulative Remedies.

The imposition or recovery of any fine, penalty or other sanction provided for by this Chapter shall not preclude the Town from pursuing any other remedy available at law or in equity. In addition to any fine or penalty authorized herein, the Town may institute any appropriate action or proceeding to prevent, restrain, correct or abate a violation; compel compliance with this Chapter or any covenant, restriction, agreement, mortgage, note, policy, procedure or other requirement imposed pursuant thereto; recover funds or other amounts due to the Town; seek damages, restitution, specific performance or injunctive relief; or pursue any other remedy authorized by law. All remedies provided herein shall be cumulative and not exclusive, and the exercise of one remedy shall not preclude the exercise of any other remedy.

§ 112-36. Appeals.

Unless otherwise provided in this Chapter, any person aggrieved by a determination of the Housing Department may appeal such determination to the Town Board or to such committee or hearing officer as the Town Board may designate by resolution.