CRIMINAL PROSECUTIONS: Information Regarding Zoning Ordinance Violation

STATE OF NEW YORK : COUNTY OF [NAME OF COUNTY]

[CITY/VILLAGE/TOWN] COURT:

[CITY/VILLAGE/TOWN] OF [NAME OF CITY/VILLAGE/TOWN]

THE PEOPLE OF THE STATE OF NEW YORK

INFORMATION

- vs. –

[NAMES OF DEFENDANTS]

ACCUSATION

BE IT KNOWN THAT, by this information, [name], Building and Code Enforcement Officer of the [City/Village/Town] of [name of City/Village/Town], as the Complainant herein, accuses [names of Defendants], the above-named Defendants, with violation of Section [no.] of the [City/Village/Town] of [name of City/Village/Town] Zoning Ordinance by using or occupying a building or land except in conformity with the regulations set forth in said Ordinance for the district in which it is located by [for example, establishing, operating and maintaining a commercial business in a Residence (R) District] in violation of the Schedule of Regulations established for a Residence (R) District, an offense.

FACTS

That on or about [date] and at all times thereafter the said Defendants did use or occupy the building and land owned by Defendants at [address], in the [City/Village/Town] of [name of City/ Village/Town], [name of County] County, New York, such premises being designated by Tax Map No. [no.], in that said Defendants did [for example, engage in the commercial business of (describe), such as: construction of shed-type storage buildings at property, which buildings were

SAMPLE

constructed for the purpose of sale and not for the personal use of Defendants, and which activity was not a customary home occupation as defined in section [no.] of said Zoning Ordinance].

The Defendants were served with a Stop Work Order on [date] and Order to Remedy Violation on [date] and have failed to stop work or remedy said violation and have failed to contest said Order by appeal to the [City/Village/Town] Zoning Board of Appeals, but rather have purchased additional materials to construct additional buildings

The above allegations of fact are made by the Complainant herein on direct knowledge.

WHEREFORE, Complainant prays that a warrant be issued for the arrest of the said [names of Defendants].

NOTICE

(Penal Law section 210.45)

It is a crime punishable as a Class A Misdemeanor under the Laws of the State of New York, for a person, in and by a written instrument, to knowingly make a false statement which such person does not believe to be true.

_____

Subscribed and Sworn to before me [name of Complainant]

this [date] day of [month], [year] Complainant

_____

[City/Village/Town] Justice

[City/Village/Town] of [name of City/Village/Town]

SAMPLE