

Surf Lodge Attorney Seeks To Dismiss Violations

Publication: The East Hampton Press

By Rohma Abbas Apr 24, 2012 4:24 PM

UPDATED Apr 24, 2012 6:11 PM

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Thomas Horn, the Sag Harbor attorney representing the Surf Lodge, a popular bar and nightclub in Montauk, is seeking to dismiss a number of the nearly 700 East Hampton Town Code violations against the business for its operations last year.

Mr. Horn, who was recently hired to represent the business, filed a motion on April 16 in East Hampton Town Justice Court seeking to dismiss violations based on New York State and town law.

Mr. Horn cites both laws in his motion to dismiss. In one example, Mr. Horn notes that East Hampton Town Code states that, "each week's continued violation shall constitute a separate violation." In a spreadsheet of violations attached to the motion, Mr. Horn points out that the Surf Lodge was issued violations multiple times a week, and that some of those should be dropped

accordingly. He also stated that in some cases, the Surf Lodge wasn't notified of a violation before another violation was issued.

"On multiple occasions, the code enforcement officials did cite the defendant more than once a week and additionally did cite as separate violations in new weekly time frames of violations without waiting for notifications to be effective," Mr. Horn stated in the motion.