

## **RESOLUTION 12/21/2023**

### **7.237 ADOPTION OF LOCAL LAW P-5 of 2023**

#### Local Law No. P-5 of the year 2023.

Introduced by Mayor Rosenquest on December 7, 2023 at a Regular meeting of the Common Council.

Public Hearing to be held on Thursday, December 21, 2023 at 5:00pm in the Council Chambers, 41 City Hall Place, Plattsburgh, NY 12901.

A local law adding Section 144-19 “Short Term Rental Registry” to Chapter 144 “Building Code Administration and Enforcement” to the City Code of the City of Plattsburgh.

This Local Law is enacted pursuant to the provisions of Sections 10 of the Municipal Home Rule Law of the State of New York.

Be it enacted by the Common Council of the City of Plattsburgh as follows:

1. The City Code of the City of Plattsburgh is amended by adding Section 144-19 “Short Term Rental Registry” to Chapter 144 “Building Code Administration and Enforcement” to the City Code of the City of Plattsburgh to read as follows:

Chapter 144 “Building Code Administration and Enforcement”...

#### **§ 144-19 Short Term Rental Registry**

##### **A. Purpose**

The Common Council of the City of Plattsburgh recognizes that the short-term rental of dwelling units constitutes a business which impacts upon the public health, safety and general welfare of the people of the City of Plattsburgh. The state and local framework for regulation and inspection of short-term rental dwelling units is in many and various respects not sufficient to protect the residents from potential violations of the Building and Fire Code, particularly where there is a high turn-over of residents therein, and from other potential adverse impacts. Short-term transient rental units offer some benefits to the community by providing an additional income source for the owners of the property and property managers as well as increasing tourism in our region. The intent of this chapter is to create a registry, inspection and permit protocol for the offering for short term rental units so as to facilitate the enforcement of New York Building and Fire Codes as well as the City Code of

Plattsburgh in relation thereto in order to protect the public health, safety and welfare of the people of the City of Plattsburgh and to achieve the following beneficial purposes:

- (1) The protection of the character and stability of residential areas;
- (2) The correction and prevention of housing conditions/violations that adversely affect or are likely to adversely affect the life, safety, general welfare and health, including the physical, mental and social well-being of persons temporarily inhabiting within, and also those residing adjacent to or within the close proximity to, short term rental units; and
- (3) The preservation of the value of land and buildings throughout the City of Plattsburgh.

## **B. Definitions**

The following definitions apply to this Section:

**Dwelling Unit:** As defined in Chapter 360 of the Code. However, for this Section, a Dwelling Unit shall also include a Sleeping Room.

**Rental:** Granting use or possession of a dwelling unit in whole or part to a person or group in exchange for some form of valuable consideration.

**Short-Term Rental:** A dwelling unit, which may or may not be inhabited by the owner of record or their immediate family, that is rented, in whole or in part, for a period of less than 30 consecutive days to any person or entity, but not including a hotel, motel, inn, campground, or bed and breakfast.

**Short-Term Rental Owner:** All entities having an ownership interest in a dwelling unit that is used as a short-term rental.

**Sleeping Room:** A fully enclosed habitable space of at least 70 square feet for one person and 100 square feet for two persons, with an emergency escape or rescue opening.

## **C. Short-Term Rental Registration Information**

1. Commencing March 1, 2024 all owners of a Short-Term Rental which are located in the City of Plattsburgh shall complete and sign a registration form provided by the Office of Building Inspector for each mailing address associated with each Short Term Rental buildings, units and/or structures owned and shall obtain a Short Term Rental Certificate. If the owner owns more than one Short Term Rental located at one mailing address, then one form shall be completed for that address. If the owner owns Short Term Rentals with more than one mailing address, then separate forms must be completed for each separate mailing address. The form shall indicate the name, mailing address, and telephone number of each and every owner, and if the

owner is a corporation, limited liability company, partnership, or other business entity, the name, address, phone number and e-mail address of a responsible agent for that owner (the "Owner's Agent"), and the mailing address of the rental building or structure for which a Short Term Rental Registry Certification is sought, the number of dwelling units contained within each rental building or structure, the number of dwelling units, daytime and evening telephone numbers of the owner and, if applicable, the Owner's Agent, the approximate square footage of habitable space in each rental dwelling unit, the maximum number of occupants in each and every rental dwelling unit, any pre-existing nonconforming status, and any other pertinent data sought by the Office of Building Inspector. The form shall indicate an address for receipt of notices by mailing under this chapter. The owner shall be responsible for updating such information within five business days of an event or a change in circumstances that would render the information in the registration form inaccurate.

2. The registration form shall also include a section, whereby the owner of a Short Term Rental shall affirm, subject to perjury, that all information on the registration form is accurate and complete.

3. Upon compliance with this Section, a Rental Registry Certification shall be issued by the Office of Building Inspector and shall be valid for one (1) year from the date of issuance. However, if there is an event or change in circumstance that would render the information in the registration form inaccurate, within five (5) business days of that event or change in circumstance the Owner shall apply for a new Short Term Rental Registry Certification. Owners and lessors, or their respective agents, shall, upon request, make available a copy of said Short Rental Registry Certification to the person(s) in possession or occupancy. Short Rental Registry Certifications may not be assigned or transferred.

4. A Rental Registry Certification for a specific property shall not be granted to an applicant if that specific property is in violation of any Uniform Building Code or City of Plattsburgh Code, ordinance or local law (hereinafter "Violations") or if that applicant owes property taxes, water or sewer fees, special assessments, fines for violations of City ordinances or any other fees or past due monies of any name or nature owed to the City of Plattsburgh (hereinafter "unpaid monies") for that specific property.

i. The applicant shall have the burden of providing proof in a form acceptable to the department that there are no such violations or unpaid monies.

ii. In the event that the applicant has accrued violations or unpaid monies, such Short Rental Registry Certification shall be denied if such violations or unpaid monies relate to a parcel of real property for which the application is made.

iii. In the event that the applicant has accrued violations or unpaid monies, such Short Rental Registry Certification shall be denied regardless of whether such violations or unpaid monies occurred or accrued before the effective date of this local law.

iv. All requirements set forth herein shall also apply to nonperson entities including but not limited to an LLC, Corporation, or Trust. If an application for a Short-Term Rental Registry Certificate is denied, then the owner shall have the right to appeal that decision to the Zoning Board of Appeals pursuant to the Code of the City of Plattsburgh, Section 360-54(D)(1).

5. A Short-Term Rental Registry Certificate shall be mailed by Certified Mail by the Owner or the Owner's Agent to all owners of property within 300 feet of the property lines of the Short-Term Rental. The contact person or entity described on the Certificate must document all complaints and responses and submit them to the City of Plattsburgh Building and Zoning Office within 24 hours.

**D. Inspections; Occupancy Limitations**

1. Upon the receipt of a Short-Term Rental registration form, and annually thereafter, the Office of Building Inspector shall complete the inspection of the subject property. If a property owner fails to allow an inspection, then the Office of Building Inspector may deny the application for the Short Rental Registry Certificate. The applicant shall have the right to appeal that denial to the Zoning Board of appeals pursuant to the Code of the City of Plattsburgh, Section 360-54(D)(1).

Further, at any time, the Office of Building Inspector may request an inspection of the subject property:

- (i) If requested in writing by the owner, owner's agent or occupant of a short-rental building(s) or structure(s) pursuant this Section;
- (ii) Upon receipt of a registered complaint;
- (iii) Upon the sale, transfer or conveyance of a Short Term Rental;
- (iv) Upon the application for a building permit for a dwelling unit to be used for a Short Term Rental.
- (vi) Otherwise in accordance with law.

2. The inspection by the Office of Building Inspector shall determine the condition of the Short Term Rental and its structures.

3. The Building Inspector or his/her designees are authorized to enter common areas accessible to the general public at reasonable times for the purposes of conducting a visual inspection. If entry is refused or not obtained, the Code Official is authorized to pursue entry to the fullest extent authorized by law.

4. Occupancy limitations shall be governed by the rules and regulations contained in the Uniform Building Code, New York State Uniform Fire Prevention and Building Code City Code of the City of Plattsburgh, and any amendments made thereto. Nothing in this section shall authorize any owner to allow for occupancy of property in excess of what is permitted in these aforementioned Codes.

**E. Standards for Short Term Rentals**

1. The maximum number of people per Sleeping Room is one person if the square footage is between 70 and 100 and two people if the square footage is greater than 100 feet. The Office of Building Inspector may disqualify a particular space within a Dwelling Unit as a Sleeping Room based on concerns over emergency egress, safety, or over-occupancy of a Dwelling Unit.

2. Each Sleeping Room shall have an exterior exit that opens directly to the outside or an emergency escape or rescue window, which meets the current State and City codes requirements for emergency and escape access. Notwithstanding the foregoing, Office of Building Inspector may approve other means of emergency egress for each Sleeping Room in its reasonable discretion.

3. There shall be one functioning smoke detector in each Sleeping Room, and one functioning smoke detector on the ceiling or wall in the immediate vicinity outside each separate sleeping room which meets the current State and City codes.

4. Carbon monoxide detectors shall be installed in all dwelling units that contain a fuel-burning appliance, system, or other source of carbon monoxide which meets the current State and City Codes.

5. At least one functioning and inspected fire extinguisher is present in each Dwelling Unit which meets the current State and City Codes.

6. Parking:

a. Proper off-street parking as regulated in City code 360-26 shall be required.

b. Parking on any part of the lawn is prohibited.

7. A house number visible from the street shall be maintained.

8. Provisions shall be made for weekly garbage removal during all short-term rental occupancies. Proper garbage and rubbish maintenance shall be regulated by City Code 289.

9. No exterior tents will be allowed.

10. Outdoor recreational fires shall not be permitted unless they meet the standards in City Code 230-2.
11. All occupants, including pets, shall comply with the Noise Control Law, City Code 222.
12. Physically posted advertisements for Short-Term Rentals shall comply with City Code 360-27.
13. Owners of Short-Term Rentals shall provide a safety/egress plan, to be posted in a visible location within the Short-Term Rental.
14. Owners of Short-Term Rentals shall conspicuously post a valid Short Term Rental Registration Certificate in each dwelling unit.
15. Owners of Short-Term Rentals shall comply with the Clinton County Room Occupancy Tax Law (Local Law No. 2 of 2008) or any other applicable occupancy tax in effect.
16. Owners of Short-Term Rentals shall post their “house rules”, if any, in a conspicuous location within the Dwelling Unit.

**F. Fees**

1. Short Term Rental Registry Certification fees, inspection fees, re-inspection fees and penalties will be charged in the amount set forth in the schedule of fees adopted by the City of Plattsburgh Common Council by resolution.

**G. Notice of Violation; Method of Service.**

1. If the Office of Building Inspector determines that there are reasonable grounds to believe that premises are being maintained in violation of this Section, that officer shall give notice of the alleged violation to the owner or owner's agent of the premises.
2. Such notice shall be mailed via first-class, registered or certified mail to the permittee or served upon any other person in accordance with the applicable provisions of the Criminal Procedure Law.
3. Such notice shall state that all health, safety and maintenance violations must be corrected immediately per an Order to Remedy, however, in the event the Office of Building Inspector observes violations that create an imminent risk to health, safety or welfare, the Office of Building Inspector may pursue condemnation of the premises. For non-emergency violations, the Office of Building Inspector shall return at the date specified in the notice to verify conformance with the Order to Remedy. Any

maintenance items which cannot be completed at this time because of weather constraints may be granted a time extension. Reasonable time extensions may be granted by the Office of Building Inspector based on consideration of all relevant factors. Such notice shall also state that, if upon re-inspection a violation still exists, the Office of Building Inspector may seek compliance pursuant to this Chapter.

4. Upon such re-inspection, any remaining health, safety and maintenance violations, or other violations of the Uniform Building Code, New York State Uniform Fire Prevention and Building Code and Plattsburgh City Code shall result in the issuance of an appearance ticket returnable in the City of Plattsburgh City Court, or other court of competent jurisdiction, pursuant to the provisions of Article 150 of the Criminal Procedure Law seeking fines and injunctive relief pursuant to Section 144-15(C) and (D) of this Chapter, and if applicable, revocation of the Short Term Rental Registration Certification and an order to vacate the structure. In the event that the City pursues an action against an Owner in a Court of competent jurisdiction for any violation described herein, then as part of the relief sought, the City may also request that the Court revoke all of the Owner's Short Term Rental Registry Certificates for any Short Term Rental Building or Structure located within the City.

5. Any party aggrieved by this action may appeal to the Zoning Board of appeals pursuant to the Code of the City of Plattsburgh, Section 360-54(D)(1), and/or pursue judicial relief in a Court of competent jurisdiction.

## **H. Content of Short-Term Rental Registry Certificate**

1. The Short-Term Rental Registry Certification issued under this chapter shall contain the following information, as well as any additional information required by the Office of Building Inspector:

The address, type of structure, and structure classification;

The date of inspection;

The date of issuance and the expiration date;

Number of dwelling units and/or sleeping rooms suitable for occupancy;

A statement indicating whether the structure is equipped with a fire alarm system, single station smoke detectors, and carbon monoxide detectors as required by the Code,

Local contact information including name, address and phone number for the owner or owner's designated representative;

Contact information for Office of Building Inspector for the submission of complaints by neighbors and/or patrons; and

The maximum number of occupants permitted for each and every dwelling unit.

## **I. Exemptions**

1. Any dwelling unit or rental unit located on property owned by the State University of New York, or the Plattsburgh Housing Authority is exempt from this Section.
2. Any property used as a “Nursing Home”, as defined in this Chapter is exempt from this Section.

2. This Local Law shall take effect upon approval by the Mayor and filing with the New York Secretary of State



## RESOLUTION 12/21/2023

### 7.238 ADOPTION OF LOCAL LAW P-6 of 2023

#### Local Law No. P-6 of the year 2023

Introduced by Mayor Rosenquest on December 7, 2023 at a Regular meeting of the Common Council.

Public Hearing to be held on Thursday, December 21, 2023 at 5:01pm in the Council Chambers, 41 City Hall Place, Plattsburgh, NY 12901.

A local law adding Section 144-20 “Vacant Building Registry” to Chapter 144 “Building Code Administration and Enforcement” to the City Code of the City of Plattsburgh.

This Local Law is enacted pursuant to the provisions of Sections 10 of the Municipal Home Rule Law of the State of New York.

Be it enacted by the Common Council of the City of Plattsburgh as follows:

1. The City Code of the City of Plattsburgh is amended by adding Section 144-20 “Vacant Building Registry” to Chapter 144 “Building Code Administration and Enforcement” to the City Code of the City of Plattsburgh to read as follows:

Chapter 144 “Building Code Administration and Enforcement”...

#### **§ 144-20 Vacant Building Registry**

##### **A. Purpose**

The Common Council of the City of Plattsburgh recognizes that the prolonged existence of vacant buildings within the City of Plattsburgh causes adverse impacts to the community and negatively affects the public health, safety and general welfare of the people of the City of Plattsburgh. The Common Council has determined that buildings which remain vacant, some with access points boarded over, are unsightly, unsafe and have a negative effect on their surroundings. This is troublesome in all neighborhoods. Unfortunately, many buildings, once vacant, remain that way for many years. The purpose behind this article is to establish a program for identifying and registering vacant buildings; to determine the responsibilities of

owners of vacant buildings and structures; and to speed the rehabilitation of the vacant properties to achieve the following beneficial purposes:

- (1) The protection of the character and stability of residential and commercial areas;
- (2) The correction and prevention of housing conditions/violations that adversely affect or are likely to adversely affect the life, safety, general welfare and health, including the physical, mental and social well-being of persons residing or patronizing buildings near vacant structures; and
- (3) The preservation of the value of land and buildings throughout the City of Plattsburgh.

## **B. Definitions**

The following definitions apply to this Section:

### **ENFORCEMENT OFFICER**

A duly authorized representative of the Building Inspector's office, the Police Department, Department of Public Works or the Fire Department.

### **HABITABLE**

A building or space that meets or exceeds the New York State minimum requirements for human occupancy.

### **OWNER**

Those shown to be the owner or owners on the records available to the City of Plattsburgh, those identified as the owner or owners on a vacant building registration form, a mortgagee in possession, a mortgagor in possession, assignee of rents, receiver, executor, trustee, lessee, other person, firm or corporation in control of the premises. Any such person shall have a joint and several obligation for compliance with the provisions of this section.

### **PERFORMANCE GUARANTY**

A bond, letter of credit, cash escrow or other acceptable form of guaranty, as determined by the City's Building Inspector, to cover the City's potential cost of correcting code violations or abating unsafe or imminently dangerous conditions. The sufficiency of such performance guaranty shall be determined by the Building Inspector after consultation with the Corporation Counsel and other officials and agencies of the City of Plattsburgh as appropriate.

### **SECURED BY OTHER THAN NORMAL MEANS**

A building secured by means other than those used in the design of the building.

## UNOCCUPIED

A building which is vacant or is not legally being used for an occupancy authorized by the owner.

## UNSECURED

A building or portion of a building which is open, accessible or an attractive nuisance.

## VACANT BUILDING

A building which in whole or in part is:

- A. Unoccupied and unsecured;
- B. Unoccupied and secured by other than normal means;
- C. Unoccupied as determined by the appropriate City, county or state department or agency;
- D. Unoccupied and has multiple housing or building code violations;
- E. Illegally occupied and/or not habitable;
- F. Unoccupied for a period of time of 45 days, unless good cause can be shown to the Office of Building Inspector that would warrant an extension of three months. For purposes of this section, good cause can include, but not be limited to, an active marketing effort to sell the property, or the death or major illness of the owner.

### **C. Vacant Building Registration Information**

1. Commencing March 1, 2024, within thirty days of a building becoming a Vacant Building, the owner of a Vacant Building which is located in the City of Plattsburgh shall complete and sign a registration form provided by the Office of Building Inspector for each Vacant Building. The form shall indicate the name, mailing address, and telephone number of each and every owner, and if the owner is a corporation, limited liability company, partnership, or other business entity, the name, address, phone number and e-mail address of a responsible agent for that owner (the "Owner's Agent"), and the mailing address of the Vacant Building daytime and evening telephone numbers of the owner and, if applicable, the Owner's Agent, and any other pertinent data sought by the Office of Building Inspector. The form shall indicate an address for receipt of notices by mail under this chapter. The owner shall be responsible for updating such information within five business days of an event or

a change in circumstances that would render the information in the registration form inaccurate.

2. The registration form shall also include a section, whereby the owner of a Vacant Building shall affirm, subject to perjury, that all information on the registration form is accurate and complete.

3. Annually thereafter, or upon an event or change in circumstance that would render the information in the registration form inaccurate, within five (5) business days of that event or change in circumstance the Owner shall submit a new Vacant Building registration form. Vacant Building registrations may not be assigned or transferred.

#### **D. Vacant Building Plans; Security**

1. All owners of a Vacant Building shall submit a vacant building plan within thirty days of registration, which must meet the approval of the Office of Building Inspector. The plan, at a minimum, must contain information from one of the following three choices for the property:

(1) If the building is to be demolished, a demolition plan under a permit application filed with the Office of Building Inspector, indicating the proposed time frame for the building to be demolished, an affidavit executed by the owner that he will assume all costs associated with the demolition, and a performance guaranty.

(2) If the building is to remain vacant, a plan for the securing of the building in accordance with standards provided by the Office of Building Inspector, if applicable, such plans must be filed along with the procedure that will be used to maintain the property in accordance with the City and State Building Code, and a statement of the reasons why the building will be left vacant and for what time period the building will be vacant, and a performance guaranty, all of which must be acceptable to the Office of Building Inspector.

(3) If the building is to be returned to appropriate occupancy or use, a rehabilitation plan for the property and a performance guaranty shall be provided. The rehabilitation plan shall not exceed 365 days, unless the Office of Building Inspector grants an extension upon receipt of a written statement from the owner detailing the reasons for the extension. Any repairs, improvements or alterations to the property must comply with any applicable zoning, housing, historic preservation or building codes and must be secured in accordance with the City Code, or with the directions of the Office of Building Inspector, during the rehabilitation or until a new certificate of occupancy or certificate of completion has been issued.

2. All applicable laws and codes shall be complied with by the owner. The owner shall notify the Office of Building Inspector of any changes in information supplied as part of the Vacant Building registration within 30 days of the change. If the plan or timetable for the Vacant

Building is revised in any material way, the revisions must be in writing and meet the approval of the Office of Building Inspector.

3. All owners shall keep the Vacant Building secured by any means necessary and/or required and shall be in compliance with all local, state, federal codes, rules and regulations to keep the building safe and secured while properly maintaining said building at all times as provided for in this Chapter. Failure of the owner or any subsequent owners to keep the building secure and safe and/or maintain the building and premises that result in remedial action taken by the City shall be grounds for the revocation of the approved plan and shall be subject to any applicable penalties provided by law.

4. Unless otherwise permitted in writing by the Office of Building Inspector, all Vacant Buildings must meet the following standards:

a. Exterior walls, doors, windows, skylights, and similar openings shall be maintained weathertight and in good condition, as determined by the Office of Building Inspector. Surfaces not inherently resistant to deterioration shall be treated with a protective coating of paint or other suitable preservative.

b. All enclosures shall be properly fitted and be of such material and surface that they are neither unsightly nor will materially detract from the general appearance of the building or the neighborhood. Coverings for doors and windows may consist of boards or similar materials finished and maintained in a manner specified by the Office of Building Inspector so as to blend in with the finish of the building.

c. Window coverings accessible from ground level shall have a clear opening of not less than two square feet to allow viewing of the interior of the property for security purposes.

d. Cracked or broken windows shall be replaced with plexiglass or other similar material in accordance with the previous subsection and meeting approval with the Office of Building Inspector.

5. Upon the sale, transfer or conveyance of a Vacant Building, the new owners shall be required to register the Vacant Building with the Office of Building Inspector within 30 days of any transfer of an ownership interest in a vacant building. The new owners shall comply with the approved plan, the performance guaranty, if required, and the timetable submitted by the previous owner until any proposed changes are submitted and meet the approval of the Office of Building Inspector.

6. The Office of Building Inspector shall provide to owners of Vacant Buildings a proof of registration that must be displayed in a clearly visible place at the main access point of said property. Unless indicated otherwise, this registration will be valid for a period of 365 days after

the initial registration of said property, and shall be replaced annually upon renewal of registration, and serve as on-site certification of said property's compliance with this article.

#### **E. Fees**

Vacant Building Registry fees, inspection fees, re-inspection fees, vacant building plan review fees, and penalties will be charged in the amount set forth in the schedule of fees adopted by the City of Plattsburgh Common Council by resolution. The fee shall be paid in full prior to the issuance of any building permits, certificates of occupancy or certificates of completion, with the exception of any demolition permit.

#### **F. Exemptions**

1. A building which has suffered fire damage or damage caused by extreme weather conditions shall be exempt from the registration requirement for a period of 45 days after the fire or extreme weather event if the property owner submits a written request for temporary exemption to the Office of Building Inspector.
2. Any Vacant Building located on property owned by the State University of New York, or the Plattsburgh Housing Authority is exempt from this Section.

#### **G. Inspections**

1. Any Enforcement Officer may inspect any premises in the City for the purposes of enforcing and assuring compliance with the provisions of this Chapter. Upon the request of the Enforcement Officer, an owner shall provide access to all interior portions of an unoccupied building in order to permit a complete inspection. Nothing contained herein, however, shall diminish the owner's right to insist upon the procurement of a search warrant from a court of competent jurisdiction by the Enforcement Officer or his or her designees in order to enable such inspection, and the Enforcement Officer shall be required to obtain a search warrant whenever an owner refuses to permit a warrantless inspection of the premises.
2. The Office of Building Inspector shall complete periodic inspections of each Vacant Building and shall also submit an annual report, no later than July 1<sup>st</sup> of each year, to the Mayor and City Council, listing all buildings declared vacant under the provisions of this section and the date upon which the buildings or units were declared vacant and whether a building plan has been filed. The report shall include a list of all previously declared vacant buildings which are no longer subject to the provisions of this article.

#### **H. Notice of Violation; Method of Service; Appeals**

1. If the Office of Building Inspector determines that there are reasonable grounds to believe that premises are in violation of this Chapter, that officer shall give notice of the alleged violation to the owner or owner's agent of the premises.
2. Such notice shall be mailed via first-class, registered or certified mail to the permittee or served upon any other person in accordance with the applicable provisions of the Criminal Procedure Law.
3. Such notice shall state that all health, safety and maintenance violations must be corrected immediately per an Order to Remedy, however, in the event the Office of Building Inspector observes violations that create an imminent risk to health, safety or welfare, the Office of Building Inspector may pursue condemnation of the premises. For non-emergency violations, the Office of Building Inspector shall return at the date specified in the notice to verify conformance with the Order to Remedy. Any maintenance items which cannot be completed at this time because of weather constraints may be granted a time extension. Reasonable time extensions may be granted by the Office of Building Inspector based on consideration of all relevant factors. Such notice shall also state that, if upon re-inspection a violation still exists, the Office of Building Inspector may seek compliance pursuant to this Chapter.
4. Upon such re-inspection, any remaining health, safety and maintenance violations, or other violations of the Uniform Building Code, New York State Uniform Fire Prevention and Building Code and Plattsburgh City Code shall result in the issuance of an appearance ticket returnable in the City of Plattsburgh City Court, or other court of competent jurisdiction, pursuant to the provisions of Article 150 of the Criminal Procedure Law seeking fines and injunctive relief pursuant to Section 144-15(C) and (D) of this Chapter, and if applicable, revocation of the Short Term Rental Registration Certification and an order to vacate the structure. In the event that the City pursues an action against an Owner in a Court of competent jurisdiction for any violation described herein, then as part of the relief sought, the City may also request that the Court revoke all of the Owner's Vacant Building Registry Certificates for any Vacant Building located within the City.
5. Any party aggrieved by this Chapter may appeal to the Zoning Board of appeals pursuant to the Code of the City of Plattsburgh, Section 360-54(D)(1), and/or pursue judicial relief in a Court of competent jurisdiction.

2. This Local Law shall take effect upon approval by the Mayor and filing with the New York Secretary of State

## **RESOLUTION 12/21/2023**

### **7.239 AUTHORIZING THE MAYOR TO SIGN VARIOUS 2024 FISHING TOURNAMENT AGREEMENTS**

1. RESOLVED: In accordance with the request therefore the Common Council approves that the Mayor is authorized to sign an agreement with MLFLW, LLC and Adirondack Coast Visitors Bureau to host “Tackle Warehouse Pro Circuit #5” from June 15 - 17, 2024.

2. RESOLVED: In accordance with the request therefore the Common Council approves that the Mayor is authorized to sign an agreement with MLFLW, LLC and Adirondack Coast Visitors Bureau to host “Toyota Series Northern Division #1” from July 11-13, 2024.

3. RESOLVED: In accordance with the request therefore the Common Council approves that the Mayor is authorized to sign an agreement with B.A.S.S. Events, LLC and Adirondack Coast Visitors Bureau to host “Bass Fishing Tournament” on July 24-26, 2024.

4. RESOLVED: In accordance with the request therefore the Common Council approves that the Mayor is authorized to sign an agreement with Reynolds Boats Northern Bass Tournaments and Adirondack Coast Visitors Bureau to host “Bass Tournament” on July 27, 2024.

5. RESOLVED: In accordance with the request therefore the Common Council approves that the Mayor is authorized to sign an agreement with American Bass Anglers and Adirondack Coast Visitors Bureau to host “Pro Series Divisional Bass tournament” on August 3, 2024.

6. RESOLVED: In accordance with the request therefore the Common Council approves that the Mayor is authorized to sign an agreement with B.A.S.S. Events, LLC and Adirondack Coast Visitors Bureau to host “Bass Fishing Tournament” on August 8-11, 2024.

7. RESOLVED: In accordance with the request therefore the Common Council approves that the Mayor is authorized to sign an agreement with MLFLW, LLC and Adirondack Coast Visitors Bureau to host “BFL Northeast #4” on August 17, 2024.

8. RESOLVED: In accordance with the request therefore the Common Council approves that the Mayor is authorized to sign an agreement with American Bass Anglers and Adirondack Coast Visitors Bureau to host “Solo 150 Series Divisional Bass tournament” on August 23, 2024.



## **RESOLUTION 12/21/2023**

### **7.240 AMEND THE MAYOR'S BUDGET FOR 2024 - DATA PROCESSING**

The Common Council wishes to amend the Mayor's Budget for 2024 by reducing Data Processing Contract Services by \$17,000.00 for the reduction of application services from ClearGov for the budget processing and the digital budget book applications, with a corresponding increase to Inter-fund Transfers to the Capital Fund of \$17,000.00 to maintain a balanced budget for 2024.

## **RESOLUTION 12/21/2023**

### **7.241 AMEND THE MAYOR'S BUDGET FOR 2024 - ASSESSMENT FEES**

The Common Council wishes to amend the Mayor's Budget for 2024 by increasing the Assessment Fees for Services by \$3,563.52 for the final amount for the assessment services contract agreed to by the Mayor and Clinton County Real Property Services, with a corresponding decrease in Inter-fund Transfer to the Capital Fund of \$3,563.52 to maintain a balanced budget.

## **RESOLUTION 12/21/2023**

### **7.242 AMEND THE MAYOR'S BUDGET FOR 2024 - DEBT SERVICE**

The Common Council wishes to amend the Mayor's Budget for 2024 by increasing the Debt Service Interest on Indebtedness total by \$133,242.10 due to the increase in estimated interest cost between the August 2023 estimated interest rate of 4%, for issuing a BAN to mature on 11/15/2024, versus the final rate of interest for the BAN at 4.75%, set on the sale date of 11/2/2023, with corresponding increases to the General, Water and Debt Service Funds' Inter-fund Debt Service Revenue Transfers with a corresponding off-set in the General Fund reducing the Inter-fund Transfers to the Capital Fund to maintain a balanced budget and an increase in the Appropriated Fund Balance in the Water Fund.

## **RESOLUTION 12/21/2023**

### **7.243 AMEND THE MAYOR'S BUDGET FOR 2024 - MLD DEBT SERVICE**

The Common Council wishes to amend the Mayor's Budget for 2024 by increasing the MLD Debt Service Interest on Indebtedness by \$3,912.21 due to the increase in estimated interest cost between the August 2023 estimated interest rate of 4%, for issuing a BAN to mature on 11/15/2024, versus the final rate of interest for the BAN at 4.75%, set on the sale date of 11/2/2023, with a corresponding decrease in estimated surplus from MLD operations.

**RESOLUTION 12/21/2023**

**7.244 AMEND THE MAYOR'S BUDGET FOR 2024 - DPW ST MAINT**

The Common Council wishes to amend the Mayor's Budget for 2024 by increasing the DPW Street Maintenance appropriations for Capital Outlay by \$50,000.00 with a corresponding increase in General Fund estimated revenue for State Aid CHIPS to provide for the purchase of additional vehicle traffic signaling and control devices.

**RESOLUTION 12/21/2023**

**7.245 AMEND THE MAYOR'S BUDGET FOR 2024 - COMMUNITY DEVELOPMENT  
REGULAR PAY**

The Common Council wishes to amend the Mayor's Budget for 2024 by increasing the Community Development Regular Pay appropriation by \$5,637.69 and decreasing the General Fund Contingency appropriation by \$5,637.69 and to increase WRRF Regular Pay appropriation by \$1,941.00, both to accommodate the half year pay increases for the six month period that a step 2 increase requires.

**RESOLUTION 12/21/2023**

**7.246 ADOPTING REVISED MANAGEMENT SALARY EFFECTIVE JANUARY 1,  
2024**

**RESOLUTION 12/21/2023**

**7.247 ADOPTING MANAGER COMPENSATION PACKAGE 602 OF THE  
EMPLOYEE HANDBOOK**



**RESOLUTION 12/21/2023**

**7.248 ADOPTING 2024 CITY OF PLATTSBURGH BUDGET (AS AMENDED)**

**RESOLUTION 12/21/2023**

**7.249 ADOPTING 2023 FINAL REVISED BUDGET**

**RESOLUTION 12/21/2023**

**7.250 AUTHORIZE EXTENSION TO MARINA MANAGEMENT AGREEMENT**

RESOLVED, in accordance with the request therefore the Common Council approves that the Mayor is authorized to sign an extension to the Marina Management Agreement between Oasis Marina LLC and the City of Plattsburgh, in a form approved by the Corporation Counsel, expiring February 11, 2024

## **RESOLUTION 12/21/2023**

### **7.251 AUTHORIZE MAYOR TO ATTEND NYCOM 2024 CONFERENCES/ LEGISLATIVE MEETINGS**

1. **RESOLVED:** In accordance with the request therefore the Common Council approves Mayor Rosenquest to attend the “NYCOM 2024 Winter Legislative meeting” in Albany, NY from February 4-6, 2024 at a cost not to exceed \$1,500.
2. **RESOLVED:** In accordance with the request therefore the Common Council approves Mayor Rosenquest to attend the “NYCOM 2023 Annual meeting” in Bolton Landing, NY from May 15-17, 2024 at a cost not to exceed \$1,800.
3. **RESOLVED:** In accordance with the request therefore the Common Council approves Mayor Rosenquest to attend the “NYCOM Fall Training School” in Saratoga, NY from September 16-20, 2024 at a cost not to exceed \$2,000.

## **RESOLUTION 12/21/2023**

### **7.252 AUTHORIZE TRAVEL REQUEST - POLICE DEPARTMENT**

Request for one Police Department employee to attend the “Basic Crash Management and Intermediate Crash Management course” on January 8-12, 2024 and February 5-9, 2024 in Albany, NY. The training is being held by DCJS. The total cost will not exceed \$759.00 as an additional employee was able to be included in this training (original request \$1,899.00 approved on 09-21-23) and it will be expensed out of the Training account.

**RESOLUTION 12/21/2023**

**7.253 AUTHORIZE TRAVEL REQUEST - FIRE DEPARTMENT**

Request for two Fire Department employees to attend the “EMT Basic Training” on January 15 - February 9, 2024 at Montour Falls Fire Academy, NY.. The total cost will not exceed \$3,008.00 and it will be expensed out of the Training account.

**RESOLUTION 12/21/2023**

**7.254 MAYORAL APPOINTMENTS - PLATTSBURGH PUBLIC LIBRARY BOARD OF TRUSTEES**

1. THE MAYOR HANDS DOWN THE APPOINTMENT OF LEANN YELTON TO THE LIBRARY BOARD BEGINNING ON DECEMBER 22, 2023 AND EXPIRING JUNE 30, 2028.
2. THE MAYOR HANDS DOWN THE APPOINTMENT OF CAITLIN BOPP TO THE LIBRARY BOARD BEGINNING ON JANUARY 1, 2024 AND EXPIRING JUNE 30, 2029.

**RESOLUTION 12/21/2023**

**7.255 MAYORAL APPOINTMENT - BOARD OF ASSESSMENT REVIEW**

THE MAYOR HANDS DOWN THE APPOINTMENT OF MIKE KELLY TO THE BOARD OF ASSESSMENT REVIEW FOR A FIVE YEAR TERM COMMENCING ON JANUARY 1, 2024 AND EXPIRING ON SEPTEMBER 30, 2028.



**RESOLUTION 12/21/2023**

**7.256 MAYORAL APPOINTMENT - POLICE CHIEF**

THE MAYOR HANDS DOWN THE PROVISIONAL PROMOTION OF PETER MITCHELL FOR THE POSITION OF POLICE CHIEF EFFECTIVE DECEMBER 22, 2023 FOR THE COMPENSATION SCHEDULE SET FORTH IN SECTION 52-287 OF THE CITY CODE AND IN ACCORDANCE WITH CIVIL SERVICE LAW.