

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~
~~City~~ of Watkins Glen
~~Town~~
~~Village~~

Local Law No. 8 of the year 19 90

A local law to Extend the Provisions of Subchapter F of the Uniform Fire...
(Insert title)
Prevention and Building Code to One and Two Family Rental Dwelling Units within the Village of Watkins Glen, and to provide for the Enforcement thereof.

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

~~County~~
~~City~~ of Watkins Glen
~~Town~~ as follows:
~~Village~~

1. Purpose. The purpose of this local law is to extend the provisions of Subchapter F, Housing Maintenance, of the New York State Uniform Fire Prevention and Building Code to all residential rental properties, including one and two family rental dwelling units, within the Village of Watkins Glen, and to provide for the enforcement thereof.
2. Scope. This law shall apply to residential rental premises within the Village of Watkins Glen, as follows:
 - a. Lots, plots or parcels of land on which residential buildings, buildings of mixed occupancy or accessory structures are locate;
 - b. Residential buildings, including one and two family dwellings and multiple dwellings;
 - c. Residential occupancies in buildings of mixed occupancy; and
 - d. Accessory structures, accessory to residential occupancies.
 - e. This law shall apply only to residential rental premises and not to owner-occupied single family dwellings.
3. Partial Invalidity. If a term, part, provision, section, subdivision or paragraph of this law shall be held unconstitutional, invalid or ineffective, in whole or in part, such determination shall not be deemed to invalidate the remaining terms, parts, provisions, sections, subdivisions and paragraphs.
4. Extension of Subchapter F. The provisions of Subchapter F, Housing Maintenance, of the New York State Uniform Fire Prevention and Building Code are hereby extended to apply to all residential rental properties, including one and two family rental dwelling units, within the Village of Watkins Glen.
5. Fire Protection Equipment. In addition to the provisions contained in Subchapter F for installation and maintenance of fire protection equipment, all residential rental properties within the Village of Watkins Glen shall contain at least one hard-wired smoke alarm, and at least one battery operated smoke alarm shall be installed in each dwelling unit as a back-up.

(If additional space is needed, please attach sheets of the same size as this and number each)

6. Enforcement. This law shall be enforced by the officer or agency of the Village of Watkins Glen charged with the enforcement of the New York State Uniform Fire Prevention and Building Code and shall be enforced pursuant to the local law governing enforcement of that code.

7. Penalties. Every person or agency who shall fail to comply with a violation order issued by the officer or agency of the Village of Watkins Glen charged with enforcement of this law within the time limit stated therein, shall be subject to the same charges and the same penalties as are provided in the New York State Uniform Fire Prevention and Building Code.

8. Fees for Inspections. The fees for inspections conducted to insure compliance with this law shall be set by the Board of Trustees of the Village of Watkins Glen. This fee schedule shall be published as a rule or regulation to the local law providing for the administration and enforcement of the New York State Fire Prevention and Building Code in compliance with Section 5 of that law. All fees are to be paid by the owner of the premises to be inspected.

9. Property Registration. The owner of any rental properties within the Village of Watkins Glen shall file a list of all such properties, including the number of tenants and dwelling units, annually on or before July 1 of each year unless there have been no changes in tenancy or ownership of the property from the previous year. A failure to file as specified herein shall subject the owner, upon conviction, to a fine of \$50.00. Notice to be mailed with the tax bill.

10. Variances and Appeals. Where recourse to the regional Board of Review, as provided in Part 440 of the Uniform Fire Prevention and Building Code is available, such review shall be the sole remedy available to the property owner. In all other cases (specifically one and two family rental dwelling units), the property owner may apply for an interpretation or a variance of this law to the Village of Watkins Glen Zoning Board of Appeals in the same manner as provided in the zoning ordinance of the Village of Watkins Glen, and the said zoning Board of Appeals shall have the power to vary or modify, in whole or in part, any provision or requirement of this law in any case where strict compliance with such provision or requirement would entail practical difficulties or unnecessary hardship or would otherwise be unwarranted, provided however, that any such variance or modification will not substantially adversely affect provisions for health, safety and security, and that equally safe and proper alternatives are prescribed.

When varying or modifying a provision or requirement of this law, the Village of WATkins Glen Zoning Board of Ap[peals, shall find that, in the particular case before it, strict compliance with the provision or requirement:

- a. Would create an undue economic burden;
- b. Would not achieve its intended objective;
- c. Would inhibit achievement of some other Local, State or Federal policy;
- d. Would be physically or legally impossible;
- e. Would be unnecessary in light of alternative which insure the achievement of the intended objective or which, without a loss in the level of safety, achieve the intended objective more efficiently, effectively or economically; or
- f. Would entail a change so slight as to produce a negligible additional benefit consonant with the purposes of this law.

11. Effective Date. This Local Law shall become effective 90 days following filing with the Secretary of State.

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 8..... of 1990.....
~~County~~
City
of the ~~Town~~ of Watkins Glen was duly passed by the ... Board of Trustees
Village (Name of Legislative Body)
on August 20..... 1990..... in accordance with the applicable provisions of law.

~~2. (Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer,* or repassage after disapproval.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. of 19.....
County
of the City of was duly passed by the
Town (Name of Legislative Body)
Village
on 19 not disapproved
and was approved by the
repassed after disapproval Elective Chief Executive Officer*
and was deemed duly adopted on 19, in accordance with the applicable provisions of law.~~

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19.....
County
of the City of was duly passed by the
Town (Name of Legislative Body)
Village
on 19 not disapproved
and was approved by the
repassed after disapproval Elective Chief Executive Officer*
on 19 Such local law was submitted to the people by reason of a
mandatory referendum, and received the affirmative vote of a majority of the qualified electors voting
permissive thereon at the special election held on 19, in accordance with the applicable
general provisions of law.
annual

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19.....
County
of the City of was duly passed by the
Town (Name of Legislative Body)
Village
on 19 not disapproved
and was approved by the
repassed after disapproval Elective Chief Executive Officer*
on 19 Such local law was subject to a permissive referendum and
no valid petition requesting such referendum was filed as of 19
in accordance with the applicable provisions of law.

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village or the supervisor of a town where such officer is vested with power to approve or veto local laws or ordinances.

~~5. (City local law concerning Charter revision proposed by petition.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. of 19 of the City of having been submitted to referendum pursuant to the provisions of ~~§36~~ ^{§37} of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the ~~special~~ ^{general} election held on 19..... became operative.~~

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19..... of the County of, State of New York, having been submitted to the Electors at the General Election of November, 19....., pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.
(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph above.


Jerry E. Gregory

Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: August 24, 1990

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK
COUNTY OFSCHUYLER.....

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.


.....
Signature

...Connie Fern Miller... Village Attorney
Title

Date: August 24, 1990

~~County~~
~~City~~ of ...Watkins Glen.....
~~Town~~
Village