

[RESOLUTION [18-3-2024]

WHEREAS, At the meeting held on August 20, 2024, the City Clerk/Chamberlain was authorized and directed to advertise for a Public Hearing to be held at the meeting of September 3, 2024 which began at 7:00 p.m. in the Council Chambers of the Municipal Building, Fulton, New York relative to amending Chapter 300 entitled "Electrical, Mechanical, and HVAC Licenses".

WHEREAS, At the September 3, 2024 Council meeting, Mayor Rice declared this public hearing open.

WHEREAS, Members of the public, members of the Common Council and all in attendance have been given an equal opportunity to express their written or oral comments regarding amending Chapter 300 entitled "Electrical, Mechanical, and HVAC Licenses".

WHEREAS, Mayor Rice asked for a motion to close the public hearing which was offered by Councilor Avery

And seconded by Councilor Patrick and unanimously carried.

Councilor Avery introduced the following and moved its adoption:

NOW THEREFORE BE IT RESOLVED, That the Public Hearing relative to amending Chapter 300 entitled "Electrical, Mechanical, and HVAC Licenses" is hereby approved.

Seconded by Councilor Farnham

Roll Call Vote:

Ayes: Councilors Farnham, Patrick, Cobb, Avery, Taylor

Nays:

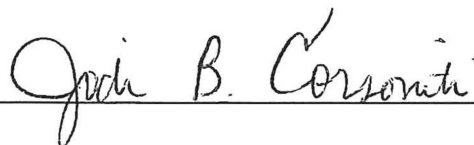
Excused: Councilor Chapman

Motion carried.

State of New York
County of Oswego ss:
City of Fulton

I, Jodi B. Corsoniti, City Clerk/Chamberlain of the City of Fulton, New York do hereby certify that I have compared the foregoing copy of this resolution with the original in my possession and that the same is a true and complete transcript thereof. I further certify that said resolution was adopted at a regular meeting of the Common Council of the City of Fulton held on the 3rd day of September 2024.

In witness whereof, I have hereunto set my hand and seal of the City of Fulton, New York on the 4th day of September 2024.



Jodi B. Corsoniti - City Clerk/Chamberlain

Local Law Filing

(Use this form to file a 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 Town Village
(Select one.)

of Fulton

Local Law No. 17 of the year 2024

A local law to amend section 300-22 entitled "Penalties for offenses" and section 300-28 entitled
(Insert Title)
"Composition of Board of Electrical Examiners"

Be it enacted by the Common Council of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of Fulton as follows:

Please see the attached sections of the City of Fulton Code to be amended.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that 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. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)

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

I hereby certify that the local law annexed hereto, designated as local law No. 17 of 20²⁴ of the ~~(County)(City)(Town)(Village)~~ of Fulton was duly passed by the Common Council on September 3 20²⁴, and was ~~(approved)(not approved)~~ (repassed after disapproval) by the Mayor and was deemed duly adopted on September 3 20²⁴, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was ~~(approved)(not approved)~~ (repassed after disapproval) by the _____ on _____ 20____.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

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

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was ~~(approved)(not approved)~~ (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

* 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 chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the 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 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (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 _____ 20____, 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 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, 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 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 2 above.

Opde B. Corsonich

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

Date: 9/30/2024

(Seal)

Chapter 300 Electrical, Mechanical and HVAC Licenses
Article I Mechanical and HVAC Licenses
§ 300-22 Penalties for offenses.

A. If the license holder is found guilty of charges pursuant to this article, a penalty may be imposed by the Board. Such a penalty may consist of the following:

- (1) For a first offense: placing of a license on probationary status for 30 days and/or a civil penalty not to exceed \$250, or both.
- (2) For a second offense: a civil penalty not to exceed \$500 and/or suspension of his or her license not to exceed a period of 60 days, or both.
- (3) For a third offense: a civil penalty not to exceed \$1000 or a suspension of his or her license not to exceed a period of 90 days, or both.

B. A non-license holder or license holder who shall violate any of the provisions of this article shall be guilty of a misdemeanor and, upon conviction thereof by a court of competent jurisdiction, shall be punished by a fine not to exceed \$500 or by imprisonment for a period not to exceed 15 days, or both, for each individual violation. In addition, said violator may be responsible for restitution if it is proved to the satisfaction of the court that, in the course of committing the violation, the violator performed substandard work.

[Amended 2-15-2000 by L.L. No. 2-2000, Amended 9-3-2024]

C. The penalties provided herein shall be cumulative and not exclusive and shall be in addition to any other remedies provided by law. Any and all penalties may be pursued concurrently or consecutively, and the pursuit of any penalty shall not be construed as an election or the waiver of the right to pursue any and all of the others.

D. Any license holder aggrieved by a decision of the Board pursuant to this article may apply to the Supreme Court for relief by proceeding under Article 78 of the Civil Practice Law and Rules. Such proceeding shall be governed by the provisions of Article 78 of the Civil Practice Law and Rules, except that it must be instituted as therein provided within 30 days after service of the Board's decision on the person alleged to be aggrieved.

Chapter 300 Electrical, Mechanical and HVAC Licenses

Article II Electrical Licenses

§ 300-28 Composition of Board of Electrical Examiners.

A. Composition; voting members. The Board of Electrical Examiners shall consist of the following voting members:

- (1)** One master electrician who holds an active electrical license issued by the City of Fulton.
- (2)** Three master electricians who hold electrical licenses issued by the City of Fulton.
- (3)** One electrical inspector, either employed by the City or employed by an inspection agency assigned to the City of Fulton.
- (4)** One electrical power company manager, owner/manager of a wholesale electrical supply company or an electrical instructor at a BOCES school or similar educational institution.

B. Composition; nonvoting/ex officio members. The Board shall consist of the following:

- (1)** One Bureau Chief of Code Enforcement or his legally designated representative. This individual shall act as an advisor member to the Board regarding code rules and regulations.
- (2)** One secretary who shall take and transcribe minutes of each meeting.