

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, August 14, 2024, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 315.24

TO ENACT INTRODUCTORY LOCAL LAW NO. 14 OF 2024; TO AMEND CHAPTER 264 SECTION 9, ENTITLED “VEHICLES AND JUNK, OUTSIDE STORAGE OF - PENALTIES FOR OFFENSES” OF THE CODE OF THE TOWN OF ROTTERDAM

THEREFORE, UPON MOTION OF Councilmember DODSON, seconded by Councilmember MASTROIANNI,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board hereby enacts Introductory Local Law No. 14 of 2024.

SECTION 2. The Town Clerk is directed, following consultation with the Attorney to the Town, to file said Local Law in final form with the New York State Department of State.

SECTION 3. This resolution shall become effective August 14, 2024.

DATED: August 14, 2024

NAME	AYES	NOES	ABSTAIN
Dodson	X		
Mastroianni	X		
Gallucci	X		
Schlag	X		
Collins	X		

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board Meeting of the Town of Rotterdam on August 14, 2024, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk’s office.

I DO FURTHER CERTIFY that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this August 19, 2024.



Diane M. Marco

Diane M. Marco, Town Clerk

TOWN OF ROTTERDAM

John F. Kirvin Government Center • 1100 Sunrise Boulevard • Rotterdam, NY 12306
Telephone: 518-355-7575 • Fax: 518-355-7976 • Website: www.rotterdamny.org



LEGISLATIVE REQUEST FORM

DATE: July 15, 2024

TO: Mollie Collins, Town Supervisor

FROM: Jeffery Briere – Building Inspector

TITLE OF REQUEST: Call for Public Hearing on proposed Administration Fee for the Outside Storage of Vehicles and Junk Violations Town Code Chapter 264.

TOWN BOARD MEETING: August 14, 2024

Background Information: The Town of Rotterdam does not currently charge a fee for the preparation and issuance of a Notice of Violation for Outside Storage of Vehicles and Junk. Town staff is recommending that a \$100 fee be charged for this administrative action.

Evaluation/Analysis: The staff time, mileage, certified mail postage, and other administrative costs to respond and generate a notice of violation costs a considerable amount of time and money. These costs are currently not being recovered and the taxpayers that do not have outside storage of vehicle and junk violations are absorbing these costs.

Recommendation(s): Public Hearing on Proposed Local Law held on August 14, 2024. Town Board should consider adoption of the proposed Code Amendment.

Attachment/Document(s): Draft Local Law Modification

Compliance with Purchasing Policy: N/A

Effect(s) on Existing Law(s): Chapter 264 – Vehicles and Junk, Outside Storage of

LEGISLATION WILL BE PREPARED BY: Attorney for the Town

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 Rotterdam

Local Law No. 14 of the year 20²⁴

A local law to amend chapter 264 section 9, entitled "vehicles and junk, outside storage of -
(Insert Title)
penalties for offenses" of the code of the Town of Rotterdam

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

County City Town Village
(Select one:)

of Rotterdam as follows:

See Attached

(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. 14 of 2024 of the (County)(City)(Town)(Village) of Rotterdam was duly passed by the Town Board on August 14 2024, 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. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 20 , 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 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. *(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) *(Name of Legislative Body)* (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.

* 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 _____ above.



Mary M. Munn
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 8/20/2014

Chapter 264 Vehicles and Junk, Outside Storage of

§ 264-9 Penalties for offenses.

A.

(Reserved)^[1]

[1]

Editor's Note: Former Subsection A, concerning penalties for a violation, was repealed 6-12-2013 by L.L. No. 7-2013. See now Subsection C.

Any person issued a notice of violation pursuant to any provision of this chapter shall be subject to an administrative fee of \$100 for each notice. Such administrative fee shall be charged against the land upon the notice of violation was issued as a municipal lien or such administrative fee shall be added to the tax rolls as an assessment of levied as a special tax against said property or recovered in a civil suit against the person(s) to which the notice of violation was issued.

B.

In addition to the enforcement in a criminal proceeding by fine or imprisonment, this chapter may be enforced by instituting a special proceeding as authorized by Article 4 of the Civil Practice Law and Rules to compel compliance with the provisions of this chapter or to restrain by injunction any violation thereof, or to obtain any other appropriate relief.

C.

Any violation of this chapter by any person, firm or corporation shall constitute a violation and shall be punishable by a fine not less than \$500 and no more than the sum of \$1,000 or imprisonment for a period not to exceed 15 days, or both, for conviction of a first offense. Each subsequent violation will be punishable by a fine of not less than \$1,000 nor more than \$2,000 or imprisonment for a period not to exceed 15 days, or both. Each day of continued violation shall constitute a separate, additional offense.

[Amended 6-12-2013 by L.L. No. 7-2013]

**TOWN OF ROTTERDAM
NOTICE OF HEARING**

PLEASE TAKE NOTICE: That the Town Board of the Town of Rotterdam will hold a public hearing at the John F. Kirvin Government Center, Town Hall, 1100 Sunrise Boulevard, Rotterdam, New York 12306 at 7:00 p.m. on the 14th day of August, 2024 for the following purpose:

To Recognize The Introduction Of Introductory Local Law No. __ Of 2024; To Amend Chapter 264 Section 9, Entitled "Vehicles and Junk, Outside Storage Of - Penalties for Offenses" of the Code of the Town of Rotterdam, by adding an administrative fee for violations.

**BY ORDER OF THE ROTTERDAM TOWN BOARD
DIANE M. MARCO, TOWN CLERK**

DATED: July 10, 2024

Daily Gazette: Please publish once on July 12, 2024

Town Clerk

Post

PUBLIC HEARING #3

8/14/24

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[Amended 6-12-2013 by L.L. No. 7-2013]