

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 PORT JERVIS

Local Law No. 2 of the year 2016

A local law WHICH WOULD PERMIT THE ADDITION OF DELINQUENT AND UNPAID
(Insert Title)
BUILDING FEES, PENALTIES, FINES OR OTHER CHARGES DUE UNDER CHAPTER
231 OF THE PORT JERVIS CITY CODE OR ANY OTHER ARTICLE OR SECTION OF
THE PORT JERVIS CITY CODE TO BE ADDED TO CITY TAX BILLS FOR COLLECTION

Be it enacted by the COMMON COUNCIL of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of PORT JERVIS

as follows:

SEE ANNEXED PAGES.

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

CITY OF PORT JERVIS, ORANGE COUNTY, NEW YORK
LOCAL LAW NO. 2 OF 2016

A LOCAL LAW WHICH
WOULD PERMIT THE ADDITION OF DELINQUENT
AND UNPAID BUILDING FEES, PENALTIES,
FINES OR OTHER CHARGES DUE UNDER
CHAPTER 231 OF THE PORT JERVIS CITY CODE
OR ANY OTHER ARTICLE OR SECTION OF THE PORT
JERVIS CITY CODE TO BE ADDED TO CITY
TAX BILLS FOR COLLECTION

1. Purpose. The purpose of this local law is to add a collection option for the City of Port Jervis and/or the Building Department of the City of Port Jervis when fees, penalties or fines under Chapter 231 of the Port Jervis City Code have not been paid by individuals who are obligated to pay same.

2. Legislation. If there shall be any payments which are due to the City of Port Jervis and/or the Building Department thereof, pursuant to any Article or Section of the Port Jervis City Code, including fees, penalties or fines due under Chapter 231 of the Code, which shall remain due and unpaid, in whole or in part, for a period of twenty (20) calendar days from the date of billing by the City of Port Jervis, or twenty (20) calendar days from the date of any Court Order to pay same, the same shall constitute a default and there shall be added to the entire amount of the original bill, a penalty equal to five (5%) percent per month of the original bill, retroactive to the date of the original billing. The Building Official of the City of Port Jervis shall keep a record of these delinquent/unpaid fees, penalties and fines and report same to the City Clerk-Treasurer and the Corporation Counsel of the City of Port Jervis after said twenty (20) day period has expired.

In the event that there are any Building Department fees, penalties or fines or other service charges which shall have been delinquent for a period of at least forty-five (45) calendar days as of December 15th of any year as described in this Section, the City Clerk-Treasurer shall report the names of the defaulting persons to the City of Port Jervis, Common Council and the Mayor, on or before December 15th of the same year. The City of Port Jervis City Clerk-Treasurer is hereby directed to add the entire amount of the Building Department fees, penalties or fines or other service charges which shall be in default, plus penalties and interest, as provided for in this Law, to the real property taxes due and owing to the City of Port Jervis in the next succeeding year, and the City of Port Jervis City Clerk-Treasurer is directed to collect same in the same manner as real property taxes due and owing to the City of Port Jervis are collected.

Where charges are delinquent and the violator is not a resident of the City of Port Jervis, or is located outside the geographical boundaries of the City of Port Jervis, then the Corporation Counsel of the City of Port Jervis is authorized to seek recovery of charges, including punitive damages, in a Court of competent jurisdiction.

PLEASE TAKE NOTICE TO THE EXTENT THAT THIS LOCAL LAW MAY CONFLICT WITH APPLICABLE PORTIONS OF THE GENERAL CITY LAW OF THE STATE OF NEW YORK, IT IS THE STATED INTENTION OF THE CITY TO EXERCISE ITS AUTHORITY TO SUPERSEDE AND AMEND, AS GRANTED UNDER THE MUNICIPAL HOME RULE LAW OF THE STATE OF NEW YORK, SECTION 10. THE CITY HEREBY PROVIDES NOTICE THAT IT IS EXERCISING ITS AUTHORITY TO SUPERSEDE AND AMEND PURSUANT TO MUNICIPAL HOME RULE LAW OF THE STATE OF NEW YORK SECTION 22.

(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. 2 of 20 16 of the ~~County~~(City)(Town)(Village) of PORT JERVIS was duly passed by the COMMON COUNCIL on 21 8 20 16, and was (approved)(not approved) (repassed after disapproval) by the MAYOR and was deemed duly adopted on FEBRUARY 8 20 16, 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.



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

Date: 2/10/2016.

(Seal)