

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 Cortland

FILED
STATE RECORDS

DEC 30 2016

DEPARTMENT OF STATE

Local Law No. 9 of the year 2016

A local law to amend section 220 of the City Code regarding the Clean-up of former Clandestine Labs.
(Insert Title)

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

County City Town Village
(Select one.)

of Cortland

as follows:

(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. 9 of 2016 of the (County)(City)(Town)(Village) of Cortland was duly passed by the Common Council _____ on December 20 2016, 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
(Elective Chief Executive Officer)*
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.)

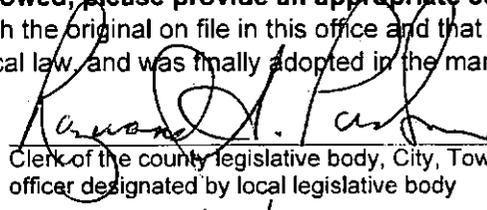
I hereby certify that the local law annexed hereto, designated as local law No. 9 of 2016 of the City of Cortland having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on December 20 2016, 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.



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

Date: 12/21/2016

(Seal)



CITY OF CORTLAND, NEW YORK
LOCAL LAW NO. _____ OF THE YEAR 2016
Filed with the NYS Department of State on _____, 2016
CITY OF CORTLAND CLEAN-UP OF FORMER CLANDESTINE LABS

Section 1. Enactment and Title.

This Local Law shall be entitled “Clean-up of former Clandestine Lab’s”

Section 2. Authorization, Purpose and Intent.

The purpose of this law is to authorize the Cortland Fire Department to prohibit the re-occupancy of former Clandestine Lab until such time as testing shows the premises/dwelling to be free of harmful chemical residue. The City desires to protect those innocent citizens who may rent such a dwelling from the negative health impacts from exposure.

Pursuant to the New York State Constitution, the Common Council of the City of Cortland may adopt and amend laws pertaining to the protection, conduct safety, health and well-being of the persons and property in the City. Similarly, the Charter of the City of Cortland provides that the Common Council may enact and enforce any ordinance (not repugnant to the constitution or laws of the state) for any local purpose (except fluoridation of the water supply) pertaining to the preservation of order, peace and health, and the safety and welfare of the City and the inhabitants thereof.

Neither the State of New York nor the County of Cortland has taken a legislative interest in regulating exposure to chemical residue. The City of Cortland will be taking the first step toward this regulation.

New legislation:

This local law shall amend City Code Sections 220-17, and 220-18 as follows: (changes are old and italics)

§220-17

NUISANCE

- (1) Any condition so defined by City law, the statutes of the State of New York or the ordinance of the City of Cortland.
- (2) Any condition that may prove attractive but detrimental to the health or safety of children, whether in a building on the premises or upon an unoccupied lot.
- (3) Physical conditions dangerous to human life or detrimental to health of persons on or near the premises where the conditions exist.
- (4) Conditions which render air, food or drink unwholesome or detrimental to the health of human beings.
- (5) *Byproducts of the Clandestine Labs, including but not limited to Meth.*

§220-18 Emergency situations.

Where the violations or conditions existing on the premises are of such a nature as to constitute a nuisance immediate threat to life and limb unless abated without delay, the enforcement officer shall condemn the building and may either abate the violation or condition immediately or order the owner, occupant or operator to correct the violation or condition within a period of time not to exceed three days. Upon failure to do so, the enforcement officer shall abate the condition subject to the provisions of §220-12 of this chapter.

Section 3. Effective Date.

This Local Law shall take effect immediately upon filing in the Office of the New York Secretary of State in accordance with the Municipal Home Rule Law.

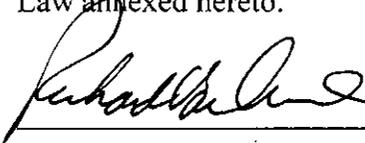
I hereby certify that the Local Law annexed hereto, designated as Local Law No. 9 of 2016 of the City of Cortland was duly passed by the City Board on December 22, 2016, in accordance with the applicable provisions of law.

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 the above paragraph.

(Seal) Date: December 22, 2016

STATE OF NEW YORK
COUNTY OF CORTLAND

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.


City Attorney