

## 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 Volney

FILED  
STATE RECORDS

DEC 14 2023

Local Law No. 4 of the year 20 23

DEPARTMENT OF STATE

A local law for the administration of the Housing Maintenance Regulations  
(Insert Title)  
contained in the New York State Uniform Fire Prevention and  
Building Code to enhance and protect the safety, health and  
welfare of the residential neighborhoods of the Town of Volney.

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

☐ County ☐ City ☒ Town ☐ Village  
(Select one.)

of Volney as follows:

### SECTION 1: TITLE

This shall be known as Local Law 4 of the year 2023, a local law for the administration of the Housing Maintenance Regulations to enhance and protect the safety, health and welfare of the residential neighborhoods in the Town of Volney.

### SECTION 2: LEGISLATIVE INTENT

This Local Law provides for the administration of the Housing Maintenance Regulations contained in the New York State Uniform Fire Prevention and Building Code to enhance and protect the safety, health and welfare of the residential neighborhoods of the Town of Volney.

(If additional space is needed, attach pages the same size as this sheet, and number each.)  
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### SECTION 3: DEFINITIONS

As used in this section, the following terms shall have the meanings indicated:

**RENTAL DWELLING UNIT** – Any dwelling in the Town that is occupied for housekeeping purposes by someone other than the owner of the property, including one or two-family dwellings, multiple dwellings or mixed-use residential use buildings.

### SECTION 4. REGISTRATION OF RENTAL DWELLING UNITS

- A. Owners and lessors of rental dwelling units or their respective agents shall, within one year after the effective date of this Local Law or 90 days from the date of mailing of registration forms by the Code Enforcement Officer, whichever occurs first, file with the Code Enforcement Officer, on a registration form supplied by him, the following information:
1. The names and addresses of the owner or lessor, and of their respective agents, upon whom violation orders may be served.
  2. A description of the property, by street and number or otherwise, as will enable the Code Enforcement Officer to locate the same.
  3. Such other appropriate information as may be requested, including but not limited to the use of the premises, available facilities, the number of dwelling units and the size of rooms, together with a schematic drawing showing the typical floor layout of the units and rooms with appropriate designations and identifications.
- B. Change in ownership. Upon any change in ownership, the new owner or lessor, or their respective agents, shall re-register the rental dwelling unit(s) with the Code Enforcement Officer within 30 days.
- C. Fee. The Town Board may establish a fee, upon resolution, to be paid by the owner of the rental dwelling unit to offset the cost of registering and inspecting the rental dwelling unit in accordance with this Local Law.

### SECTION 5. CERTIFICATE OF COMPLIANCE

- A. No rental dwelling unit shall be occupied until and unless a certificate of compliance has been issued by the Code Enforcement Officer certifying that such rental dwelling unit conforms to the housing maintenance provisions of the New York State Uniform Fire Prevention and Building Code, this section and other applicable local laws and regulations, except that a temporary certificate may be issued upon showing, to the

satisfaction of the Code Enforcement Officer, that remedial action is being taken to correct violations.

- B. A certificate of compliance shall be valid for three years from the date of issuance.
- C. A certificate may be revoked, by written notice thereof, if, upon an inspection, the rental dwelling unit is found to be in violation of the housing maintenance provision of the New York State Uniform Fire Prevention and Building Code or this section.

#### SECTION 6. HOUSING MAINTENANCE INSPECTIONS

All structures containing rental dwelling units shall be inspected for compliance with the housing maintenance provisions of the New York State Uniform Fire Prevention and Building Code or other law or regulation at least once each 36 months, and upon the request of any owner or tenant, or at any time prior to the issuance of a certificate of compliance required by Section 5 of this Local Law.

#### SECTION 7. SEVERABILITY

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

#### SECTION 8. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the Secretary of State.

(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. 4 of 20 23 of the ~~(County)(City)(Town)(Village)~~ of Volney was duly passed by the Town Board on October 19, 20 23, in accordance with the applicable provisions of law.

**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 1 above.

*Carol Kerfien*

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

Date: October 20, 2023

(Seal)

