

Local Law Number 2, 2008

A local law to amend the Code of the Village of Scotia, New York
Relating to a Rental Dwelling Property Registry

Be it enacted as by the Board of Trustees of the Village of Scotia as follows:

Section 1.

A new Village Code Chapter entitled, "Rental Dwelling Property Registry", is added to include the following:

Rental Dwelling Property Registry

§ 1. Purpose and legislative intent.

The purpose of this Chapter is to protect the health, safety and welfare of Village residents and establish a procedure and standards for the identification and registration of rental dwelling properties to ensure that the Village has an efficient and effective means of communicating with those persons and companies who own rental dwelling properties. The Village finds and declares that the registration of rental dwelling property is intended to and will ensure the protection of persons and property in residential rental structures required to be registered under this Chapter as well as the public.

§ 2. Scope.

Except as hereinafter provided, this law shall apply to every property with rental dwelling unit(s) that is leased, rented, let, assigned or otherwise classified as a rental property, with or without valuable consideration, by an absentee owner or a legal agent on behalf of the owner.

§ 3. Definitions.

The following terms shall apply in the interpretation and enforcement of this Chapter:

AGENT — Any person who has charge, care or control of a building, or part thereof, in which rental dwelling units are let.

DWELLING — Any building which is wholly or partly used or is intended to be used as habitable space for human occupants.

OWNER — Any person or entity who, alone or with others, has legal or equitable title.

OWNER-OCCUPIED DWELLING — A dwelling occupied in whole or in part by its owner.

RENTAL DWELLING UNIT — Any room or contiguous group of rooms located within a building and forming a single, habitable living space for one family other than the owner.

RENTAL DWELLING PROPERTY – Property containing one or more rental dwelling units not including single family detached buildings.

§4. Registry of Rental Dwelling Property Required.

All rental dwelling property shall be registered with the Village Clerk by the owner as required herein. Such registration shall apply to every property with rental dwelling unit(s) that are leased, rented, let, assigned or otherwise classified as a rental dwelling property, with or without valuable consideration. Such registration shall not apply to owner-occupied rental dwelling property where the owner resides at the rental dwelling property on a full-time basis and it being the domicile of the owner.

§ 5. Registration of existing and new rental dwelling property.

- A. All rental dwelling property existing as of the effective date of this Chapter shall be registered on or before December 1, 2008.
- B. The owner of a new rental dwelling property or any property newly converted to a rental property dwelling shall register the property prior to allowing occupancy of any new rental dwelling unit.

§ 6. Change in registry information.

The owner of any rental dwelling property already registered with the Village shall reregister within 30 days after any change occurs in registration information. A new owner of a registered rental dwelling property shall reregister the property within 60 days of assuming ownership.

§ 7. Registration of rental dwelling property.

The Village shall maintain a registry of all rental dwelling property containing the following information that shall be provided by the owner on forms available from the Village Clerk:

- A. The name, legal residence address, mailing address, home and business telephone number, cell phone number and fax number of the owner and any agent in control of the rental dwelling property, and, in the event the owner or agent is not a natural person, then the owner information shall be that of the president, general manager or other officer or principal responsible for the management of the premises for the organization. Where more than one natural person has an ownership interest, the required information shall be included for each owner.
- B. The number of rental units in the dwelling.

- C. The address of the rental dwelling property.
- D. A description of the rental dwelling property by street number, or block and lot, including tax map identification number.
- E. If neither the address of the owner or the address of the agent, as provided in Paragraph A, are within Schenectady County, the name, legal residence or business address within Schenectady County and telephone number of a natural person who shall be an agent for service of notices and orders issued under this Chapter and for service of process in connection with the prosecution of violations of this chapter in Village Court or other court of competent jurisdiction shall be provided.

§ 8. Failure to register; inaccurate or incomplete information.

It shall be a violation of this Chapter for an owner or a responsible person to provide inaccurate information for the registry of rental dwelling property or to fail to provide the information required herein for the registry.

Section 9. Enforcement.

This Chapter shall be enforced by the Building Inspector.

§ 10. Penalties for offenses.

Any person, firm or corporation violating any provision of this Chapter shall, upon conviction thereof, be punishable by a fine of not more than two hundred fifty dollars (\$250) or imprisonment for a term not to exceed fifteen (15) days, or both.

§11. Severability.

If any provision, clause, sentence, or paragraph of this law or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this law.

SECTION 2. Effective Date

This local law shall take effect immediately.