

CITY OF RENSSELAER

LOCAL LAW NO. 9 OF THE YEAR 2021.

**A Local Law to Amend Section 121-71
of the Code of the City of Rensselaer,
New York, Relative to Emergency
Actions**

Be it enacted by the Common Council of the City of Rensselaer as follows:

ARTICLE I. INTENT

This Local Law shall be known as Local Law No. 9 of 2021, and shall amend Section 121-71 of the Code of the City of Rensselaer, New York, relating to Emergency Actions. This Local Law amends and supersedes all previously adopted Local Laws concerning such Section of the Code of the City of Rensselaer. The purpose of this Local Law is to update such Section of the City Code so as to be in conformity with the Laws of the State of New York and specifically detail Emergency Actions and Procedures to be followed in the City of Rensselaer in Emergency Situations.

ARTICLE II. LEGISLATIVE ACTION

The Common Council of the City of Rensselaer, New York, hereby amends Section 121-71 of the Code of the City of Rensselaer, New York, so as to read as follows:

§ 121-71. Emergency actions.

As delegated pursuant to Title IV, Section 79 of the Charter of the City of Rensselaer, whenever the chief officer, at any stage of the investigations and inspections authorized under the provisions of this code, in particular, Article VI of this Chapter (Property Maintenance Requirements), or pursuant to New York State Actions and Proceedings Law, Sections 1307, 1308, 1309, or 1392, finds that a violation of this code exists which, in his or her opinion, requires immediate action to abate a direct hazard or immediate danger to the health, safety or welfare of the occupants of a building or of the public at large, he or she may, without prior notice or hearing, issue an emergency order citing the violation and directing applicable City Officers and/or Employees to take such action as may be necessary to remove or abate the hazard or danger. A copy of such emergency order shall be provided to the City Mayor before issuance. Such emergency order may include

an order to vacate and to authorize entry upon such property to effectuate the necessary removal or abatement of the imminent hazard or danger.

Notwithstanding any other provision of this code, such an emergency order shall be effective immediately, and shall be complied with immediately or as otherwise provided by the chief officer. Any cost incurred by the City in effectuating the aforementioned removal or abatement shall be a charge against the appropriate responsible party, and against the real property itself. The chief officer shall file in his or her records an affidavit stating with fairness and accuracy the items of expense and date such expenses were incurred, and provide a copy of same to the City Mayor, City Common Council, City Treasurer, City Assessor and City Clerk.

ARTICLE III. EFFECTIVE DATE

This Law shall take effect immediately upon its filing with the Office of the New York State Secretary of State.

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as Local Law No. 9 of 2021 of the City of Rensselaer was duly passed by the Common Council on _____, 2021, in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as Local Law No. 9 of 2021 of the City of Rensselaer was duly passed by the Common Council on _____, 2021, and was (approved)(not approved) (repassed after disapproval) by the Elective Chief Executive Officer*, Mayor Michael Stammel, and was deemed duly adopted on _____, 2021.

INFORMATION ONLY

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as Local Law No. ____ of 202__ of the City of Rensselaer was duly passed by the _____ on _____, 200__, and was (approved)(not approved)(repassed after disapproval) by the Elective Chief Executive Officer*, _____ on _____, 200__. 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 _____, 200__, 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 202__ of the City of Rensselaer was duly passed by the Common Council on _____, 202__, and was (approved)(not approved)(repassed after disapproval) by the Elective Chief Officer*, Mayor Michael Stammel, on _____, 202__, and no valid petition requesting such referendum was filed as of _____, 202__, in accordance with the applicable provisions of law.

INFORMATION ONLY

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 200__ 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 _____, 200__, became operative.

* Elective Chief 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.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. ____ of 200__ of the County of _____ State of New York, having been submitted to the electors at the General Election of November ____, 200__, 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.

(Seal)

INFORMATION ONLY

Clerk of the County Legislative Body, City, Town or Village
Clerk or officer designated by local legislative body

Date: _____

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

State of New York
County of Rensselaer

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.

INFORMATION ONLY

CITY OF: RENSSELAER

Date: _____