

CITY OF CORTLAND, NEW YORK
CITY OF CORTLAND PARKING PROHIBITED IN DESIGNATED LOCATIONS

Section 1. Enactment and Title.

The City Council of the City of Cortland does hereby amend Chapter 11 § 63 "Parking Prohibited In Designated Locations". Section B(1).

Section 2. Authorization, Purpose and Intent.

The City has determined that it is necessary to modify its present Parking Prohibited In Designated Locations.

Section 3. Parking, Standing and Stopping

(1) The parking of vehicles is hereby prohibited in any of the following locations:

Highway	Side	Boundaries
Prospect Terrace	South	From Calvert Street extending east 75' to a point

Section 4. 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. ___ of 2016 of the City of Cortland was duly passed by the City Board on _____, 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: _____

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

Chapter 220

PROPERTY MAINTENANCE

[HISTORY: Adopted by the City of Cortland City Council, _____ as Ord. No. _____.
Amendments noted where applicable.]

GENERAL REFERENCES

ARTICLE I

§ 220-1. Title; findings; purpose.

- A. Title. This chapter shall be known as the "Property Maintenance Code of the City of Cortland" and may be referred to in this chapter in the short form as the "code" or "chapter."
- B. Findings and declaration of policy. Experience and observations have shown that lack of maintenance of real property may lead to progressive deterioration and loss of property values. Through the establishment of the regulations and restrictions contained herein, the desirability of residential and nonresidential uses and the amenities of neighborhoods will be enhanced and the general health, safety and welfare of all residents will be fostered and protected.
- C. Purpose.
 - 1. The purpose of this chapter is the following:
 - a. To protect the public health, safety and welfare by establishing minimum standards governing the maintenance, appearance and condition of residential and nonresidential premises.
 - b. To fix certain responsibilities upon owners, operators, occupants and other persons.
 - c. To authorize and establish procedures for the inspection of residential and nonresidential premises.
 - d. To fix penalties for the violations of this chapter and provide procedures for correcting violations in those cases requiring City action.
 - e. This chapter is hereby declared to be protective, preventive and essential for the public interest, and it is intended that this chapter be liberally construed to effectuate the purposes stated herein.
 - f. This chapter replaces previous property Maintenance Code Section

§ 220-2. Definitions; word usage.

- A. Words and terms in this chapter that are defined in §300-103, Chapter 300, Zoning, of the Code of the City of Cortland are consistent in definition.

- B. The following terms, wherever used herein or referred to in this code, shall have the respective meanings assigned to them, unless a different meaning clearly appears from the context:

CITY - Includes all areas within the City of Cortland, including both public and private areas.

COMMERCIAL GARAGE - Any business repairing motor vehicles or any part thereof.

COMMERCIAL VEHICLE — All trucks, vans, construction equipment and limousines, bearing commercial license plates that are in excess of four (4) tons net weight.

DETERIORATION — The condition or appearance of a building or part thereof characterized by holes, breaks, rot, crumbling, crackling, peeling, rusting or other evidence of physical decay or neglect, lack of maintenance or excessive use.

EXPOSED TO PUBLIC VIEW — Any premises or part of any premises which may be lawfully viewed by the public or any member thereof.

EXTERIOR OF THE PREMISES — Those portions of a building which are exposed to public view and the open space of any premises outside of any building erected thereon.

EXTERMINATION — The control and elimination of insects, rodents and vermin.

FRONT YARD — That space on the same lot with a principal building situated between the front street line or lines and the front line of the building projected to the side property lines. The depth of the "front yard" shall be measured along a line perpendicular to the front street line or right-of-way line from the point of the foundation of the structure or building closest from such street line.

GARBAGE — Putrescible animal and vegetable waste resulting from the handling preparation, cooking and consumption of food.

INFESTATION — The presence of rodents, vermin, insects or other pests on the premises which constitutes a health hazard.

JUNK VEHICLE - Any motor vehicle, whether automobile, bus, trailer, truck, tractor, mobile home, motorcycle, motor bicycle, minibicycle or snowmobile, or any other contraption originally intended for travel on the public highways which is abandoned, stored, left or located by its owner or any other person, or is permitted or condoned to be abandoned, stored, left or located by its owner or any other person, on public or private premises in the City of Cortland, outside any establishment duly licensed by the City of Cortland for the storage of junk vehicles which:

- (1) Is not registered by the State of New York for operation on public highways and which has not been registered during the preceding 12 months; or
- (2) Is not currently registered and not in a condition for legal use on the public highways; a vehicle which is in condition to pass the requirements for the New York state motor vehicle inspection sticker shall be deemed to be in condition for legal use on the public highways (the lack of a current registration or a current inspection permit shall not be considered in determining whether a vehicle is in such condition); or
- (3) Is no longer intended to be used on the public highways, the condition of the vehicle and circumstances surrounding its storage or abandonment being admissible for purposes of determining such intent; or
- (4) Is being held or used for the purpose of resale of used parts therefrom or for the purpose of reclaiming for some or all of the materials therein, or for the purpose of disposing of the same.

NUISANCE:

1. Any condition so defined by City law, the statutes of the State of New York or the ordinances 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.

OCCUPANT — Any person having actual possession of a premises.

OPEN STORAGE - Storage other than in a completely enclosed structure, such as a garage, and such structure shall be constructed in accordance with the City of Cortland building code.

OWNER — Any person or entity who, alone or jointly or severally with others, has legal or equitable title in any form to any premises, with or without actual possession thereof, or who shall have charge, care or control of any dwelling or premises as owner or agent of the owner, including but not limited to a fiduciary, executor, administrator, trustee, receiver or guardian of the estate or as a mortgagee in possession.

PERSON - Includes natural persons, corporations, partnerships, unincorporated association or any other organization of two or more persons.

PREMISES — A lot, plot or parcel of land, including the buildings or structures thereon.

REFUSE — All nonputrescible solid wastes, including but not limited to abandoned vehicles and recreational equipment and parts thereof, abandoned machinery and parts thereof, household furnishings, dead animals, debris, junk, appliances, rubbish, scrap lumber, stumps, tires, trash, grass and yard clippings. (See also "garbage.")

REPAIR SETTLEMENT - Determination by whatever means, including settlement of a claim, arbitration or legal action that any person other than the owner of a vehicle is liable to pay or will pay for the repair of damage to a vehicle resulting from any vehicular accident.

UNOCCUPIED BUILDING - An "unoccupied building" shall mean any structure intended for residential or commercial use which is not currently

occupied or in use. For the purpose of the enforcement of this chapter, a presumption shall exist that a structure unoccupied for six (6) months or more is not currently occupied/in use.

WRECKER - Any business operating a vehicle for towing or hauling other motor vehicles.

WRECKER-COMMERCIAL GARAGE - Any business operating as a Wrecker and as a commercial garage or any two businesses operating such two businesses from the same parcel of property or any two such businesses having 50% common ownership.

§ 220-3. Compliance required.

All structures and premises, residential, commercial and industrial shall comply with the provisions of this chapter, whether or not those structures and premises have been constructed, altered or repaired before or after the enactment of this chapter and irrespective of any permits or licenses which may have been issued for their use or occupancy prior to the effective date of this chapter. Unoccupied lots, lands and premises are also required to comply with the provisions of this chapter.

§ 220-4. Stricter standards to prevail.

In any case where the provisions of this code impose a stricter standard than set forth in any other ordinance of the City of Cortland or under the laws or regulations of the State of New York, then the standards as set forth herein shall prevail. If the provisions of this code impose a lower standard than any other ordinance of the City of Cortland or of the laws and regulations of the State of New York, then the higher standard contained in any such ordinance or law shall prevail.

§ 220-5. Compliance with other ordinances.

No certification of compliance with this code shall constitute a defense against any violation of any other ordinance of the City of Cortland applicable to any structure or premises.

§ 220-6. Duties and responsibilities of owners, operator and occupants.

- A. Owners. Owners and shall have all the duties and responsibilities as prescribed in this code, and no other owner shall be relieved from any such duties and responsibilities nor be entitled to defend against any charge of violation thereof by reason of the fact that the occupant is also responsible therefor and in violation thereof.
- B. Occupants. Occupants shall have all the responsibilities and duties as prescribed in this code, and the occupant shall not be relieved from any such duties and responsibilities nor be entitled to defend against any charge of violation therefor and in violation thereof.

- C. Contract not to alter responsibilities. Unless expressly provided to the contrary in this code, the respective obligations and responsibilities of the owner on the one hand and the occupant on the other shall not be altered or affected by any agreement or contract by and between any of the aforesaid or between them and other parties.

ARTICLE II.

§ 220-7. Maintenance.

- A. It shall be the duty of the owner and/or occupant to keep the exterior of the premises in good repair, structurally sound, sanitary and free of nuisances so as not to pose a threat to public health, safety or welfare which include but are not limited to the following:
 - 1. Garbage and/or refuse. No owner, and/or occupant shall place, deposit or permit to be deposited in an unsightly or unsanitary manner, upon public or private property within the City, any human or animal excrement, garbage, rubbish, waste material, bulk items or other objectionable waste, as those terms are defined by Chapter 241, Solid Waste, Article I, Collection of Refuse, Recyclables and Other Waste Materials.
 - 2. Every owner, operator and/or occupant of a dwelling or dwelling unit located in the City of Cortland shall store and dispose of all garbage, rubbish, waste material or bulk items, as those terms are defined by Chapter 241, Solid Waste, Article I, Collection of Refuse, Recyclables and Other Waste Materials, § 241-1, or any other organic waste which might provide food for rodents or attract insects in a sightly and sanitary manner by placing it in a watertight container. Except for compost bins as specified by the City. It shall be the responsibility of the owner of such dwelling or dwelling units to provide for or supply such storage facilities or containers.
 - 3. Natural growth, such as dead and dying or storm-damaged trees and limbs or other growth that, by reason of its condition or nature, constitutes a hazard to persons lawfully in the vicinity. Trees shall be kept pruned and trimmed to prevent such conditions. Owners of unoccupied premises must keep them free of nuisances.
 - 4. No owner or occupant of any lot, yard or place within the City shall permit at any time any growth of grass, weeds or other uncultivated vegetation upon the premises owned or occupied as shall constitute a health and/or fire hazard by reason of being readily flammable. Every owner or occupant of any lot, yard or place within the City is required to cut and remove therefrom all grass, weeds or other uncultivated vegetation located thereon which reaches six inches of growth.
 - 5. Overhanging objects and accumulations of ice and/or snow that, by reason of their location above ground level, constitute a danger of falling on persons within reasonable proximity.

6. Ground surface hazards, such as holes, excavations, breaks and projections, on residential premises within five (5) feet of an unfenced property line or on any part of a nonresidential premises to which the public has lawful access.
7. Sources of infestation, including all environments and conditions conducive to the increase or spread of vermin.
8. The exterior surfaces of all buildings and structures, including but not limited to doors, door and window frames, stairways (attached or detached), porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints as well as those between the building envelop and the perimeter of windows, doors and skylights shall be maintained weather-resistant and watertight. All metal surfaces subject to rust or corrosion shall be stabilized and coated to inhibit such rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed to stabilize by oxidation are exempt from this requirement.
9. It shall also be prohibited to store or accumulate garbage, rubbish, waste material or bulk items in any front yard or front porch when visible from any public place, street or sidewalk. Nothing contained herein shall prohibit the storage of garbage, rubbish, waste material or bulk items in any garage or accessory structure. Any such garage or accessory structure used for storage of garbage, rubbish, waste material or bulk items shall be secure and provide for resistance to rodent or insect infestation.

B. It shall be the duty of the owner and/or occupant to keep and maintain the exterior of the premises and structures, including but not limited to the following standards:

1. Storage of commercial and industrial material. There shall not be stored or used, at a location exposed to public view, equipment and materials relating to commercial or industrial uses, unless permitted under the Chapter 300, Zoning.
2. Landscaping. Premises shall be kept from becoming overgrown and/or unsightly. Vegetation along the public right-of-way shall be kept from becoming a hazard to pedestrians and motorists.
3. General maintenance. The exterior of every structure shall be maintained in good repair for purposes of preservation and appearance and free of conditions reflective of deterioration or inadequate maintenance, including but not limited to broken glass, excessively peeling or deteriorated paint, loose shingles and crumbling stone, brick, mortar, or cement.
4. Front yard parking; commercial vehicle parking.
 - a. No person shall park any registered motor vehicle, house coach, vehicle (draw-behind) or boat in any front yard area except on driveways

constructed and installed in compliance with City ordinances, and no driveway shall be wider than thirty-five percent (35%) of the front yard width of any property. Nor should they extend into the public right away, including the sidewalk.

- b. In any residential zone, except as provided herein, no person shall use the property for the parking of commercial vehicles. It shall be unlawful for any person to use property in a residential zone for the parking of commercial vehicles except if such commercial vehicles are temporarily parked on business calls to subject property or if any such commercial vehicle is parked in an enclosed garage.
5. Upholstered furniture or mattresses.
- a. The use of any upholstered furniture manufactured primarily for interior use, including mattresses, shall be prohibited on any front or side yard.
6. Use of Storage.
- a. It shall be prohibited to use any unenclosed front or side porch area for the storage of items manufactured primarily designed for interior use including mattresses.
 - b. A container designed for storage or a non-permanent structure may not be used on the premises for longer than 3 months.

ARTICLE III

§ 220-8. Unoccupied buildings.

- A. Basic equipment and facilities. Every unoccupied or unoccupied building must comply with the following minimum standards for basic equipment and facilities:
 - 1. Plumbing. All plumbing fixtures shall be properly installed and be in sound condition and good repair.
 - 2. Electricity. Every existing outlet and fixture shall be properly connected. Wiring and service lines shall be maintained in good and safe working condition.
 - 3. Heating plant. The heating plant shall be maintained in a safe condition.
 - 4. Cooking equipment. All cooking equipment shall be maintained in a safe condition.
- B. Safety from fire. All owners or unoccupied buildings shall comply with the applicable provisions of the New York Fire Code and the following additional standards for safety from fire:
 - 1. No unoccupied building shall contain any space utilized for the storage of flammable liquids.

2. No room within any unoccupied building shall be used for storage or junk, rubbish or wastes, furniture or building materials not intended to be used in the existing building.
 3. The early detection and containment of fire being a valid City concern, the boarding up of doors and windows shall not be permitted except with the permission of the public officer in emergency situations. When doors and windows are boarded up, they shall be covered with no less than one-half-inch exterior plywood or equivalent, which shall be the same color as the building exterior. In no case shall boarding up of doors and windows be permitted in excess of ninety (90) days without a waiver from the Mayor and Council or designee.
 4. All windows within twenty (20) feet of the ground or which may be readily accessible shall be secured with security screens, bars and/or grilles, and the security screens, bars and/or grilles on open windows shall include quick-release mechanisms, both of which shall be subject to the approval of the public officer.
- C. Safe and sanitary maintenance. All occupied or unoccupied buildings shall comply with the following minimum standards for safe and sanitary maintenance:
1. Every foundation, exterior wall or exterior roof shall be weathertight, watertight and rodent proof, shall be kept in sound condition and good repair and shall be safe to use and capable of supporting the load which normal use may cause to be placed thereon.
 2. Every floor, interior wall and ceiling shall be rodent proof, shall be kept in sound condition and good repair and shall be safe to use and capable of supporting the load which normal use may cause to be placed thereon.
 3. Every window, exterior door and basement or cellar door and hatchway shall be weathertight, watertight, rodent proof and locked and shall be kept in sound working condition and good repair.
 4. Every inside and outside stair, porch and any appurtenance thereto shall be safe to use and capable of supporting the load that normal use may cause to be placed thereon and shall be kept in sound condition and good repair.
 5. Every yard shall be properly graded so as to prevent the accumulation of stagnant water.
 6. Every dwelling's cellar, basement and crawl space shall be maintained reasonably free from dampness.
 7. The exterior of every structure or accessory structure shall be maintained free of broken windows, loose shingles, crumbling stone or brick or excess peeling paint.
 8. The exterior of the premises and the condition of accessory structures shall be maintained so that the appearance of the premises and all buildings thereof shall reflect a level of maintenance which shall not lead to the progressive deterioration and downgrading of the neighborhood with the accompanying diminution of property values.

- D. Further responsibilities of owners. All owners of unoccupied or unoccupied buildings shall be required to comply with the following standards:
1. Any yard area (front, side and rear) adjacent to an unoccupied or unoccupied building shall be cleared and maintained free of trash, solid debris or any other materials that cause litter to accumulate to unhealthy and blighting proportions.
 2. Grass, weeds or vegetation shall not be permitted to grow or remain on the side, front and/or rear yards of any unoccupied or unoccupied building so as to exceed a height of six (6) inches.
 3. Unoccupied buildings shall not be utilized for storage of any materials, whether solid or liquid, including the yard portion of that building.
 4. When an unoccupied dwelling is infested with rats, termites, roaches and/or any other insects and vermin, the owner shall undertake an expedient means of extermination of such nuisances.
 5. All doors and/or lids on appliances, furniture utilized for storage or on heating furnaces shall be locked in order to deny entry to an individual(s) where the potential for physical harm or death may result should said door close and prevent the individual's escape.
- E. The standards and requirements of this section shall apply as long as any dwelling remains unoccupied. Upon occupancy, the other appropriate sections of this code shall prevail.

ARTICLE IV.

Outside Storage of Junk Vehicles

§ 220-9. Legislative Intent

It is hereby declared that a clean, wholesome, attractive environment is of importance to the health and safety of the inhabitants, and, in addition, such an environment is deemed essential to the maintenance and continued development of the economy of the City and the general welfare of its citizens. The open storage of junk motor vehicles not in operating condition is a hazard to such health, safety and welfare of citizens of the City, necessitating the regulation, restraint and elimination thereof. This article is enacted in recognition of the fact that even a single "junk vehicle" abandoned or stored on private or public property:

- A. Can constitute both a public or private nuisance;
- B. Is a source of potential harm to children and others who find them an attractive nuisance;
- C. Is replete with broken glass, sharp torn metal edges and points, gasoline remaining in tanks of a highly explosive nature and combustible nature, and harmful acids in batteries, to mention but a few of the more obvious sources of potential physical harm found in "junk vehicles";
- D. Constitutes a blight on the City of Cortland landscape;

- E. Destroys the aesthetic qualities of the City of Cortland and is generally unsightly;
- F. Tends to depreciate not only the property on which it is located, but also the property of other persons in the neighborhood and the City of Cortland generally;
- G. Makes the City a less safe and less pleasant place in which to live and to do business;
- H. Damages the welfare of the City of Cortland as a whole;
- I. Tends to result in uncontrolled grass and the collection of debris; and
- J. Tends to be a breeding ground for insects, rodents and similar harmful creatures

§ 220-10. Restrictions.

Open storage of one or more junk vehicles shall not be permitted on private or public property within the City of Cortland except as permitted by Chapter 164, Junkyards and Scrapyards, of the Code of the City of Cortland.

§ 220-11. Notice and Determination.

The City shall give written notice by registered or certified mail or personal service on the owner of the junk vehicle or on the owner or the tenant of any property on which a junk vehicle is openly stored. If the owner of such premises is absent from the City or is a nonresident of the City, the City Clerk shall mail or caused to be mailed by certified or registered mail, a copy of the notice addressed to the owner at his last known address as the same may appear upon the last City assessment roll. Such notice shall direct the person so served (regardless of the ownership of the junk vehicle if the property owner or tenant is served) to terminate the open storage of such vehicle within the City of Cortland within 10 days of personal service or within 13 days from posting, where service is by registered or certified mail. The notice shall state that if the persons served contend that said vehicle is not a junk vehicle as herein defined, that they shall notify the City Code Enforcement Officer, in writing, of such contention within 10 days if served personally or within 13 days if served by certified or registered mail. (The failure of the person served to so notify the Code Enforcement Officer shall not be deemed in any way to be an admission that the vehicle is a junk vehicle and no presumption shall arise from such failure); and shall allow a representative of the City to inspect such vehicle within five days of such notification. Within five days after such inspection, the City shall inform the person served of its findings in writing, by registered or certified mail or personal service. If the findings are that one or more of the junk vehicles specified in the original notice are being stored by the person served with the original notice, said person shall terminate open storage of said junk vehicle within the City of Cortland within five days of personal service of such findings or within eight days from posting where service of such findings is by registered or certified mail. If the person so served institutes a proceeding under article 78 of the Civil Practice Law and Rules to set aside said determination, such termination of storage shall not be required pending a decision in the proceeding; if the decision upholds the City's determination, open storage of the vehicle within the City shall be terminated within five days following service of notice of entry of the court's

order; or if an appeal is taken and a court stay of execution of said proceeding is granted within five days after expiration of the stay of execution.

§ 220-12. Legislative Intent. Permits for restoration.

Upon written application and the deposit as determined by the Common Council, the City Code Enforcement Officer may issue a permit for the open storage of a vehicle within the definition of a "junk vehicle" under the terms of this article, pending the making of such repairs as are necessary to place said vehicle in a condition for legal operation for use on a public highway. The application shall include a representation by the applicant that the applicant intends, within the permit period, to repair the vehicle so that it will be in condition for legal operation on public highways; that if said repairs have not been made by the end of the permit period, that the applicant will terminate open storage of the vehicle within the City of Cortland by the end of the permit period. The applicant shall state whether he is the owner of said vehicle or, if not, the name and address of the owner, together with a complete description of the vehicle, full details of its most recent registration by the State of New York, and the most recent inspection and its most recent inspection sticker, full details of the defect which is to be repaired under the permit, whether the applicant will make the repairs himself or if not, the person or persons who will make such repairs, the estimated cost of such repairs, the place where the vehicle is presently stored, and the place where the repairs will be made, and whether the applicant is the owner or tenant in possession of the premises where the vehicle is stored and where it will be repaired. If the applicant is the owner or tenant in possession of such premises, as a part of the application, he shall give to the City and its designees, a license to enter such premises for the purposes of inspecting said vehicle and for removing said vehicle from said premises following the expiration of the permit period if, at such time said vehicle is a junk vehicle as herein defined. If the applicant is not the owner or tenant in possession of such premises, the application shall include a license from the owner or tenant in possession of said premises to permit such inspection and removal. Such licenses shall also state that the City shall have the right to make such inspection and removal from any other premises owned by the applicant or the licensor to which such vehicle may be moved within the City of Cortland. Such license shall also state that it is irrevocable for a period of 90 days from the expiration of the permit. The deposit shall be refunded if, within the permit period, the vehicle shall cease to be a junk vehicle, as defined herein, or open storage within the City of Cortland of such vehicle is terminated; but if neither condition is complied with, shall be forfeited to the City of Cortland. A separate permit shall be required for each separate vehicle to be repaired. Such permits shall be issued for not in excess of 60 days and may be extended once only for up to 15 days. No permit shall be issued after the original notice provided for in § 22-16 has been personally served or mailed by registered or certified mail, unless the applicant supplies the permit officer with an affidavit stating that he had no knowledge of the Junk Vehicle Local Law, and the requirement that a permit be acquired for the restoration of junk vehicles, prior to bringing junk vehicles into the City. Inspection after the permit period has expired shall be at a time specified in a notice of inspection at least one day following personal service or three days following service by registered or certified mail. The applicant may participate in the inspection. The procedure of the preceding section for service of the determination, time for removal following such service, and for stays on appeal shall apply to such post-permit proceedings.

§ 220-13. Right of entry

If within the time period provided for removal following service of a determination that a vehicle is a junk vehicle, including any extension of time resulting from any appeal or stay of execution, the open storage of such junk vehicle within the City of Cortland is not terminated, such junk vehicle shall be automatically deemed a public nuisance, and the City or representative of the City shall have the right to enter and remove such vehicle from any premises within the City where such vehicle may be found and to dispose of such vehicle. Neither the City nor any person acting on behalf of the City shall be liable to any person for the disposal or destruction of such junk vehicles. Said right of entry shall not be limited in any way by the existence or lack of existence of a request, authorization, license or other consent or approval of entry, inspection or removal.

§ 220-14. Rules and regulations.

The City Enforcement Officer may make reasonable rulings and may issue reasonable regulations in furtherance of and consistent with this article.

§ 220-15. Storage by wreckers, commercial garages and wrecker-commercial garages.

A. Provided that such operations are permitted by all applicable zoning laws and regulations, including rights under any nonconforming uses, and including any limitations, restrictions or conditions established according to law by the Common Council, the Zoning Board of Appeals, the Planning Board or any court of competent jurisdiction and are not in violation of any applicable private restrictive covenant or agreement filed or recorded in the Cortland County Clerk's office:

(1) Any wrecker may store junk vehicles on one site, but not on more than one site, within the City, provided that no junk vehicle is so stored within the City for more than 15 days;

(2) Any commercial garage may store junk vehicles on any one site, but not on more than one site, within the City, pending and during repair of such vehicles, provided that no junk vehicle is so stored within the City for more than 60 days, or if a permit for extended storage is issued, for 60 days, plus any extension permitted;

(3) Any wrecker-commercial garage may store junk vehicles on any one site, but not on more than one site within the City provided that if such storage of any junk vehicle exceeds 15 days, that it shall be pending and during repair and shall not exceed an additional 45 days, or if a permit for extended storage is issued, 45 days plus any extensions permitted. Where a repair settlement is pending, in good faith, the foregoing time periods shall not start to run until either a repair settlement has been made or the junk vehicle has been stored within the City for four months.

B. For good cause shown, the permit officer may extend by permit any time period for such period of time as he determines is reasonably necessary to permit repair of a junk vehicle. The permit officer may refuse to permit such extended storage if he determines that the applicant has not attempted to complete repairs within the regular time period, is not in good faith, or is in

violation of this article in any way. A fee as set by the Common Council shall be paid for each permit and the applicant shall agree that the vehicle will be repaired or removed from the City at the end of such extension or any subsequent extension.

C. Wreckers, commercial garages and wrecker-commercial garages shall keep records showing the make, engine number, license plate number, if any, vehicle owner, vehicle owner's address, purpose for storage, any prior storage within 12 months by them or, if known, by anyone else within the City, and the starting and ending dates of storage of each junk vehicle. Such records shall be shown to City officials upon request during business hours. Such records shall be prima facie evidence of the statements therein contained, but shall be rebuttable. In the absence of such records or other sufficient proof that a junk vehicle has not been stored in violation of this article, the operator of such businesses shall terminate storage of the vehicle within the City within five days of receipt in person or within eight days of the mailing of a notice to terminate such storage unless:

- (1) He contends that the vehicle is not a junk vehicle and requests an inspection under § 220-17; or
- (2) He obtains a permit for extended storage for repair under this section; or
- (3) He establishes by sufficient proof that the storage period has not expired.

D. Anything in this article notwithstanding, any disabled vehicle may be stored on the premises of any gasoline station for up to seven days. For this purpose, a vehicle shall be deemed disabled if within 24 hours prior to such storage its condition changes so that it becomes a junk vehicle as defined in § 220-14 of this article

ARTICLE IV

Administration, Enforcement and Fees

§ 220-16. Existing remedies.

Nothing in this chapter shall be deemed to abolish or impair existing remedies of the City or its officers or agencies relating to the removal or demolition of any building or structure which is deemed to be dangerous, unsafe or unsanitary

§ 220-17. Enforcement.

- A. Enforcement officer. The Code Enforcement Officer of the City of Cortland is hereby designated as the officer in charge with the enforcement of this code and is hereinafter referred to as the "enforcement officer." All members of the Police Department, authorized inspectors of the Fire Department and members of the Zoning Department of the City of Cortland are hereby designated as assistant enforcement officers for the purposes of the enforcement of this code.

- B. The enforcement officer shall cause to be made such inspections of premises within the City as he shall deem necessary to effect compliance with this chapter and shall have the authority to use the services of any public authority in the enforcement of this code.
- C. Notice to owner, operator or occupant upon noncompliance. Following inspection, if the enforcement officer determines that the premises are not in compliance with this chapter, he shall then issue and cause to be served upon the owner, operator and/or occupant of the premises a written notification, stating the nature of the violation and the corrective action sought and allow thirty (30) days (exclusive of the day of service) for its correction. In cases where the violation presents a clear and present danger to public health and safety, the complaint is to be turned over to the Police Department or the Board of Health for prompt action within its jurisdictions.
- D. Service of notice. In the case of an owner or operator, the notice may be served personally upon him or by registered mail or certified mail, addressed to the last known address. If, after due diligence, the last known address cannot be ascertained, the notice may be posted on the outside front entrance of the structure. In the case of the occupant, notice may be mailed or delivered to him at his place of business or posted to the door of the occupant's premises.
- E. If the Code Enforcement Officer shall determine a deposit of objectionable garbage or waste as provided under this article to be hazardous to the general public, he shall have the authority to remedy the condition as follows:
1. The enforcement officer shall serve written notice upon the owner, lessee or occupant, or any person having care or control of the premises upon which the condition to be corrected is located, to comply with the provision of the same by remedying such condition.
 2. If the person upon whom notice is served fails, neglects or refuses to comply with the provisions of the notice within 24 hours after receipt thereof or if no person can be found who either is or claims to be the owner of such lot or land or premises upon which such condition exists or is located or who either represents or claims to represent such owner, the code enforcement officer shall cause such condition to be corrected through such means as he may select.
 3. The cost of correcting such condition shall be certified to the City Finance Office and shall thereafter become and be a lien upon the property whereon such condition exists or is located and shall be added to and become a part of the taxes next to be assessed and levied upon such lot or land and shall bear interest at the same rate as taxes and shall be collected and enforced in the same manner as taxes.
 4. Upon failure of the owner or occupant to cut and remove grass, weeds or other

uncultivated vegetation as prescribed in § 220-7 A (4), the Code Enforcement Officer shall cause the same to be removed and shall charge the cost thereof to the owner of said property. Thereupon, the Code Enforcement Officer shall mail a statement to said owner or occupant to pay such cost which shall become due and payable within 30 days from the mailing thereof. If such cost is not paid within such time and interest is not paid by December 31 of the year in which it is incurred, such cost and interest shall be added to the City tax chargeable to said property and shall be collected in the manner as any unpaid City tax.

F. Protest; hearing before Mayor and City Council, or their designee; subsequent actions.

1. Within three (3) working days following receipt of the notice of violation, the person receiving such notice may file an objection, in writing, to the enforcement officer, and any such person shall be afforded a hearing before the Mayor and City Council, or their designee as soon as is reasonably possible. The Mayor and City Council, or their designee, may, in its discretion modify or withhold strict enforcement of this chapter.
2. If the decision rendered by the Mayor and City Council, or their designee, after the hearing upholds the decision of the enforcement officer, a second notification shall be issued and served allowing such time period as is established by the Mayor and Council, or their designee for correction of the violation and carrying notice of the penalties which will be imposed for failure to comply.

§ 220-18. Emergency situations.

Where the violations or conditions existing on the premises are of such a nature as to constitute an immediate threat to life and limb unless abated without delay, the enforcement officer 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 (3) days. Upon failure to do so, the enforcement officer shall abate the condition subject to the provisions of § 220-12 of this chapter.

§ 220-19. Abatement by City; expense.

Where abatement of any nuisance, as defined herein, correction of a defect in the premises or work necessary to place the premises in a proper condition so as to conform to ordinances of the City or applicable laws of the State of New York requires expending City moneys, the City Engineer shall present a report of work proposed to be done to accomplish the foregoing to the Mayor and City Council with an estimate of the cost, along with a summary of the proceedings undertaken by the enforcement officer to secure compliance, including notices served upon the occupants, owners, operators or their agents, as the case may be. The Mayor and City Council may thereupon, by resolution, authorize the abatement of the nuisance, correction of the defect or work necessary to place the premises in proper condition and in compliance with this code. The City Engineer shall thereafter proceed to have the work performed in accordance with the resolution at City expense, not to exceed the amount specified in the resolution, and shall, upon completion thereof, submit a report of the moneys expended and costs to the Mayor and City

Council. After review of the report, the Mayor and City Council may approve the expenses and costs, whereupon the same shall become a lien against the premises, collectible as provided by law. A copy of the resolution approving the expenses and costs shall be certified by the City Clerk and filed with the City Finance Office, which shall be responsible for the collection, and a copy of the report and resolution shall be sent by certified mail, return receipt requested, to the owner of the effected premises.

§ 220-20. Compliance inspection.

Upon issuance of a notice of violation pursuant to this chapter, the property owner, operator/or occupant shall correct the condition and notify the enforcement officer that said condition has been corrected. A compliance inspection shall then be made. Should full compliance not be achieved at the time of said inspection, the City shall be reimbursed by the property owner for the cost of all reinspections. Failure to reimburse the City shall result in a lien for said cost being placed against the property in the same manner as real estate taxes.

§ 220-21. Fees.

There shall be no fee for an initial compliance inspection made following the issuance of a notice of violation required pursuant to this chapter. Fees for subsequent inspections to determine compliance shall be seventy-five dollars (\$75.00) for the first inspection and shall increase in increments of seventy-five dollars (\$75.00) for subsequent inspections.

§ 220-22. Severability.

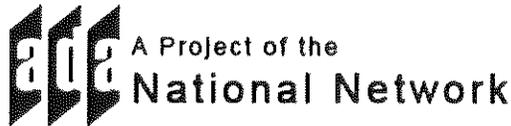
Should any section, paragraph, sentence, clause or phrase of this chapter be declared unconstitutional or invalid for any reason, the remaining portions thereof shall not be affected thereby and shall remain in full force and effect, and to this end, the provisions of this chapter are hereby declared to severable.

§ 220-23. Penalties for offenses

Within 24 Months of any offense.

- A. 1st - \$100.
- B. 2nd - \$175.
- C. 3rd - \$250.
- D. For each offense thereafter: not less than \$500.
- E. An administrative fee of \$25 shall be assessed when grass removal services are performed on behalf of a property owner who is in violation of § 220-8 or for the removal of objectionable waste in accordance with § 220-4. If such cost, with interest and administrative fee, is not paid by December 31 of the year in which it is incurred, such cost and interest shall be added to the real property City tax rolls chargeable to said property and shall be collected in the same manner as any unpaid real property City tax.

Amended by the Housing Committee June 2, 2016.



1-800-949-4232 (voice/tty)



Produced by the Southeast ADA Center

Sample Proclamation: ADA Anniversary

WHEREAS, the Americans with Disabilities Act (ADA) was passed on July 26, 1990 to ensure the civil rights of citizens with disabilities and

WHEREAS, the City of Cortland, New York affirms the principals of equality and inclusion for persons with disabilities as set forth for the State of New York and as embodied in the ADA, the laws of the State of New York and ordinances of the City of Cortland; and

WHEREAS, Access to Independence in Cortland County and New York State work with constituents and communities to bring forth the promise of hope and freedom that is envisioned by the passage of the ADA; and

WHEREAS, July 26, 2016, celebrates the 26th Anniversary of the Americans with Disabilities Act. Therefore, ATI's will host an ADA Anniversary Celebration and Open House to be held at Access to Independence of Cortland County Inc., Tuesday July 26, 2016.

NOW THEREFORE, I, Brian Tobin, Mayor of the City of Cortland do hereby extend greetings and best wishes to all observing July 26, 2016 as the Americans with Disabilities Act Awareness Day.

SIGNED

Brian Tobin, Mayor of Cortland, New York

ADA National Network
Information, Guidance and Training on the Americans with Disabilities Act (ADA)
1-800-949-4232 (voice/tty)

These materials were developed by the Southeast ADA Center (Grant # H133A110021) on behalf of the ADA National Network. The ADA National Network is funded by the National Institute on Disability Rehabilitation and Research (NIDRR) of the U.S. Department of Education to provide technical assistance, training, and materials on the Americans with Disabilities Act (ADA). The information, materials, and technical assistance provided are intended solely as information guidance and are neither a determination of your legal rights or responsibilities under the ADA, nor binding on any agency with enforcement responsibility under the ADA.


Access To Independence
OF CORTLAND COUNTY, INC.

★ **Celebrating 26 Years!**
The Americans with Disabilities Act (ADA)
Anniversary Events ★

★ **When: July 12th, 19th and 26th**

Where: Access to Independence
26 North Main Street
Cortland, NY 13045 ★

Spirit of ADA Sponsor: ★

TBD ★

ADA Benefactor

Moscato Associates ★

Sponsorships are available until July 1.
For more information, contact Fran
Pizzola by phone: 607-753-7363, or by
email: fpizzola@aticortland.org.

★ **ADA Lunch & Learn:** ★

Tuesday, July 12: 11:00 am - 1:00 pm

Understanding the Americans with Disabilities Act

Tuesday, July 19: 11:00 am - 1:00 pm

Understanding Hidden Disabilities ★

★ **ADA Celebration:**

Tuesday, July 26: 11:00 am - 2:00 pm

* Panel Discussion * Lunch * Open House
* Open Mic Forum * Celebration Cake

RSVP by July 8, 2016: Call 607-753-7363.



Accommodations available upon request.

CORTLAND HOUSING AUTHORITY

42 CHURCH STREET
CORTLAND, NEW YORK 13045

RICHARD MENAPACE, Chairman

MARGARET J. LANN, Executive Director
Telephone: (607) 753-1771
Fax: (607) 753-7313

May 25, 2016

Mayor Brian Tobin
25 Court Street
Cortland, NY 13045

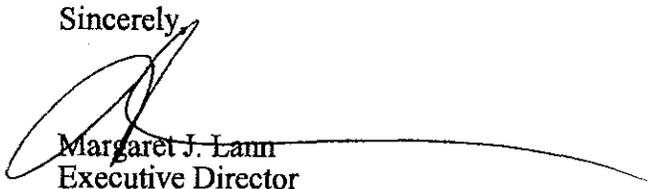
Dear Mayor Tobin:

The Cortland Housing Authority Board of Directors currently has one member whose term expires on May 31, 2016.

In speaking with C. Jane Snell, she has expressed her desire to be reappointed for another term. Please include this re-appointment at the next Common Council meeting.

Thank you for your consideration and have a Happy Spring!

Sincerely,



Margaret J. Lann
Executive Director

City of Cortland Special Event Application

To ensure a successful event, (obtaining proper permits, council approvals, licenses, public notices) it is recommended to initiate the event planning process with CDP and its Promotions Committee 90 days before the event.

Event Name: Taste of Downtown Today's Date: June 7, 2016
 Event Contact: Jane Witty, Event Coordinator, CDP CDP Member? Yes No
 Address: 40 Main Street, Cortland, NY 13045 New Event Existing Event
 Email: jane@cortlanddowntown.com Phone: 607.591.7903 (cell)
 Will proceeds of your event benefit a charitable cause that provides service to Cortland residents? Yes No If yes, name the charitable causes: Cortland Downtown Partnership Non-profit Tax ID: 20-4296071

Event Information

NAME OF EVENT: Taste of Downtown Saturday, July 9, 12:00pm - 4:00pm
 TYPE OF EVENT (i.e., walkathon, street fair, festival, etc.): Festival and walking tour of downtown restaurants
 EVENT LAYOUT If the event is a walkathon, run, etc., attach a map of route and/or street closures. If the event is a festival or street fair, attach a map to indicate location of street blockages requested, booth alignment and type of merchandise vended from each booth.

DATE DAY 1:	July 9, 2016 12:00pm - 4:00pm	DATE DAY 2:	
<input type="checkbox"/> STREET CLOSURE:	Start Time: _____ End Time: _____ Street: _____	<input type="checkbox"/> STREET CLOSURE:	Start Time: _____ End Time: _____ Street: _____
<input type="checkbox"/> LOT CLOSURE:	Start Time: _____ End Time: _____ Lot: _____	<input type="checkbox"/> LOT CLOSURE:	Start Time: _____ End Time: _____ Lot: _____
<input checked="" type="checkbox"/> AMPLIFIED MUSIC:	Start Time: 12:00pm End Time: 4:00pm	<input type="checkbox"/> AMPLIFIED MUSIC:	Start Time: _____ End Time: _____

START LOCATION: _____ END LOCATION: _____
 EXPECTED # OF PARTICIPANTS: 1,000 + # OF SPECTATORS: _____ # OF VEHICLES: _____ HOTELS: Is this event expected to generate area overnight stays? If so, estimated # of rooms: 20

Event Components

Location/Safety <input type="checkbox"/> City park use <input type="checkbox"/> City streets blocked <input type="checkbox"/> City sidewalks blocked <input type="checkbox"/> City parking lots closed <input type="checkbox"/> City barricades <input type="checkbox"/> City cones <input type="checkbox"/> Animal ban <input type="checkbox"/> Animals are part of the event <input type="checkbox"/> EMTs needed on site <input type="checkbox"/> Police escort requested Waste Management <input type="checkbox"/> City litter pickup <input type="checkbox"/> City street sweeping	Structures <input type="checkbox"/> Temporary structures <input checked="" type="checkbox"/> Canopies up to 10' x 10' <input type="checkbox"/> Grounded tents over 10' x 10' <input type="checkbox"/> Beer and/or wine garden <input type="checkbox"/> Street banner requested <input type="checkbox"/> Rides or amusements <input type="checkbox"/> Showmobile rental requested <input type="checkbox"/> Portable restrooms <input type="checkbox"/> Seating area Sound <input type="checkbox"/> Fireworks <input checked="" type="checkbox"/> Amplified sound or music <input type="checkbox"/> Ceremonial Gun Salute	Food <input checked="" type="checkbox"/> Food cooked on-site Alcohol <input type="checkbox"/> Alcohol sold on-site <input type="checkbox"/> Alcohol served Vending <input checked="" type="checkbox"/> Vending of goods <input checked="" type="checkbox"/> Vending of food Power Source <input type="checkbox"/> City electricity use <input type="checkbox"/> Generator use Insurance <input checked="" type="checkbox"/> General Liability insurance certificate <input type="checkbox"/> Liquor Liability insurance certificate
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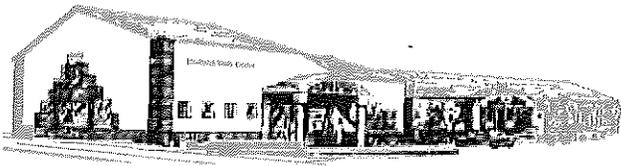
Other components not listed: _____

se of a portion of city sidewalks for permitted health dept. certified food and goods vendors and musicians

No closures of streets or parking lots requested.

Marketing budget: \$5,000 Admission Fee: \$15 for tasting tickets

CDP Approval A CDP Promotions Committee event
Fire Approval: _____
CPD Approval: _____
Council Approval: _____



CORTLAND YOUTH BUREAU

35 Port Watson Street • Cortland, NY 13045 • (607) 753-3021 • Fax: (607) 753-3023 • www.cortland.org

TO: Mayor Brian Tobin
Members of the City Council
Mack Cook, Director of Administration and Finance
Lori Crompton, Finance Department

FROM: John McNerney, Youth Bureau Director

RE: CYB Donations

DATE: June 9, 2016

I would like to ask the common council to accept and recognize the following donations. The donations should be appropriated to the Youth Bureau budget.

<i>Donation</i>	<i>Amount</i>	<i>Event/Project</i>	<i>Budget Line</i>
<i>Ted & Judith Testa</i>	<i>\$50.00</i>	<i>James Yaman</i>	<i>A-7110.5206</i>
<i>Barb & Joan Poskanzer</i>	<i>\$50.00</i>	<i>James Yaman</i>	<i>A-7110.5206</i>
<i>Various Donors</i>	<i>\$4,347.99</i>	<i>Fire Fighter For Day Camp</i>	<i>A-7550.5405</i>
<i>Hitchcock Hose Company 6</i>	<i>\$250.00</i>	<i>Movie Under Stars</i>	<i>A-7550.5400</i>
<i>Cortland Professional Fire Fighters Association</i>	<i>\$250.00</i>	<i>Movie Under Stats</i>	<i>A-7550.5405</i>
<i>Total Donations =</i>	<i>\$4,947.99</i>		

The donation below should be appropriated to the following Trust Fund accounts.

<i>Ellen & David Tucker</i>	<i>\$1,000.00</i>	<i>Wickwire Pool</i>	<i>Wickwire Pool Trust Fund</i>
<i>Ray & Donna Franco</i>	<i>\$100.00</i>	<i>Wickwire Pool</i>	<i>Wickwire Pool Trust Fund</i>
<i>McNeil Development Co, LLC</i>	<i>\$2,000.00</i>	<i>Wickwire Pool</i>	<i>Wickwire Pool Trust Fund</i>
<i>Barbara Ryan</i>	<i>\$100.00</i>	<i>Scholarship</i>	<i>Jim Partigiamoni Trust Fund</i>

Attached is a copy of the checks and supporting details on the donations for your records. Feel free to contact me with any questions at 753-3021 ext. 423





CORTLAND POLICE DEPARTMENT

2016 Impound Car Money Request



June 14, 2016

TO: Mack Cook, Director of Administration & Finance
FROM: Deputy Chief Paul A. Sandy
RE: Request for Proceeds for Impound Scrap Money

POLICE VEHICLES:(A3120.206.00 account – Operational Equipment > \$5,000.00)

I am requesting the Common Council appropriate proceeds from the sale of seven (7) vehicles from the City of Cortland Police Impound Lot, which had been classified as abandoned in accordance to Section 1224 (3)(a) of the New York State Vehicle & Traffic Law. These vehicles were unfit for auction and were scrapped on June 2, 2016. The seven (7) vehicles included a 2001 Pontiac, 2006 Dodge, 2005 Ford, 1989 Lincoln, 2005 Ford, 2007 Chrysler and a 2002 Chevrolet, with total proceeds from the sale of these vehicles for scrap being \$871.25. If appropriated to this agency, the funds will be directly applied toward the purchase of new police vehicles for 2016 & 2017.

\$871.25