



VILLAGE OF JOHNSON CITY

MUNICIPAL BUILDING

243 MAIN STREET • JOHNSON CITY, NY 13790

www.villageofjc.com

Village Board

Gregory Deemie, Mayor

Clark Giblin, Deputy Mayor

Trustee Martin Meaney

Trustee Benjamin Reynolds

Trustee John Walker

AGENDA - REGULAR MEETING OF THE VILLAGE BOARD

Tuesday, April 6, 2021 @ 7:30pm via Zoom Video Conference

Work Session @ 5:00pm via Zoom Video Conference

Join Zoom Meeting

<https://us02web.zoom.us/j/86152146948?pwd=aHFCSk95aRQY29UdXoxczNWYUV5QT09>

Meeting ID: 861 5214 6948

Passcode: 613023

Dial by phone +1 646 558 8656

We kindly request that you turn off or mute all cell phones and pagers. We kindly request that if anyone wishes to read from a prepared statement, please provide the Clerk with a copy so that the minutes can be as accurate as possible.

ORDER OF BUSINESS

1. PLEDGE OF ALLEGIANCE

2. STATEMENT REGARDING ZOOM VIDEO CONFERENCE

3. MAYOR'S ANNOUNCEMENTS

- [3.1] The first day of yard waste pickup was yesterday, Monday, April 5, 2021
- [3.2] The next Town of Union Board Meeting will be held on Wednesday, April 7, 2021 at 7:00pm with a work session at 5:30pm.
- [3.3] The next Zoning Board Meeting is Monday, April 12, 2021 at 7:30pm, with a work session at 7:00pm.
- [3.4] The Binghamton-Johnson City Joint Sewage Board will meet Tuesday, April 14, 2021 at 3:30pm at the Binghamton-Johnson City Joint Sewage Treatment Facility New Administration Building, 1st Floor Conference Room, Vestal.
- [3.5] The next regular Village Board Meeting will be Tuesday, April 20, 2021 at 7:30pm with a work session at 5:00pm.

4. APPROVAL OF BOARD MINUTES

- [4.1] March 16, 2021 Regular Meeting and Work Session Minutes
- [4.2] March 22, 2021 Special Meeting Minutes, Budget Meeting #1
- [4.3] March 24, 2021 Special Meeting Minutes, Budget Meeting #2
- [4.4] March 25, 2021 Special Meeting Minutes, Budget Meeting #3
- [4.5] March 30, 2021 Special Meeting Minutes, Budget Meeting #4
- [4.6] March 31, 2021 Special Meeting Minutes, Budget Meeting #5
- [4.7] April 1, 2021 Special Meeting Minutes, Budget Meeting #6

5. **BIDS** – None

6. **PUBLIC HEARINGS**

[6.1] Local Law adding new Chapter 119 entitled “Buildings, Vacant”.

7. **PETITIONS RECEIVED** – None

8. **PRIVILEGE OF THE FLOOR – VISITORS**

9. **COMMUNICATIONS** – None

10. **COMMITTEE/BOARD REPORTS**

- [10.1] Code Enforcement – *No report submitted*
- [10.2] Court – *No report submitted*
- [10.3] Joint Sewage Treatment Board Reports dated March 31, 2021
- [10.4] Library – *No report submitted*
- [10.5] Newsletter - *No report submitted*
- [10.6] Planning Board – *No report submitted*
- [10.7] Public Safety – Nothing to Report
- [10.8] Public Works – Nothing to Report
- [10.9] Zoning Board – *No report submitted*

11. **DEPARTMENT REPORTS**

- [11.1] Fire Department Overtime Report for the weeks of March 4, 2021 – March 17, 2021
- [11.2] Police Department Overtime Report for the weeks of March 4, 2021 – March 17, 2021
- [11.3] Fire Department Overtime Report for the weeks of March 18, 2021 – March 31, 2021
- [11.4] Police Department Overtime Report for the weeks of March 18, 2021 – March 31, 2021
- [11.5] Town of Union Board Meeting minutes for March 3, 2021

12. **PAYROLL AND BILLS PRESENTED**

Abstract #19 of the 2020 - 2021 Fiscal bills as stated and or amended and attached to the work session minutes.

GENERAL FUND	\$558,023.58
WATER FUND	\$191,604.27
SEWER FUND	\$216,877.66
REFUSE FUND	\$52,605.48
JSTP	\$192,283.88
VARPUR	\$198,000.00
CAPITAL	\$0
DEBT SERVICE	\$51,306.26

13. **UNFINISHED BUSINESS**

14. **NEW BUSINESS**

FINANCE & RULES (All Board Members)

Resolution #2021 – 47

WHEREAS, pursuant to an Emergency Order of the Governor of the State of New York, notice was given that the Village Board scheduled a public hearing for April 6, 2021 at 7:35 p.m. via Zoom Video Conference for Local Law No. 5 of the year 2021 entitled “A LOCAL LAW ADDING A NEW CHAPTER 119 ENTITLED ‘BUILDINGS, VACANT’”; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Village and posted on the Village Clerk’s sign board; and

WHEREAS, said public hearing was duly held on the 6th day of April, 2021 at 7:35 p.m. and all parties attending the videoconference were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, pursuant to the State Environmental Quality Review Act (“SEQRA”), it has been determined by the Village Board that adoption of the proposed Local Law constitutes a Type II Action as defined under 6 NYCRR 617.5(26) and (33); and

WHEREAS, the Village Board, after due deliberation, finds it in the best interest of the Village to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED that the Village Board hereby adopts said Local Law as Local Law No. 5 of 2021 entitled “A LOCAL LAW ADDING A NEW CHAPTER 119 ENTITLED ‘BUILDINGS, VACANT’”, a copy of which is attached hereto and made a part hereof; and

BE IT FURTHER RESOLVED the Village Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and to give due notice of the adoption of said Local Law to the Secretary of State; and

BE IT FURTHER RESOLVED that this resolution will take effect immediately upon filing with the Department of State.

Resolution #2021 – 48

WHEREAS, a local law entitled “A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C – FISCAL YEAR 2021/2022” a copy of which is attached hereto, was introduced at this meeting, and

WHEREAS, the Village Board desires to hold a public hearing with respect to the adoption of said Local Law.

NOW, THEREFORE, BE IT RESOLVED that a public hearing will be held by the Village Board of the Village of Johnson City with respect to the adoption of the aforesaid Local Law at 7:35 p.m. on April 14, 2021, at Village Hall, 243 Main Street, Johnson City, New York, and it is further

RESOLVED, that the Village Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

Resolution #2021 – 49

Set a public hearing on the Village of Johnson City Tentative Budget for the 2021-2022 Fiscal year to be held Tuesday, April 14, 2021 at Village Hall, 243 Main Street.

Resolution #2021 – 50

Authorize the Mayor to sign the Plexicomm agreement for internet services.

Resolution #2021 – 51

WHEREAS, the Village of Johnson City has begun an improvement project (“Project”) and involves the development and renovation of a new Village of Johnson City Department of Public Works facility at 60 Lester Avenue and the associated public safety to the area which will be enhanced upon completion of said Project; and

WHEREAS, the Village Board has engaged in communications to acquire 60 Lester Avenue for the Project without success; and

WHEREAS, in accordance with Article 2, Section 202 of the New York State Eminent Domain Procedure Law, the Village Board has scheduled a public hearing to outline the Project purpose related to public need and public safety, its proposed location, and to provide other pertinent information, including sketches/maps and property descriptions of the property interest to be acquired and relationship to the adjacent parcels.

NOW THEREFORE, BE IT RESOLVED that the Village Board of the Village of Johnson City shall hold a public hearing as set forth herein on April 20, 2021 at 7:35 p.m.; and it is further

RESOLVED, that the Village Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

PUBLIC SAFETY

FIRE (Trustees Giblin & Meaney) – No new business

POLICE (Trustees Giblin & Meaney) – No new business

PUBLIC WORKS (Trustees Walker & Giblin) – No new business

RECREATION (Trustees Walker & Giblin) – No new business

PLANNING, ZONING & CODE ENFORCEMENT (Trustees Meaney & Reynolds) – No new business

JOINT SEWAGE TREATMENT BOARD (Trustees Giblin & Reynolds)

Resolution #2021 – 52

Authorize the Appointment of Bruce King to the Binghamton-Johnson City Joint Sewage Board, effective 4/6/2021 until 12/31/2021, to fill the unexpired term of Ron Davis.

15. ADJOURNMENT

To contact Village Board members via e-mail please use the following addresses:

Mayor Gregory Deemie - jcmayor@villageofjc.com

Deputy Mayor Clark Giblin – cgiblin@villageofjc.com Trustee Martin Meaney – mmeaney@villageofjc.com

Trustee Benjamin Reynolds - breynolds@villageofjc.com Trustee John Walker - jwalker@villageofjc.com

**VILLAGE OF JOHNSON CITY
LOCAL LAW NO. 5 FOR THE YEAR 2021**

**A LOCAL LAW ADDING A NEW CHAPTER 119
ENTITLED “BUILDINGS, VACANT”**

Be it enacted by the Village Board of the Village of Johnson City as follows:

Section 1. A new Chapter 119 of the Village Code entitled “Buildings, Vacant” shall hereby be added as follows:

CHAPTER 119 BUILDINGS, VACANT

Article I. Vacant Building Registry

§ 119-1. Legislative findings and purpose.

It is the finding of the Village Board that buildings which remain vacant are unsightly, unsafe and have a negative effect on their surroundings. This is particularly troublesome in residential and commercial neighborhoods. Unfortunately, many buildings, once vacant, remain that way for many years. The purpose of this article is to establish a program for identifying and registering vacant buildings; to determine the responsibilities of owners of vacant buildings and structures; and to speed the rehabilitation of the vacant properties.

§ 119-2. Definitions.

Unless otherwise expressly stated, the following terms shall, for the purpose of this article, have the meanings indicated in this section:

EMERGENCY SITUATION

Where the condition of a building, structure, or any part thereof is an imminent, immediate, and substantial danger to the health or safety of occupants, emergency responders, and/or the general public. Such conditions include, but are not limited to, fire hazards, falling or dilapidated buildings, structures, or any part thereof, loss of significant water, heat, ventilation, or a lack of sanitary conditions.

ENFORCEMENT OFFICER

A duly authorized representative of the Code Enforcement Department.

OWNER

Those shown to be the owner or owners on the records of the Town of Union’s Assessor’s Office (or Broome County Real Property Tax Services), those identified as the owner or owners on a vacant building registration form, a mortgagee in possession, a mortgagor in possession, assignee of rents, receiver, executor, trustee, lessee, other person, firm or corporation in control of the premises. Any such person shall have a joint and several obligation for compliance with the provisions of this article.

SECURED BY OTHER THAN NORMAL MEANS

A building secured by means other than those used in the design of the building; i.e., window boarding.

UNOCCUPIED

A building or portion thereof which lacks the habitual presence of human beings who have a legal right to be on the premises, including buildings ordered vacated by an Enforcement Officer. In determining whether a building is unoccupied, the Enforcement Officer may consider these factors, among other:

- A. Whether lawful residential or business activity has ceased;
- B. The percentage of the overall square footage of the occupied to unoccupied space or the overall number of occupied and unoccupied units;
- C. The building is substantially devoid of contents or the minimal value of fixtures or personal property in the building;
- D. The building lacks utility services;
- E. The building is subject to a foreclosure action;
- F. Duration of vacancy;

- G. The presence or reoccurrence of code violations; and/or
- H. The building is listed or advertised for sale or lease.

UNSECURED

A building or portion of a building which is open to entry by unauthorized persons without the use of tools or ladders.

VACANT BUILDING

A building or portion of a building which is:

- A. Unoccupied and unsecured;
- B. Unoccupied and secured by other than normal means;
- C. Unoccupied and an unsafe building as determined by an Enforcement Officer;
- D. Unoccupied and has multiple housing or building code violations; and/or
- E. Illegally occupied.

§ 119-3. Vacant building registration.

A. The owner shall register with the Code Enforcement Office no later than six (6) months after any building located in an area zoned for, or abutting an area zoned for, residential or neighborhood commercial use in the Town/Village becomes a vacant building, as defined in § 119-2, or not later than forty-five (45) days after being notified by the Code Enforcement Office of the requirement to register. The Department may identify vacant buildings through its routine inspection process as well as through notification by residents, neighborhood associations and other community groups that a building may be eligible for inclusion on the registry.

B. The registration shall be submitted on forms provided by the Code Enforcement Office and shall include the following information supplied by the owner:

- (1) A description of the premises, including but not limited to square footage, number of stories, age of the building, and most recent use of the building.
- (2) The names and addresses of the owner or owners. If the owner is a corporation, limited liability company or partnership, the address for each director, manager, or partner, as the case may be. The address must include a street address; a post office box is not acceptable or any adjoining county, the name and address of any third party with whom the owner has entered into a contract or agreement for property management as required by § 166-8 _____. The address must include a street address; a post office box is not acceptable.
- (3) The names and addresses of all known lienholders and all other parties with an ownership interest in the building. Each address must include a street address; a post office box is not acceptable.
- (4) A name, address and telephone number where a responsible natural person (not a corporation, partnership, or limited liability company) can be reached at all times during business and nonbusiness hours. The address must include a street address; a post office box is not acceptable.
- (5) A vacant building plan as described in Subsection C.

C. The owner shall submit a vacant building plan which must meet the approval of the Enforcement Officer. The Enforcement Officer will review the plan within fifteen (15) days of receipt of a completed registration. The plan, at a minimum, must contain information from one of the following three choices for the property:

- (1) If the building is to be demolished, a demolition plan indicating the proposed time frame for demolition.
- (2) If the building is to remain vacant, a plan for the securing of the building in accordance with standards provided in Article II, § 119-12, if applicable, and along with the procedure that will be used to maintain the property in accordance with Article II.
- (3) If the building is to be returned to appropriate occupancy or use, a rehabilitation plan for the property. The rehabilitation plan shall not exceed 365 days from the date of submission and will include progress bench marks at least every 90 days, unless the Code Enforcement Office grants an extension for good cause shown, upon receipt of a written statement from the owner detailing the reasons for the extension. Any repairs, improvements or alterations to the property must comply with any applicable zoning, housing, historic preservation or building codes and must be secured in accordance with Article II, § 119-12, if applicable, during the rehabilitation.

D. The Enforcement Officer shall provide the owner with a written referral to the Department of Planning for information outlining programs available which may be useful in developing the owner's rehabilitation plan.

E. The owner will comply with all applicable laws and codes. The owner shall notify the Enforcement Officer of any changes in information supplied as part of the vacant building registration within 30 days of the change. If the plan or timetable for the vacant building is revised in any way, the revisions must be in writing and must meet the approval of the Enforcement Officer.

F. The owner and subsequent owners shall keep the building secured and safe and the building and ground properly maintained as provided in Article II of this chapter.

G. Failure of the owner or any subsequent owners to maintain the building and premises as required herein will be grounds for the Village:

- (1) To remediate the building and bill the cost of same to the owner as provided in § 118-8;
- (2) To revoke the rehabilitation plans; and
- (3) The owner will be subject to fees and penalties as provided herein.

H. The owner will notify the Code Enforcement Office of any transfer of ownership within forty-five (45) days of transfer. The new owners shall comply with the approved plan and timetable submitted by the previous owner until any proposed changes are submitted and meet the approval of the Enforcement Officer.

I. Vacant building fees.

(1) The owner of a vacant building shall pay a registration fee of \$50. The registration fee of \$50 is due and payable upon registration; to wit, no later than 30 days after any building becomes a "vacant building," as defined above, or no later than 30 days after being notified by an Enforcement Officer of the requirement to register.

(2) If the building is to remain vacant pursuant to § 119-3C(2), then the owner will also pay an annual vacant building fee of \$500 for the first year. This fee is due and payable together with the registration fee of \$50. Subsequent annual fees shall be paid as follows:

- (a) For the second year that the building remains vacant: \$1,000.
- (b) For the third year and each succeeding year that the building remains vacant: \$1,500.
- (c) Vacant building fees for structures 5,000 square feet or greater will be doubled.

(3) If the building is to be returned to a permitted use pursuant to § 119-3C(3), the rehabilitation plan will not exceed 365 days and will include progress bench marks at least every 90 days, unless the Enforcement Officer grants an extension for good cause shown upon receipt of a written statement from the owner detailing the reasons for the extension. If the rehabilitation has not been completed or extended by the Enforcement Officer, then the owner will pay an annual vacant building fee in accordance with the rates established above until the building is properly demolished or rehabilitated. The annual vacant building fee is payable either on each anniversary of the payment of the registration fee of \$50 in Subsection (1) above or no later than 15 days after being notified by an Enforcement Officer that the owner has failed to meet a required bench mark, whichever date is earlier, and on each anniversary thereafter until the building is demolished or rehabilitated.

(4) All delinquent fees shall be paid by the owner prior to any transfer of an ownership interest in any vacant building. The owner will give the purchaser written notice that the building in question is a vacant building under this section.

(5) If the owner of a vacant building fails to register and pay the fees in a timely manner, then the owner will be subject to the penalty set forth in § 119-7 below.

(6) The vacant building registration fee and annual vacant building fee as set forth in § 119-3(I) are to be delivered, by mail or in person, to the Code Enforcement Office. A late charge of 1 1/2% per month, or any part thereof, will be assessed on any invoice which is unpaid after 30 days from the date of the demand for payment or an invoice. A processing fee of \$25 will be charged for each check returned by the bank due to insufficient funds or other reason. A replacement payment must be made in cash, money order, bank or certified check, and must include the fee of \$25 and any applicable late charges. Invoices and any additional fees that remain unpaid will be added to the property owner's tax bill, and will include an additional penalty of \$200.

J. The Enforcement Officer shall include in the file any property-specific written statements from community organizations, other interested parties or citizens regarding the history, problems, status or blighting influence of a vacant building.

§ 119-4. Exemptions.

A. A building which has suffered fire damage or damage caused by extreme weather conditions shall be exempt from the registration requirement for a period of 90 days after the date of the fire or extreme weather event if the property owner submits a request for exemption in writing to the Code Enforcement Office. This request shall include the following information supplied by the owner:

- (1) A description of the premises.
- (2) The reason for an exemption.
- (3) The names and addresses of the owner or owners. A post office box is not acceptable.
- (4) A statement of intent to repair and reoccupy the building in an expedient manner, or the intent to demolish the building.

B. A single family or two family home which is vacant due to the health of the owner of said property shall be exempt from the registration requirement in total; but the owner or representative of the owner shall be obligated to:

- (1) Comply with Article II of this local law and
- (2) Annually update the Enforcement Officer as to the status of the property's exemption.

C. A single family or two family home which is vacant due to the owner's residency at an alternate location for 10 months or more a year; i.e., seasonal occupancy a/k/a "snowbirds", shall be exempt from the registration requirement in total; but the owner or representative of the owner shall be obligated to:

- (1) Comply with Article II of this local law and
- (2) Annually update the Enforcement Officer as to the status of the property's exemption.

D. A single family or two family home which is vacant and has been listed for sale or lease shall be exempt from the registration requirement in total; but the owner or representative of the owner shall be obligated to:

- (1) Comply with Article II of this local law and
- (2) Annually update the Enforcement Officer as to the status of the property's exemption.

§ 119-5. Inspections.

The Code Enforcement Office shall inspect any premises in the Village for the purpose of enforcing and assuring compliance with the provisions of this article. Upon the request of the Enforcement Officer, an owner may provide access to all interior portions of an unoccupied building in order to permit a complete inspection. Nothing contained herein, however, shall diminish the owner's right to insist upon the procurement of a search warrant from a court of competent jurisdiction by the Enforcement Officer or his or her designee in order to enable such inspection, and the Enforcement Officer shall be required to obtain a search warrant whenever an owner refuses to permit a warrantless inspection of the premises after having been advised of his or her constitutional right to refuse entry without same. In the case of an emergency this section will not apply.

§ 119-6. Annual reports.

Once a year, the Code Enforcement Office shall send to the Village Board a list of all buildings in the Village declared vacant under the provisions of this article, as well as a list of all previously declared vacant buildings which are no longer subject to the provisions of this article.

§ 119-7. Penalties for Offenses.

Article III shall apply to penalties for offenses of this Article.

Article II. Maintenance of Vacant Buildings

§ 119-8. Title.

This article shall be known as "Maintenance of Vacant Buildings" and is supplementary to applicable provisions of the New York State Uniform Fire Prevention and Building Code.

§ 119-9. Purpose.

This article provides standards governing the facilities and the condition and maintenance of vacant premises to safeguard the safety, health and welfare of the community.

§ 119-10. Applicability.

This article shall be applicable to the following:

A. Lots, plots or parcels of land on which buildings designed for or developed for residential use or occupancy, mixed-occupancy buildings, nonresidential occupancy or accessory structures are located; and

B. Buildings designed for or developed for residential use or occupancy, including one- and two-family dwellings and multiple dwellings, mixed-occupancy buildings, nonresidential occupancy and accessory structures. This article shall not apply to factory-manufactured homes.

§ 119-11. Entry.

Provision for safe and continuous entry shall be provided to the interior of a building or structure from the exterior at a street or to a yard, court or passageway leading to a public open area at any time entry is necessary for purposes of required maintenance or inspection.

§ 119-12. Exterior protection.

A. The owner will protect and maintain the exterior of the building as follows

- (1) Exterior walls, including foundations, will be maintained so that water does not penetrate into basements, cellars, or other interior areas. All exterior walls and foundations must be free of holes and crevices.
- (2) Exterior doors, windows, skylights and similar opening will be maintained weather tight.
- (3) Exterior stairs, porches, entrance platforms, fire escapes and the railings thereon shall be maintained in a safe and sound condition
- (4) Roofs shall be maintained in a weather tight condition.
- (5) Exterior surfaces shall be maintained in good condition. Surfaces not inherently resistant to deterioration shall be treated with a protective coating of paint or other suitable preservative.
- (6) The coverings for windows and doors with glass may not consist of any substance sprayed onto the glass doors or windows. All enclosures shall be properly fitted and be of such material and surface that they are neither unsightly nor will materially detract from the general appearance of the building or the neighborhood and, when possible, secured by normal means. When applicable, coverings shall be approved by the Historic Review Board and the Planning Board.
- (7) The covering for broken doors and cracked or broken windows may consist of replacement glass, plexiglass, boards, plywood or similar materials finished and maintained in a manner recommended and approved by the Enforcement Officer. The materials will be designed and of such color to blend in with the finish of the building.
- (8) Windows that are not cracked or broken may be covered with interior blinds, curtains, shades, or decorative paper.
- (9) The premises will be kept free of insects and vermin, and will be treated if necessary
- (10) Any excavations, swimming pools, or other attractive nuisance must be filled in or properly closed.

B. In addition to the standards prescribed above, vacant commercial and retail buildings shall comply with the following standards:

- (1) Any and all first-floor windows will be replaced by glass, plywood, plexiglass, an approved mural or announcement sign. Such covering must be maintained.
- (2) Any and all window display areas shall be kept clean, free of hazard and free of debris.
- (3) Any window covering shall have a clear opening of two square feet to allow a view of the interior of the store for security and public safety purposes. Such opening shall be installed no lower than three feet above grade and no more than six feet above grade and may be in either the show window or the door.

C. If the owner shall fail to comply with the provisions of this section regarding exterior protection, the Code Enforcement Department may, after notice of noncompliance and intent to remedy is mailed to the owner, perform or cause such work to be performed and may recover the expense either by action or by local assessment on the premises, or both. This action shall be in

addition to any other available remedy under this article.

§ 119-13. Interior protection.

A. The covering for doors and windows may consist of:

- (1) Venetian or similar blind.
- (2) Drapes, curtains or shades.
- (3) Decorative patterned paper, neatly installed with all seams straight and uniformly taped.

B. Unheated attics, spaces below flat roofs and crawl spaces shall be ventilated to minimize deterioration.

§ 119-14. Junk vehicles.

Junk vehicles, as defined in § 208-3.1, equipment and materials shall not be stored in open areas of premises.

§ 119-15. Fuel gas.

Fuel gas pipe systems shall be maintained gastight, safe and operative under conditions of use or shall be disconnected at the main.

§ 119-16. Plumbing.

A. The domestic water supply system of the building shall be connected to an approved source, shall not be subject to contamination and shall not be connected to unsafe water supplies or shall be disconnected at the main and the system completely drained.

B. Stormwater drainage systems shall be maintained so as to function properly and be kept free from obstructions, leaks and defects. Sewage systems shall be similarly maintained or shall be sealed so as to prevent accumulation of sewage gases in buildings.

§ 119-17. Electrical.

Electrical fixtures, devices, wiring and systems shall be maintained in safe working condition in a manner which will avoid a potential source of ignition or shock, or service shall be discontinued at the supply.

§ 119-18. Elevators, dumbwaiters and escalators.

Elevators, dumbwaiters and escalators shall be maintained or taken out of service, in accordance with ANSI A17.1.

§ 119-19. Exterior property areas.

Any excavations or other attractive nuisance shall be filled in or secured to prevent access. Swimming pools must be closed to prevent access, collapse, an attractive nuisance or unsanitary conditions.

§ 119-20. Penalties for Offenses.

Article III shall apply to penalties for offenses of this Article.

Article III. Penalties for Offenses.

§ 119-21. Penalties for offenses.

Any person violating any provision of the Vacant Building Registry, including but not limited to failure to register, providing false information to the Enforcement Officer shall be subject to the following fines:

- A. Such person will be subject to a fine of \$1,000 or imprisonment not exceeding 15 days, or both.
- B. The term "person," as used in this section, will include the owner, occupant, mortgagee or vendee in possession, assignee of rents, receiver, executor, administrator, trustee, lessee, agent or any other person, firm or corporation directly in control of the building or part thereof.
- C. Each day of violation will be deemed to constitute a separate offense.

Section 2. Remainder

Except as hereinabove amended, the remainder of the Code of the Village of Johnson City shall remain in full force and effect.

Section 3. Severability

The provisions of this Local Law are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

Section 4. Effective Date

This Local Law shall take effect immediately upon filing with the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

**A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED
IN GENERAL MUNICIPAL LAW §3-C – FISCAL YEAR 2021/2022**

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

Section 1. Legislative Intent: It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Village of Johnson City pursuant to General Municipal Law §3-c, and to allow the Village of Johnson City to adopt a budget for the fiscal year beginning June 1, 2021 and ending May 31, 2022 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

Section 2. Authority: This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the Village Board to override the tax levy limit by the adoption of a local law approved by vote of at least sixty percent (60%) of the Village Board.

Section 3. Tax Levy Limit Override: The Village Board of Trustees of the Village of Johnson City, County of Broome is hereby authorized to adopt a budget for the 2021/2022 fiscal year that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability: If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date: This local law shall take effect immediately upon filing with the Secretary of State.