

AGENDA / September 10, 2019 / TOWN BOARD MEETING
Pottersville Firehouse, 20 Valley Farm Rd, Pottersville @ 7PM

Call to Order

- Pledge of Allegiance

Regular Meeting

- Open Regular Town Board Meeting

Acceptance of Minutes

- Regular Town Board meeting Aug 13, 2019

Committee Reports

- Town Clerk // Town Board // Supervisor

PRIVILEGE OF THE FLOOR FOR OLD & NEW BUSINESS ITEMS

- Al Muench - Pickleball in the gymnasium

NEW BUSINESS

1. Reappoint Rick Bump to the BOAR for a 3 year term expiring September 30, 2022
2. Authorize the Supervisor to sign the agreement with the Adirondack Park Local Government Review Board and authorize the appropriation of \$300.00 in support of the Review Board work
3. Approval of 2019-2020 Health Insurance plans
4. Extend the contract to end of 2019 with ABF Cleaners.
5. Authorize the Supervisor to apply for grant if applicable with FEMA for the Loon Lake Dam Engineering and Construction costs.
6. Discuss patrol of Loon Lake by a Peace Officer / Constable (in place of Lake Safety Officer)
7. Short term rental continued discussion.
8. Schedule a special Town Board meeting for Wednesday October 2,2019 at 7PM in the Town Hall in Chestertown for the presentation of the Tentative Budget
9. Abstracts, budget transfers and accounting requirements
- 10.

RESOLUTIONS

A G R E E M E N T

THIS AGREEMENT made _____, 2020 between the **TOWN OF CHESTER**, hereinafter referred to as the **TOWN**, and the **ADIRONDACK PARK LOCAL GOVERNMENT REVIEW BOARD**, a Board duly organized and existing pursuant to the provisions of §803-a of the Executive Law of the State of New York, acting by and through its duly appointed members, hereinafter referred to as the **REVIEW BOARD**.

WHEREAS, the Review Board was created by the Legislature of the State of New York and is composed of representatives appointed by the county legislatures of the counties lying in whole or in part within the Adirondack Park; and

WHEREAS, the Legislature of the State of New York has provided only partial funding for the **REVIEW BOARD** to perform its statutory functions as outlined in Executive Law §803-a; and

WHEREAS, the **TOWN** has authorized an appropriation in the sum of Three Hundred Dollars (\$300) in support of the work of the **REVIEW BOARD** in representing the interests of the local governments of the Adirondacks; and

NOW, THEREFORE, it is agreed as follows:

1. The **TOWN** agrees to pay to the **REVIEW BOARD** the sum of Three Hundred Dollars (\$300) for the services of the **REVIEW BOARD** in representing the **TOWN** in matters relating to the Adirondack Park.

2. The **REVIEW BOARD** agrees to provide to the **TOWN** the benefit of its services, including but not limited to, attendance at all meetings of the Adirondack Park Agency, attendance and participation at public hearings conducted by the Adirondack Park Agency on projects under review by said Agency, periodic reports on the activities of the Adirondack Park Agency to the Supervisor of the **TOWN**, especially as such activities affect the residents of the **TOWN** and generally to report on the administration and enforcement of the Land Use and Development Plan set forth in the Executive Law of the State of New York.

THE TOWN OF CHESTER

By Supervisor

**THE ADIRONDACK PARK LOCAL
GOVERNMENT REVIEW BOARD**



By **Gerald W. Delaney**
Executive Director

#3

2019 Plan Design and Rates for Small Group Health Renewal



Group Name: _____	Total Employees on Payroll	
Group Number: _____	Total FTE (Federal Definition)	
Effective Date: _____	Total Eligible Employees	
	Total Retirees Eligible	

Class Description: Skilled Nursing added			
JFA Plan No: JFA1 19080	Carrier MVP	*CDPHP - Does ER Fund over 50% of Deductible in FSA or HRA? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Plan Name: Platinum 5			
Deductible: None	Out of Pocket Max: \$3,550/\$7,100 (EMB)		
PCP: \$15	Specialist: \$25		
Rx: \$10/\$40/\$60			
**ER Contribution: Dollar Percent			
2019 Rates	Employee	\$864.57	Employee \$0.00 0%
	Employee + Spouse	\$1,729.14	Employee/Spouse \$0.00 0%
	Employee + Child(ren)	\$1,469.77	Employee/Children \$0.00 0%
	Family	\$2,464.03	Family \$0.00 0%

Class Description: Skilled Nursing added			
JFA Plan No: JFA1 19100	Carrier MVP	*CDPHP - Does ER Fund over 50% of Deductible in FSA or HRA? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Plan Name: Silver 8 HDHP			
Deductible: \$3,700/\$7,400 (EMB)	Out of Pocket Max: \$5,500/\$11,000 (EMB)		
PCP: Ded then Covered in Full	Specialist: Ded then Covered in Full		
Rx: Ded then \$10/\$40/\$60 Preventive Not Subject to Ded			
**ER Contribution: Dollar Percent			
2019 Rates	Employee	\$590.87	Employee \$0.00 0%
	Employee + Spouse	\$1,181.74	Employee/Spouse \$0.00 0%
	Employee + Child(ren)	\$1,004.48	Employee/Children \$0.00 0%
	Family	\$1,683.98	Family \$0.00 0%

Class Description: _____			
JFA Plan No: N/A	Carrier N/A	*CDPHP - Does ER Fund over 50% of Deductible in FSA or HRA? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Plan Name: N/A			
Deductible: N/A	Out of Pocket Max: N/A		
PCP: N/A	Specialist: N/A		
Rx: N/A			
**ER Contribution: Dollar Percent			
2019 Rates	Employee	N/A	Employee \$0.00 0%
	Employee + Spouse	N/A	Employee/Spouse \$0.00 0%
	Employee + Child(ren)	N/A	Employee/Children \$0.00 0%
	Family	N/A	Family \$0.00 0%

Class Description: _____			
JFA Plan No: N/A	Carrier N/A	*CDPHP - Does ER Fund over 50% of Deductible in FSA or HRA? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Plan Name: N/A			
Deductible: N/A	Out of Pocket Max: N/A		
PCP: N/A	Specialist: N/A		
Rx: N/A			
**ER Contribution: Dollar Percent			
2019 Rates	Employee	N/A	Employee \$0.00 0%
	Employee + Spouse	N/A	Employee/Spouse \$0.00 0%
	Employee + Child(ren)	N/A	Employee/Children \$0.00 0%
	Family	N/A	Family \$0.00 0%

Notes:

Signature X _____

Date: _____

#4

Cleaning Services Contract

This agreement for Cleaning Services between Chestertown, Town Hall
(hereafter referred to as "Client") and ABF Cleaning Specialist _____ (hereafter
referred to as "Contractor") is made and entered into upon the following date: 05 / 14 / 19.

The lawn stated in this agreement may be found at the address below: 6307 US 9 Chestertown, New York, 12817

The above mentioned parties hereby agree to the following terms:

1. Client will give Contractor access to the inside of the house during regular business hours and any additional mutually agreed upon times.
2. Client will provide for the use by the Contractor in performance of this contract the following supplies and equipment:
3. Client will pay Contractor \$1200.00 monthly. To be billed second Tuesday of each month.
4. Services to be performed by Contractor include the following: vacuuming of carpets, dusting, and polishing of furniture; cleaning of wood floors, kitchen appliances, bath tubs and shower stalls, toilets, sinks and all sink fixtures; in addition removal of trash from the interior trash containers and brought to the outdoor Dumpster.
5. Contractor will begin performing Cleaning Services on 05 / 18 / 19. Thereafter, Cleaning Services shall be performed on a mutually agreed upon schedule.
6. Either party may terminate this contract with written notice. Any payment for above mentioned services owed by the Client shall be due and payable at the time the agreement is terminated.

In witness to their agreement to these terms, the Client and Contactor sign their signatures below:

Applicable Law

This contract shall be governed by the laws of the State of New York in Warren County and any applicable Federal Law.

Signature of the Client

Date

John Fisher : John Fisher Date 5/14/19
Signature of the Contractor



FEMA

Fact Sheet

#5

Federal Insurance and Mitigation Administration

FY 2019 Pre-Disaster Mitigation (PDM) Grant Program

As appropriated by the Consolidated Appropriations Act, 2019 (Proper Public Law 116-6); the Fiscal Year (FY) 2019 Pre-Disaster Mitigation (PDM) grant program provides resources to assist states, tribal governments, territories and local communities in their efforts to implement a sustained pre-disaster natural hazard mitigation program, as authorized by the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended (42 U.S.C. 5133).

The 2015 Hazard Mitigation Assistance (HMA) Guidance applies to the FY 2019 PDM grant program application cycle. Applicants are encouraged to review the Notice of Funding Opportunity announcement and the HMA Guidance for detailed information regarding eligibility and to contact their FEMA Regional Office for additional information.

In Fiscal Year 2019, \$250 million is available to assist state, tribal, territorial and local governments in reducing overall risk to the population and structures from future hazard events, while also reducing reliance on federal funding from future disasters.

Funding

The total amount of funds that will be distributed under the FY 2019 PDM grant program will be \$250 million.

- All 50 States, the District of Columbia, American Samoa, Guam, Northern Mariana Islands, Puerto Rico and the U.S. Virgin Islands are eligible to receive an allocation of \$575,000, in accordance with Section 203(f)(1) of the Stafford Act.
- \$20 million, will be set aside for federally-recognized tribal applicants to receive an allocation of \$575,000 per tribe.
- The balance of PDM grant program funds will be distributed on a competitive basis to all eligible applicants.
- No applicant may receive more than 15 percent, or \$37.5 million of the appropriated PDM funding per Section 203(f)(2) of the Stafford Act.

Funding Guidelines

The maximum federal share for PDM subapplications is as follows:

- \$4 million for mitigation projects;
- \$200,000 per applicant for Advance Assistance activities, such as project scoping;
- \$10 million for Resilient Infrastructure projects;
- \$400,000 for **new** mitigation plans consistent with 44 CFR Part 201;
- \$300,000 for state/territorial and multi-jurisdictional local or tribal mitigation plan **updates** consistent with 44 CFR Part 201;
- \$150,000 for single jurisdiction local or tribal mitigation plan **updates** consistent with 44 CFR Part 201;
- 10 percent of plan and project subapplications for information dissemination activities, including public awareness and education (brochures, workshops, videos, etc.) related to a proposed planning or project activity;



Federal Emergency Management Agency

FY 2019 Pre-Disaster Mitigation (PDM) Grant Program

- 5 percent of plan and project subapplication budget for subapplicant management costs for subapplicants to manage their plan or project activity (see the Management and Administration Costs subsection below); and
- 10 percent of the grant application budget for applicant management costs for applicants to administer and manage grant and subgrant activities (see the Management and Administration Costs subsection below).

As directed by the appropriations language, FEMA will use the majority of PDM grant funding for mitigation projects.

Federal funding is available for up to 75 percent of the eligible activity costs. Small, impoverished communities may be eligible for up to a 90 percent federal cost share in accordance with the Section 203(h) of the Stafford Act. The remaining eligible activity costs must be derived from non-federal sources.

The period of performance for the PDM grant program begins with the award of federal funds and ends no later than 36 months from the date of award. The period of performance for Resilient Infrastructure projects begins with the award of federal funds and ends no later than 48 months from the date of award.

Eligibility

All 50 States, the District of Columbia, federally-recognized tribal governments, American Samoa, Guam, Northern Mariana Islands, Puerto Rico and the U.S. Virgin Islands are eligible to apply for the FY 2019 PDM grant program as applicants. Local governments including cities, townships, counties, special district governments, and Native American tribal organizations are considered subapplicants and must apply to their state/territory.

Either the state Emergency Management Agency or the office that has primary emergency management responsibility is eligible to apply directly to FEMA for PDM grant program funds as an applicant; however, only one PDM grant application will be accepted from each state, tribe or territory.

Applicants and subapplicants must have a FEMA approved mitigation plan as of the application deadline in order to apply for mitigation projects in accordance with Title 44 CFR Part 201.

Key FY 2019 PDM Grant Program Changes

1. FEMA increased the amount allotted for tribal set-aside from \$15 million to \$20 million – up to \$575,000 federal share per tribal applicant.
2. FEMA increased the amount allotted for Resilient Infrastructure projects from \$100 million to \$125 million.
3. To be considered for funding, applicants and subapplicants must submit their FY 2019 grant applications/subapplications to FEMA via FEMA's grant application system. Information, training, and resources on FEMA's grant application system are available on the FEMA website at <https://www.fema.gov/application-submittal>.
4. Timely Receipt of Applications
 - a. **Submission deadline for applications is 3:00 p.m. EST on January 31, 2020. Applicants and subapplicants who experience system-related issues will be addressed up to 3:00 p.m. EST on January 29, 2020. No new system-related issues will be addressed after this time.**

#17
7

LOCAL LAW NO. 1 OF 2019
A LOCAL LAW REGULATING
SHORT-TERM RENTALS IN THE
TOWN OF WARRENSBURG

BE IT ENACTED BY THE WARRENSBURG TOWN BOARD AS FOLLOWS:

The Warrensburg Town Code is hereby amended by adding the following new Chapter 163.

ARTICLE 1. PURPOSE AND INTENT; AUTHORITY

The Town Board has determined that short-term, transient rentals can be incompatible with the sense of privacy, community and ambience currently enjoyed in residential neighborhoods in the Town and have the potential to create a threat to the public health, safety and well-being within the Town. The Board also recognizes that Short-Term Rentals can attract visitors to the Town and can provide an additional source of income to Town residents. Accordingly, the Board wishes to provide regulations to protect against adverse effects of this use while allowing it under appropriate circumstances. This Local Law is adopted pursuant to New York Municipal Home Rule Law.

ARTICLE 2. DEFINITIONS

As used in this Chapter, the following words shall have the meanings indicated:

DWELLING UNIT – One or more rooms designed, occupied or intended for occupancy as separate living quarters, with provision for living, cooking, sanitary and sleeping facilities provided for the exclusive use of one family or household.

RENTAL –Granting use or possession of a Dwelling Unit in whole or part to a person or group in exchange for some form of valuable consideration.

SHORT-TERM RENTAL – A Dwelling Unit, which may or may not be inhabited by the owner of record or their immediate family, that is rented, in whole or in part, for a period of less than thirty (30) consecutive days to any person or entity, but not including a Hotel, Motel, Inn, Campground or Bed and Breakfast.

SHORT-TERM RENTAL OWNER – All entities having an ownership interest in a Dwelling Unit which is used as a Short-Term Rental.

SHORT-TERM RENTAL PROPERTY – The entire area which is under the ownership or control of the Short-Term Rental Owner including, as applicable, the parcel of land on which a Short-Term Rental is located together with the dwelling in which it is located and any other structures on the parcel.

ARTICLE 3. PERMIT REQUIRED.

- A. An owner of a Dwelling Unit shall obtain a revocable Short-Term Rental Permit whenever the Dwelling Unit is to be used as a Short-Term Rental.
- B. A Short-Term Rental Permit shall be obtained prior to using the Dwelling Unit as a Short-Term Rental.
- C. A Short-Term Rental Permit shall be valid for three (3) years and shall expire on the 31st day of December of the third year it is in effect, and must be renewed every three (3) years thereafter for as long as the Dwelling Unit or portion thereof is used as a Short-Term Rental.
- D. Short-Term Rental Permits are non-transferrable. If a Short-Term Rental is sold or otherwise transferred, the new owner must apply for and obtain a Short-Term Rental Permit in their name prior to any use of the Dwelling Unit as a Short-Term Rental by the new owner. Buyers under contract for the purchase of a Short-Term Rental Property may apply for a Short-Term Rental Permit as a prospective owner in the same matter as set forth herein, with issuance of the permit conditioned upon the Buyers' closing of title to the property.
- E. Failure to abide by the rules established by the Town of Warrensburg for Short-Term Rentals may result in revocation of the Short-Term Rental Permit and/or additional penalties as set forth below.

ARTICLE 4. PERMIT APPLICATION REQUIREMENTS.

An application for a Short-Term Rental Permit or renewal shall be:

- A. Made on a form provided by the Town Clerk or Town Code Enforcement Officer;
- B. Submitted to the Code Enforcement Officer;
- C. Signed by all persons and entities that have an ownership interest in the proposed Short-Term Rental Property;

D. Accompanied by:

- (1) a non-refundable application fee in an amount to be determined by Resolution of the Town Board.
- (2) a copy of the vesting deed or other document showing how title to the proposed Short-Term Rental is held.
- (3) proof of a satisfactory inspection of the Short-Term Rental Property by the Warren County Department of Fire Prevention and Building Codes conducted within the thirty (30) days immediately preceding the application date and at the Owner's expense; and which proof sets forth the maximum overnight occupancy for the Short-Term Rental.
- (4) a site plan of the proposed Short-Term Rental Property (not required to be professionally drawn) showing all building locations and off-street parking area(s).
- (5) a list of the rules and regulations for the proposed Short-Term Rental as required by Section 163(7)(B).
- (6) a signed and notarized affidavit by all of the proposed Short-Term Rental Owners certifying compliance with the Short-Term Rental standards set forth in Section 163(7).
- (7) a list of the proposed Short-Term Rental Owners including names, addresses, telephone numbers and e-mail addresses.

ARTICLE 5. APPLICATION PROCEDURE.

- A. Upon the filing with the Code Enforcement Officer of a Permit Application, Permit Fee and all documents required by this Chapter, the Code Enforcement Officer shall have thirty (30) days to review the application and either issue the Permit, with or without conditions, or notify the applicant in writing that the application has been denied and state the reason or reasons for denial. All issued Permits shall bear the signature of the Code Enforcement Officer.
- B. If the Code Enforcement Officer believes that information provided with regard to the Short-Term Rental and/or Short-Term Rental Property is inaccurate, he or she shall notify the Property Owner and make arrangements with the Property Owner to physically inspect

the proposed Short-Term Rental Property to verify the application information. Failure on the part of the Property Owner to allow entrance onto the Property shall terminate the application process.

- C. In issuing a Short-Term Rental Permit, the Code Enforcement Officer may impose reasonable conditions and restrictions which are directly related and incidental to the use of the Short-Term Rental so long as such conditions and restrictions are consistent with the requirements of the Chapter, Town Zoning Code and are imposed for the purposes of maintaining safety or minimizing any adverse impact the proposed Short-Term Rental may have on the community or neighborhood.
- D. The Code Enforcement Officer may deny a Permit application for any of the following reasons:
 - (1) If the application form is incomplete or required documents are not provided.
 - (2) If the application fee is not provided.
 - (3) If a Short-Term Rental Permit for the property was revoked within the previous year.
 - (4) If a physical inspection of the proposed Short-Term Rental Property, as outlined in this Section, reveals that information provided in the application is not factual or the Property is not in compliance with the requirements for Short-Term Rentals as described in the Short-Term Rental Standards at Section 163(7).

ARTICLE 6. CONTENTS OF SHORT-TERM RENTAL PERMIT.

Short-Term Rental Permits issued pursuant to this Chapter shall state the following:

- A. The names, addresses, telephone numbers and e-mail addresses of every person or entity that has an ownership interest in the Short-Term Rental Property.
- B. The name, address and telephone number of a local primary contact person who shall be available during the entire time that the Short-Term Rental is being rented.

- C. The maximum occupancy requirements for the Short Term Rental as determined by the Warren County Department of Fire Prevention and Building Codes.
- D. That the renters must observe quiet between the hours of 10:00 p.m. and 7:00 a.m. daily.
- E. That the Short-Term Rental Permit may be revoked for violations.
- F. Any conditions imposed by the Code Enforcement Officer.
- G. That the Permit shall expire on December 31st of the third year for which it is effective.

ARTICLE 7. SHORT-TERM RENTAL STANDARDS.

Short-Term Rentals shall comply with the following standards and requirements:

- A. Short-Term Rental Properties shall comply with all current Federal, State and Local laws, codes, rules and regulations.
- B. Rules and regulations put in place by the Short-Term Rental Owner shall be provided in writing to each renter and posted at all times when the Short-Term Rental is rented in a conspicuous location at the Short-Term Rental in plain view of the renters, and shall list the penalties for violation of such rules or regulations. The rules and regulations shall be enforced by the Short-Term Rental Owner and shall include a requirement that renters shall maintain quiet at the Short-Term Rental between the hours of 10:00 p.m. and 7:00 a.m.
- C. The Short-Term Rental Permit shall be posted inside the Short-Term Rental within five feet (5') of the main entrance and remain so posted during any period that the Short-Term Rental is rented pursuant to the Permit.
- D. Provisions shall be made by the Short-Term Rental Owner prior to actual rental for weekly garbage removal during rental periods. Garbage containers shall be secured with tight fitting covers at all times to prevent leakage, spillage and odors, and be placed where they are not clearly visible from the street or road except as required for pick-up times.
- E. A house number visible from the street or road shall be maintained.

- F. The Short-Term Rental Owner shall provide each property owner within a 150' radius of the boundaries of the Short-Term Rental Property with a copy of the current Short-Term Rental Permit, and shall certify to the Town Code Enforcement Officer in written form the name(s), addresses and date(s) of the person or persons provided with a copy of the current Short-Term Rental Permit.
- G. The Short-Term Rental Owner must ensure that current and accurate information is provided to the Town Code Enforcement Officer and must immediately notify the Code Enforcement Officer of any changes from the information originally supplied at the time of application. If, based on the information changed, the Code Enforcement Officer issues an amended Permit, the amended Permit must be immediately posted in the Short-Term Rental in place of the original Permit.

ARTICLE 8. ENFORCEMENT AND PENALTIES.

- A. The Town Code Enforcement Officer and Warren County Fire Prevention and Building Codes Department shall be granted access to the Short-Term Rental Property upon reasonable request for the purpose of inspection and/or enforcement of compliance with Short-Term Rental regulations and/or State and Local Codes.
- B. A Short-Term Rental Permit, may be revoked, suspended or reasonably conditioned according to the following:
 - (1) For a first or second violation of this Chapter or the terms of a Short-Term Rental Permit by a Short-Term Rental Owner related to a particular Short-Term Rental Property, the Code Enforcement Officer shall issue a written Notice of Violation to the Short-Term Rental Property Owner mailed to the addresses set forth on the Short-Term Rental Permit by certified or registered mail, return-receipt requested. The Notice of Violation shall specify the violation, what actions must be taken to remedy the violation and provide for a reasonable time in which to remedy the violation. If a property owner fails to remedy the violation within the timeframe specified, the Code Enforcement Officer may revoke, suspend or attach reasonable conditions to an existing Short-Term Rental Permit.
 - (2) For a third or any subsequent violation of this Chapter or the terms of a Short-Term Rental Permit by a Short-Term Rental Owner related to a particular Short-Term Rental Property, the Code

Enforcement Officer shall issue a written Notice of Violation and may revoke, suspend or attach reasonable conditions to an existing Short-Term Rental Permit. The Notice of Violation and any determination of the Code Enforcement Officer to revoke, suspend or condition an existing Short-Term Rental Permit shall be provided to the Short-Term Rental Property Owners in writing to the addresses set forth on the Short-Term Rental Permit by certified or registered mail, return-receipt requested.

- (3) The Code Enforcement Officer may suspend or revoke a Short-Term Rental Permit immediately, regardless of the number of prior violations, in the event of a violation of this Chapter or the terms of a Short-Term Rental Permit which poses a threat to the health, safety or welfare of any occupants or the general public. In the case of an immediate suspension or revocation, the Code Enforcement Officer shall notify the Short-Term Rental Property Owners in writing to the addresses set forth on the Short-Term Rental Permit by certified or registered mail, return-receipt requested.
- (4) Short-Term Rental Property Owners may appeal a determination of the Code Enforcement Officer to suspend, revoke or condition a Short-Term Rental Permit no later than thirty (30) days after the mailing of notice of the determination. The appeal must be made in writing to the Town Clerk and such appeal shall be heard by the Town Board at a regularly scheduled Town Board Meeting. During the time following submission of an appeal and prior to the decision of the Town Board, the determination of the Code Enforcement Officer shall be stayed. At the hearing the Town Board shall accept evidence offered by the Short-Term Rental Owner, any complaining parties, the Code Enforcement Officer and any other witness with relevant evidence. The Town Board shall make its determination within ten (10) days after the hearing, and may uphold, reverse or modify the Code Enforcement Officer's determination. The Town Board's determination shall be provided to the Short-Term Rental Property Owners in writing to the addresses set forth on the Short-Term Rental Permit by certified or registered mail, return-receipt requested.
- (5) If a Short-Term Rental Permit is revoked, no Short-Term Rental Permit may be obtained for the subject property for at least one year following the revocation.

- C. The Code Enforcement Officer and/or authorized assistants or deputies shall have the authority, pursuant to the Criminal Procedure Law, to issue an appearance ticket or summons and complaint, subscribed by him or her, directing a designated person to appear in court at a designated time in connection with the commission of a violation of this Chapter.
- D. Penalties. Any person or entity who shall violate any provision of this Chapter, any order made hereunder, or any rules or regulations adopted pursuant to this Chapter in addition to other penalties provided for in this Chapter shall be guilty of an offense punishable in the following manner:
- (1) A fine of not more than \$200 for the first offense;
 - (2) A fine of not more than \$500 for a second offense; and
 - (3) A fine of not more than \$950 for a third or any subsequent offense.
- E. A civil action or proceeding in the name of the Town of Warrensburg, New York, may be commenced in any court of competent jurisdiction to compel compliance with or restrain by injunction the violation of any provision of this Chapter or any rule or regulation adopted pursuant to hereto. Such remedy shall be in addition to penalties otherwise prescribed by law and may be commenced with the consent of a majority of the Town Board.
- F. No remedy or penalty specified in this section shall be the exclusive remedy or penalty available to address any violation described in this section, and each remedy or penalty specified in this Chapter shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this Chapter, or in any other applicable law. Any remedy or penalty specified in this Chapter may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section Chapter. The Town may initiate enforcement proceedings under this Chapter at any time following receipt of a complaint or if the Code Enforcement Officer determines that a violation has occurred.
- G. Each day a violation continues shall constitute a separate and distinct offense to which all penalties shall apply.

ARTICLE 9. SEVERABILITY

The invalidity of any clause, sentence, paragraph or provision of this Local Law shall not invalidate any other clause, sentence, paragraph or part thereof.

ARTICLE 10. EFFECTIVE DATE

This Local Law shall take effect upon filing by the office of the New York State Secretary of State or as otherwise provided by law.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

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

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2019 of the (County)(City)(Town)(Village) of Warrensburg was duly passed by the Warrensburg Town Board on Jan. 9 2019, in accordance with the applicable provisions of law.
(Name of Legislative Body)

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

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____. 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 _____, in accordance with the applicable provisions of law.

(Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there is 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.