

Local Law Filing

41 STATE STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Village of Fayetteville

Local Law No. Seven (7) of the year 2013.

A local law amending Chapter 14, Fire Department of the Village of Fayetteville Municipal Code.

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

Section One (1).

Add Section 14-15 to read -

§ 14-15 Placarding of Buildings

- A. Any temporarily unoccupied building, structure, premises or portions thereof, including tenant spaces determined by the Codes Enforcement Officer to be unsafe pursuant to §107 Unsafe Structures and Equipment & §108 Emergency Measures of the Property Maintenance and Fire Codes of New York State; §311 of the Fire Code of New York State; and/or §55-5, §55-6, & §55-7 of the Code of the Village of Fayetteville shall be placarded.
- (1) The placard(s) shall be applied on the front of the structure and be visible from the street. Additional placards shall be applied to the side of each entrance to the structure and on penthouses.
 - (2) Placard(s) shall be marked as required by Sections 311.5.2 through 311.5.4 of the Fire Code of New York State.
 - (a) The markings on the placard shall be informational only and shall not in any way limit the discretion of the on-scene incident commander.
 - (3) The cost and expense of the placard(s) including the installation of the placard(s) shall be invoiced to the owner of the property. Said cost and expense may be charged as a lien against the real property.
- B. Any temporarily unoccupied building, structure, premises or portions thereof, including tenant spaces determined by the Codes Enforcement Officer to be unsafe pursuant to §107 Unsafe Structures and Equipment & §108 Emergency Measures of the Property Maintenance and Fire Codes of New York State; §311 of the Fire Code of New York State; and/or §55-5, §55-6, & §55-7 of the Code of the Village of Fayetteville shall have a key box.
- (1) The keybox shall be a secure device with a lock operable only by a fire department master key, and containing building entry keys and other keys that may be required for access in an emergency.
 - (2) The keybox shall be installed at a location of the temporarily unoccupied building, structure, premises or portions thereof, including tenant spaces determined by the Chief of the Fayetteville Fire Department.

(3) The cost and expense of the keybox, including the installation of the keybox, shall be invoiced to the owner of the property. Said cost and expense may be charged as a lien against the real property.

Add Section 14-16 to read -

§ 14-16 Penalties for offenses.

Any person committing an offense against any of the provisions of this Chapter shall be guilty of a violation and, upon conviction thereof, shall be punishable for each offense by a fine or by imprisonment as set forth in Chapter 113 of this Code.

Section Two (2). ILLEGALITY/SEVERABILITY.

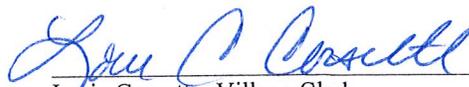
If any part of this local law or the application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation or the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law or the application thereof to the other persons or circumstances. Further, in adjudging such invalid provision, the court shall attempt to modify same to a provision which is not invalid and which best achieves the intent of the invalid provision.

Section Three (3). EFFECTIVE DATE.

This Local Law shall take effect immediately upon its filing in the office of the Secretary of State.

I hereby certify that the local law annexed hereto, designated as Local Law No. Two of 2013 of the Village of Fayetteville was duly passed by the Village Board of Trustees of the Village of Fayetteville on March 12, 2013 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 paragraph one (1) above.



Lorie Corsette, Village Clerk

Date: August 19, 2013

(Seal)

STATE OF NEW YORK
COUNTY OF ONONDAGA

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.



Signature
Ted Spencer

Attorney for the Village
Title

Village of Fayetteville

Date: 23 August, 2013

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a countywide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.