

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~  
City of Plattsburgh  
~~Town~~  
~~Village~~

Local Law No. 5 of the year 19 89

A local law to establish a numbering system for the Charter of the City of Plattsburgh and to provide changes and revisions in conjunction with the codification of the Charter, local laws, ordinances and pertinent resolutions of the city

Common Council

Be it enacted by the ..... of the  
(Name of Legislative Body)

~~County~~  
City of Plattsburgh  
~~Town~~  
~~Village~~ as follows:

ARTICLE II  
Charter and Amendments

§ 1-15. Numbering system.

In conjunction with the codification of the Charter, local laws, ordinances and pertinent legislation of the City of Plattsburgh, the numbering system used in the Charter has been changed to a system which parallels the numbering to be used in the Code of the City of Plattsburgh. It is hereby declared to be the intent of the Common Council that the new numbering system be ratified.

§ 1-16. Substantive changes and revisions.

In conjunction with the codification of the Charter, local laws, ordinances and pertinent resolutions of the City of Plattsburgh, certain changes have been made to the Charter as follows:

- A. Section C2-1 (former Sec. 7, Laws of 1902, Ch. 269, as amended by L. 1912, Ch. 428; as part repealed 10-30-29 by L.L. No 5-1925; 5-13-49 by L.L. No. 16-1949; L. 1953, Ch. 878, § 250) is hereby amended by changing the number of Aldermen from one (1) to two (2); by deleting "Three-supervisors" and including instead "three (3) Legislators"; by deleting "acting Chief of Police" and including instead "Police Captain"; by deleting "Chief Engineers" and including instead "Fire Chief." Section C2-1 is further amended by the deletion of the words "Board of Education, nine members." This section now reads:

(If additional space is needed, please attach sheets of the same size as this and number each)

§ C2-1. City officers.

The officers of the city shall be the Mayor, two (2) Aldermen from each ward, three (3) Legislators, the City Clerk, the City Judge, the Chamberlain, the Corporation Counsel, the Superintendent of Streets and Parks, the Chief of Police or Police Captain, the Fire Chief of the Fire Department, the Superintendent of Water and Sewage, the Director of Weights and Measures, a Constable, nine (9) members of the Library Board, the Librarian and the Assistant Librarian, three (3) members of the Municipal Civil Service Commission and such other officers as may be provided for elsewhere in this act and by general law of the State of New York and by special statutes or local laws. (As amended by L. 1912, c. 428; as part repealed 10-30-29 by L.L. No. 5-1925; 5-13-49 by L.L. No. 16-1949; L. 1953, c. 878, § 250.ª)

- B. Section C2-3A (former § 9 of Ch. 269 of the Laws of 1902) is hereby amended by deleting the term "supervisor" and including the term "Legislator" instead.
- C. Section C2-3B (former paragraph 2 of Sec. 9, Ch. 269 of the Laws of 1902, as amended) is hereby amended by changing the term of office to two (2) years.
- D. Section C2-4 (former Sec. 10 of Ch. 269, of the Laws of 1902) is hereby amended by changing the term "Sealer of Weights and Measures" to read "Director of Weights and Measures" and by changing the term "Superintendent of Public Work" to read "Superintendent of Streets and Parks."
- E. Section C2-5 (former Sec. 11 of Ch. 269 of the Laws of 1902, as amended) is hereby amended by deleting the following from the first sentence "references to the Plumbing Board; members of the Board of Health; members of the Park and Beach Commission, members of the Youth Commission, members of the Municipal Airport Commission; Secretary and members of the Board of Election" so that this sentence now reads: "members of the Planning Board and members of the Library Board, shall receive no compensation for their services."
- F. Section C2-7 (former Section 13 of Ch. 269 of the Laws of 1902, as amended) is hereby amended by changing the time when polls of each election are open, from 12:00 noon to 10:00 p.m. to 6:00 a.m. to 9:00 p.m. The third last sentence of this section is hereby revised by deleting therefrom: "... and he must be the owner of property in the city, assessed upon the last preceding assessment roll thereof; any woman over the age of twenty-one (21) years of age who resides in the city and is the owner of property in the city, assessed upon the last preceding assessment roll, may vote upon any such proposition."
- G. Section C2-8 (former Sec. 14 of Ch. 269 of the Laws of 1902) is hereby amended as follows:

The words "said meeting" in the second sentence, is changed to read: "The closest meeting upon receiving results from the Clinton County Board of Elections," and the term "her" is added after the term "him" preceding the words by the "inspector of election."

The fourth sentence is hereby amended by deleting the term "Supervisor" and including the term "Legislator" and the words "shall fill such office by appointment for the fall term" will be replaced by "may appoint one or the other for a term of one year, and an election must be held for the period of unexpired term, or the Mayor and Council shall call a special election to fill the two-year term."

- H. Section 3-2 (former Section 19, Ch. 269, Laws of 1902, as amended) is hereby amended to delete references to the "Superintendent of Public Works" and including references to "Superintendent of Streets and Parks."
- I. Section 3-5 (former Section 23 of Ch. 269 of the Laws of 1902, as amended) is hereby amended by deleting from the eighth sentence the wording "except Saturdays, when the said office shall be closed at 12:00 noon." This sentence now reads: "The Mayor shall be provided by the Common Council with suitable offices in the City Hall, which shall be kept open each day in the year, except Sundays and legal holidays from 9:00 a.m. in the forenoon until 4:30 p.m. in the afternoon."
- J. Section 3-7 (former Section 26 of Ch. 269 of the Laws of 1902, as amended) is hereby amended by deleting the third sentence which reads as follows: "He shall be entitled to receive and demand fees and appropriate the same to his own use for such certified copies, at the rate of ten cents per folio, for each person other than a city official, upon whose request any such certified copy is made and delivered."

The fourth sentence of this section is hereby revised by the deletion therefrom of the following: "... including fees received by him as Registrar of vital statistics ...," so that this sentence now reads:

"He shall keep an accurate account of all fees and moneys received by him as such Clerk, other than his salary, and shall on or before the 10th day of each month pay over all such fees and moneys received by him, except the fees aforesaid for copies, during the month preceding immediately to the City Chamberlain to the credit of the general fund, for which he shall take receipt and file the same in his office."

- K. Section C3-11 (former Sec. 33 of Ch. 269, Laws of 1902, as amended) is hereby amended by deleting the term "supervisors" and including instead the term "Legislators."
- L. Section C4-5 (former Section 40, Ch. 269, Laws of 1902, as amended) is hereby amended by deleting therefrom the term "City Judge."
- M. Section C4-9 (former Sec. 43 of Ch. 269, Laws of 1902, as amended) is hereby amended by changing the terms "sealer of weight and measures" to read "Director of Weights and Measures."
- N. Section C4-11 (former Sec. 45 of Ch. 269, Laws of 1902, as amended) is amended in part to revise the second sentence of the first paragraph as follows:

"... All payments from the funds of the city shall be authorized listing or a warrant register, signed by the Mayor and countersigned by the Clerk and checks issued therefor shall be signed by the City Chamberlain."

This revision replaces the former text which read:

"All payments from funds of the city shall be upon warrant of the Mayor, countersigned by the Clerk, except payments made to officers and employees of the Municipal Lighting Department, whose pay shall be fixed by law which shall be made upon payrolls approved by the Business Manager of the Municipal Lighting Department, Mayor of the city and the Civil Service Commission and such payments shall be made by check signed by the Mayor and the City Chamberlain of said city."

- O. Section C4-17 (former Sec. 46, Ch. 269, Laws of 1902, as amended) is hereby amended by deleting therefrom: "If the conduct shall constitute a violation of an ordinance enacted by the Common Council of the city in pursuance of this act and also a violation of an ordinance of the Board of Health of the city, enacted in pursuance of law, such ordinance of the Board of Health shall so long as it remains in force and effect supersede and nullify such ordinance of the Common Council."

- P. Section C6-1 (former Sec. 52 of Ch. 269, Laws of 1902, as amended) is hereby amended by changing the term "Superintendent of Public Works" to read "Superintendent of Streets and Parks."
- Q. Section C6-2 (former Sec. 53 of Ch. 269, Laws of 1902, as amended) is hereby amended by changing the title "Superintendent of Public Works" to read "Superintendent of Streets and Parks." This section is further amended by deleting therefrom the last two sentences which read: "In addition he shall under the direction of the municipal airport commission perform such duties as may be assigned to him at the Plattsburgh municipal airport. He shall also perform such duties as may be assigned to him by the Park and beach commission of the City of Plattsburgh in relation to the property under their jurisdiction," and replacing the same with the following: "In addition, he shall perform such duties as are assigned to him by the Mayor."
- R. Section C7-1 (former Sec. 54 of Ch. 269, Laws of 1902, as amended) is hereby amended by deleting therefrom: "The manager of the municipal lighting department shall act as manager of the water and sewage department and the plant superintendent of the municipal lighting department shall act as superintendent, and the accountant for the water department. In addition to the duties herein above prescribed, all water rentals heretofore collected by the city chamberlain shall now be collected by the municipal lighting department but the said water rentals shall be kept separate from any municipal lighting funds and shall be recorded in accordance with the uniform system of accounting as prescribed by the public service commission and by the comptroller of the state of New York and deposited with the city chamberlain as prescribed by law."

The above-cited deletion will now read: "The Superintendent of Water and Sewage shall act as the head of the Water and Sewage Department. The City Chamberlain shall be financial officer for the Water and Sewage Department."

- S. Section C8-2 (former Sec. 72, Ch. 269, Laws of 1902, as amended) is hereby amended to read:

§ C8-2. Composition.

The Fire Department of the City of Plattsburgh will consist of a Fire Chief and any assistant Fire Chiefs, Fire Captains, Fire Lieutenants and fire fighters as the Common Council may deem necessary. (As amended by L. 1903, c. 449; L. 1904, c. 319; L. 1912, c. 428; L. 1915, c. 583; 5-4-25 by L.L. No. 2-1925; 5-20-27 by L.L. No. 1-1927; 2-10-39 by L.L. No. 2-1939; 5-13-49 by L.L. No. 36-1949; 6-17-57 by L.L. No. 1-1957; 12-21-67 by L.L. No. 13-1967; 8-11-77 by L.L. No. 5-1977.-)

- T. Section C8-3 (former Sec. 73, Ch. 269, Laws of 1902, as amended) is hereby amended by the deletion of the last sentence which reads:
- "It shall be the duty of the assistant engineer to be present and aid the chief engineer at all fires; and in case of his absence the powers and duties of the chief engineer shall be exercised and discharged by the assistant engineer."
- U. Sections C8-6 and C8-8 (former Secs. 76 and 78, Ch. 269, Laws of 1902, as amended) are hereby amended by replacing the term "chief engineer" with the term "Fire Chief."
- V. Sections C9-1, C9-2, C9-3 and C9-4 (former Secs. 80, 81, 82 and 84, Ch. 269, Laws of 1902, as amended) are hereby amended by deleting the term "patrolmen" and including instead the term "police officers."

- W. Section C9-4 (former Sec. 83, Ch. 269, Laws of 1902, as amended) is hereby amended by adding at the end of the section: "Subject to an in accordance with the Civil Service Law."
- X. Section C9-6 (former Sec. 85, Ch. 269, Laws of 1902, as amended) is hereby amended by deleting the term "policeman" and including the term "police officer" instead.
- Y. Section C11-1 (former Sec. 145-A, Ch. 269, Laws of 1902, as amended) is hereby amended by revising the second last sentence, which read, "Said members shall be appointed by the Mayor with the approval of Common Council and serve for a term of five years" to read: "Said members shall be appointed in accordance with § 523 of the Real Property Tax Law and shall serve for a term of five (5) years."
- Z. Section C11-5 (former Sec. 149, Ch. 269, Laws of 1902, as amended) is hereby amended by revising the last sentence in part as follows: "... for public inspection in accordance with § 506 of the Real Property Tax Law."
- AA. Section C11-8 (former Sec. 150, Ch. 269, Laws of 1902, as amended) is hereby amended by changing the term "Board of Supervisors" to read "Board of Legislators."
- BB. Section C11-22 (former Sec. 166, Ch. 269, Laws of 1902, as amended) is hereby amended by changing the term "Board of Supervisors" to read "Board of Legislators."

§ 1-17. Other nonsubstantive changes.

Also in conjunction with the codification of the Charter, local laws, ordinances and pertinent resolutions, certain nonsubstantive changes in grammar, punctuation, spelling, etc. have been made. It is hereby declared to be the intent of the Common Council that said nonsubstantive changes be ratified.

§ 1-18. Incorporation of provisions into Code.

The provisions of this Local Law are hereby made Article II of Chapter 1 of the Code of the City of Plattsburgh, such Local Law to be entitled Charter Amendments, and the sections of this Local Law shall be numbered §§ 1-15 through 1-19, inclusive.

§ 1-19. When effective.

This local law shall take effect immediately upon filing with the Secretary of State of the State of New York.

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein 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. .... of 19 .....  
County  
City  
of the Town of ..... was duly passed by the .....  
Village (Name of Legislative Body)  
on ..... 19 ..... in accordance with the applicable provisions of law.

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

I hereby certify that the local law annexed hereto, designated as local law No. .... 5... of 19.... 89.  
County  
City  
of the Town of PLATTSBURGH was duly passed by the ..... COMMON COUNCIL  
Village (Name of Legislative Body)  
on OCTOBER 5 19 89 not disapproved  
and was approved by the MAYOR  
repassed after disapproval Elective Chief Executive Officer\*  
and was deemed duly adopted on OCTOBER 12 19 89, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. .... of 19 .....  
County  
City  
of the Town of ..... was duly passed by the .....  
Village (Name of Legislative Body)  
on ..... 19 ..... not disapproved  
and was approved by the .....  
repassed after disapproval Elective Chief Executive Officer\*  
on ..... 19 ..... Such local law was submitted to the people by reason of a  
mandatory referendum, and received the affirmative vote of a majority of the qualified electors voting  
permissive general  
thereon at the special election held on ..... 19 ..... in accordance with the applicable  
annual provisions of law.

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

I hereby certify that the local law annexed hereto, designated as local law No. .... of 19 .....  
County  
City  
of the Town of ..... was duly passed by the .....  
Village (Name of Legislative Body)  
on ..... 19 ..... not disapproved  
and was approved by the .....  
repassed after disapproval Elective Chief Executive Officer\*  
on ..... 19 ..... Such local law was subject to a permissive referendum and  
no valid petition requesting such referendum was filed as of ..... 19 .....  
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 be none, the chairman of the county legislative body, the mayor of a city or village or the supervisor of a town where such officer is vested with power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. .... of 19 ..... of the City of ..... having been submitted to referendum pursuant to the provisions of §36/§37 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the special/general election held on ..... 19..... became operative.

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

I hereby certify that the local law annexed hereto, designated as local law No. .... of 19..... of the County of ....., State of New York, having been submitted to the Electors at the General Election of November ....., 19....., pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative. (If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph ..... above.

*Alicia G. Cato*  
Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body  
CITY CLERK

Date: OCTOBER 20, 1989

(Seal)

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

STATE OF NEW YORK  
COUNTY OF CLINTON

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

*John E. Cato*  
Signature  
CORPORATION COUNSEL  
Title

Date: OCTOBER 20

County  
City of PLATTSBURGH  
Town  
Village