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Local Law Filing

Pursuant to Municipal Home Rule Law §27

Local Law Number ascribed by the legislative body of the local government listed below:

_____3_____ **of the year 20** _26____

Local Law Title: Restating in its entirety the City Charter

Be it enacted by the Charter Commission **of the**
(Name of Legislative Body)

☐ **County** ☑ **City** ☐ **Town** ☐ **Village**
(Select one)

of Plattsburgh **as follows on the attached pages:**
(Name of Local Government)

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Department of State Local Law Index Number: _____ **of the year 20** ____

(The local law number assigned by the Department of State for indexing purposes may be different from the local law number ascribed by the legislative body of the local government.)

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[HISTORY: Adopted by the City of Plattsburgh by L.L. No. 1-2016, as approved by the electorate 11-3-2015.[1] Amendments noted where applicable.]

1. **Editor's Note: The City of Plattsburgh Charter Revision Commission approved this Charter for submission to the voters at the 2015 general election at a Commission meeting held on 8-12-2015. The Commission members subsequently ratified and confirmed their approval of this Charter, and the proposed amendments, by unanimous written consent filed with the Commission Secretary on 8-21-2015.**

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ARTICLE I
General Provisions

§ C1-1. Short title.

This Charter, together with all subsequent amendments hereto, provides for the government of the City of Plattsburgh and shall be known and may be cited as the "Charter of the City of Plattsburgh."

§ C1-2. Purpose.

The purpose of this Charter is to provide the legal framework for the governance of the City of Plattsburgh.

§ C1-3. Powers of City.

The City shall have all powers possible for a city to have under the constitution and laws of this state as fully and completely as though they were specifically enumerated in this Charter.

§ C1-4. Construction.

The powers of the City under this Charter shall be construed liberally in favor of the City, and the specific mention of particular powers in the Charter shall not be construed as limiting in any way the general power granted in this article. Any state law which is inconsistent with this Charter shall be superseded by this Charter to the extent inconsistent, except where supersession is restricted by law.

§ C1-5. Intergovernmental relations.

The City may participate by contract or otherwise with any governmental entity of this state or any other state or states or the United States in the performance of any activity which one or more of such entities has the authority to undertake.

§ C1-6. Boundaries.

The boundaries of the City shall continue as now established or as hereafter established in a manner provided by law. The boundaries shall be described in the Administrative Code.

§ C1-7. Seal.

The Common Council shall approve a Seal of the City of Plattsburgh for use, when required.

§ C1-8. Definitions; word usage.

A. Terms defined. Whenever used in this Charter, unless otherwise expressly stated or unless the context or subject matter otherwise requires:

ADMINISTRATIVE CODE — Part II of the City Code as prescribed in this Charter.

BOARD — Except as otherwise provided herein, a body of persons appointed or elected in the manner herein provided for the purpose of administering designated City functions or advising on matters of continuing City interest, or in assisting in the making of City governmental policy.

CHARTER — The Charter of the City of Plattsburgh as set forth in Part I of the City Code.

CITY — The City of Plattsburgh.

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CITY CODE — The City Code is divided into the following parts. Part I contains the Charter of the City of Plattsburgh; Part II contains all City legislation of an administrative nature, namely, that dealing with the administration of government, that establishing or regulating municipal departments and that affecting officers and employees of the municipal government and its departments. Part III contains all other legislation of a regulatory nature. Legislation in this part generally imposes penalties for violation of their provisions, whereas that in Part II does not. The misclassification of legislation as administrative or general legislation shall not affect its validity.

COMMON COUNCIL — Also means "City Council" or "Council" and is the legislative body of the City consisting of the Mayor and six Councilors.

EMPLOYEE — Any person, except an officer, employed by the City or an agency thereof, but shall not include an independent contractor.

FISCAL YEAR — The period beginning with the first day of January and ending with the last day of December each year.

JOURNAL OF PROCEEDINGS - The official record of Common Council proceedings maintained by the City Clerk, including minutes, resolutions, ordinances, and recorded votes.

LAW — A state statute, charter, local law or ordinance.

LOCAL LAW — A legislative act of the Council adopted pursuant to the New York State Municipal Home Rule Law, but shall not mean or include an ordinance, resolution or other similar act of the Council or of any other board or body of this City.

OFFICER — Includes the following:

a. The Mayor and members of the Common Council.

b. The person appointed as administrative head, manager or director of any City agency or department of the City; the first deputy of an agency, department or division who has authority to act on behalf of the department head in his or her absence.

c. A person to whom the Common Council has delegated the authority to exercise some portion of the sovereign power, either in making, executing or administering the laws.

ORDINANCE — A legislative act which is permanent in nature unless specifically self-limiting, general in its application, adopted pursuant to this Charter and Code and relating to property or any other subject of City concern not required to be enacted by local law.

PERSON — Includes and shall be coextensive with the words "person," "company" and "corporation".

QUORUM and MAJORITY — Whenever three or more public officers are given any power or authority, or three or more persons are charged with any public duty to be performed or exercised by them jointly or as a board or similar body, a majority of the whole number of such persons or officers, gathered together in the presence of each other or through the use of videoconferencing, at a meeting duly held at a time fixed by law, or by any bylaw duly adopted by such board or body, or at any duly adjourned meeting of such meeting, or at any meeting duly held upon reasonable notice to all of them, shall constitute a quorum and not less than a majority of the whole number may perform and exercise such power, authority or duty. For the purpose of this provision, the words "whole number" shall be construed to mean the total number which the Board, commission, body or other group of persons or officers would have were there no vacancies and were none of the persons or officers disqualified from acting.

RESOLUTION — A legislative act which is an expression of opinion on a matter of public policy or the approval of an administrative action not otherwise required to be authorized by local law or ordinance, which is adopted pursuant to a motion and in accordance with the rules of the Council.

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ARTICLE II
Officers and Elections

§ C2-1. Elected officials; terms.

A. Elective City officers to be elected by the electors of the City at large shall be the Mayor; the elective City officers to be elected by each ward shall be one Councilor from each of the [six] wards.

B. In the 2016 general election, and thereafter, the mayor shall be elected to a four-year term.

C. Councilors shall be elected to three-year terms according to the following rotating schedule:

(1) Ward One and Ward Four (2028)

(2) Ward Two and Ward Five (2029)

(3) Ward Three and Ward Six (2027)

§ C2-2. Appointed officials; terms.

Appointed officers, shall serve such terms as may be provided by the Charter, required by law or established or authorized by the Common Council.

§ C2-3. City elections; term limits.

A. City elections shall be held in the manner provided in the New York State Election Law.

B. No person shall be eligible for election as Mayor if election to the office would result in that person serving more than two consecutive full terms as Mayor.

C No person shall be eligible for election as Councilor if election to the office would result in that person serving more than three consecutive full terms as Councilor.

D. No person shall take the oath of office for Mayor or Councilor until the City Clerk shall have certified that such person has complied with the provisions of the New York State Election Law governing the reporting of campaign receipts, expenditures and contributions for that election cycle.

§ C2-4. Certificate of appointment.

Every appointment to a City office shall be made by a certificate, in writing, signed by the appointing officer or, if made by a board, by the presiding officer thereof and shall be filed in the office of the City Clerk.

§ C2-5. Official oath; bonds.

A. Every officer, before beginning his or her official duties, shall file with the City Clerk the constitutional oath of office and, if required by the Administrative Code or state law, an official bond in the amount required by law or Council resolution. Such bond or undertaking may be a blanket undertaking from an authorized corporate surety. The premiums for such bonds shall be paid by the City.

B. If any elected or appointed officer willfully fails to file an oath of office or, if required, an official bond within 15 days after the commencement of such officer's term of office, the office of such officer

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may be deemed vacant, and the vacancy filled as herein provided.

§ C2-6. Resignations.

Resignations of elected officers shall be made in writing and presented to the City Clerk; and of all other officers, to the appointing officer or board. The officer or board to whom the resignation of an appointed officer is presented shall forthwith file the same in the office of the City Clerk.

§ C2-7. Suspensions and removals of appointive officers.

The Mayor and each City board having appointive powers may remove any City officer appointed by them for dishonesty, incapacity, neglect of duty, or other irregularities, or for the reason that there are no longer any duties to be performed, giving such officers reasonable notice thereof and a reasonable opportunity to be heard, and such officer may be suspended pending an investigation of the possible grounds for removal. A hearing shall be had before the Mayor, or a hearing officer appointed by the Mayor, upon written charges, a copy of which shall be furnished to the accused.

§ C2-8. Vacancies; forfeiture of office; filling of vacancies.

A. Vacancies. The office of Mayor, Councilor and offices of appointed officers shall become vacant upon the incumbent's death, resignation, or removal from office or forfeiture of office in any manner authorized by law.

B. Forfeiture of office. A Mayor or City Councilor shall forfeit his or her office if he or she:

(1) Fails to meet the residency requirements;

(2) Violates any express prohibition of this Charter;

(3) Is convicted of a crime involving moral turpitude; or

(4) Fails to notify the Clerk of the Council and/or Mayor if they cannot attend a meeting; and fails to attend three consecutive regular meetings of the Common Council without being excused by the Council.

§ C2-9. Judge of qualifications.

The Common Council shall be the judge of the qualifications of its members and of the grounds for forfeiture of their office. In order to exercise these powers, the Council shall have power to subpoena witnesses, administer oaths and require the production of evidence. A member charged with conduct constituting grounds for forfeiture of office shall be entitled to a public hearing on demand, and notice of such hearing shall be published in one or more newspapers of general circulation in the City at least one week in advance of the hearing.

§ C2-10. Filling vacancies of Mayor, Councilor; appointive officers.

A. A vacancy occurring before September 20th of any year in the office of Mayor or City Councilor shall be filled at the general election held next thereafter, unless otherwise provided by the state law, or unless previously filled at a special election.

B. The Mayor, subject to confirmation by the affirmative vote of three Councilors, shall appoint a qualified person to fill a vacancy in the office of Councilor until a person who is elected to serve the remainder of the unexpired term takes office. If the vacancy is not filled within 30 days following its occurrence, the Mayor may request the election authorities to call a special election to fill the

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vacancy, to be held not sooner than 90 days and not later than 120 days following the occurrence of the vacancy, and to be otherwise governed by law.

C. The Common Council shall appoint a qualified person to fill a vacancy in the office of Mayor until a person who is elected to serve the remainder of the unexpired term takes office. If the vacancy is not filled within 30 days following its occurrence, the Common Council may request the election authorities to call a special election to fill the vacancy, to be held not sooner than 90 days and not later than 120 days following the occurrence of the vacancy, and to be otherwise governed by law.

D. Notwithstanding the requirements of this section, if at any time the membership of the Council is reduced to less than four, the remaining members may by majority action appoint additional members to raise the membership to four.

E. A person appointed to fill a vacancy shall possess all qualifications required for election to the office being filled, including the qualifications set forth in § C3-2 for Councilors and § C4-1 for Mayor.

F. A vacancy in an appointive office shall be filled for the remainder of the unexpired term by the same authority and in the same manner as an appointment to a full term position.

§ C2-11. Holding other office.

Except where authorized by law, no elected officer shall hold any other elected public office during the term for which the member was elected to the Council. No elected officer shall hold any other City office or employment during the term for which the member was elected to the Council. No former elected officer shall hold any compensated appointive office or employment with the City until one year after the expiration of the term for which the member was elected to the Council, unless granted a waiver by the Common Council. Nothing in this section shall be construed to prohibit the Council from selecting any current or former elected officer to represent the City on the governing board of any regional or other intergovernmental agency.

§ C2-12. Residency requirements.

No person shall be elected to the office of Mayor or City Councilor, or appointed to fill a vacancy in such position(s), unless he or she shall have been for at least 30 days prior to such election or appointment a resident elector of said City, and the election or appointment of any person not so qualified shall be void. The City judge, Acting City judge and members of the various boards and commissions shall be resident electors of the City of Plattsburgh at the time of their appointment. Public Officers Law § 3 is superseded to not require City residency as a condition of appointment to, or holding other City offices, however, the Common Council may adopt residency requirements for such offices by local law.

§ C2-13. Councilor Orientation/Training

The Common Council, in consultation with the Mayor, shall provide newly elected Councilors with orientation and training concerning their duties, responsibilities, the structure of City government, this Charter, and applicable state laws.

Such training may be provided by City staff or qualified third-party organizations, including the New York State Office of the State Comptroller.

ARTICLE III
Common Council

§ C3-1. Governing body; membership; presiding officer.

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The Common Council shall be the elective governing body of the City. It shall consist of the Mayor and one Councilor elected from each of the six wards in the City. The Mayor shall be the presiding officer, but shall have no vote except as provided in Charter § C4-3C.

§ C3-2. Qualifications of Councilors.

All Councilors shall be electors of the City of Plattsburgh and shall have resided in their respective wards not less than 30 days before their election and during their term in office.

§ C3-3. Ward boundaries.

The boundaries of the wards of the City shall be described in the Administrative Code.[2]

§ C3-4. Reapportionment.

Within six months after the official publication of every federal census, or special census pursuant to the General Municipal Law, the Common Council shall appoint a Districting Commission to review the existing ward boundaries and propose changes, if any, to bring them into accord with the principles of equity and representation in relation to population. The Districting Commission's structure, powers, duties and procedures of shall be set forth in the Administrative Code.[3] New Common Council districts and boundaries as of the date of enactment by the Common Council shall supersede previous Council districts and boundaries for all purposes of the next regular City election, including nominations. The new districts and boundaries shall supersede previous districts and boundaries for all other purposes as of the date on which all Council members elected at that regular City election take office.

§ C3-5. Compensation.

Compensation for Councilors shall be established by local law.

Any change to Councilor compensation shall be reflected in the budget for the fiscal year for which the budget will take effect.

§ C3-6. Meetings.

The Council shall meet regularly at least once in every month at such times and places as the Council may prescribe by rule. The Council may meet in work or informational sessions at which no official action is taken, but notice of such meetings shall be given as required by the Open Meetings Law. Special meetings may be held on the call of the Mayor or, in the Mayor's absence, the Mayor pro tem, or three or more Council members and, whenever practicable, upon no less than 12 hours' notice to each member.

§ C3-7. Rules, procedures, record keeping and voting.

Rules and record keeping -The Council shall determine its own rules and order of business and shall keep a journal of its proceedings. This journal shall be a public record. Voting, except on procedural motions and the receipt of reports and correspondence, shall be by roll call and the ayes and nays and abstentions shall be recorded in the journal. An abstention or an absence is not counted as a vote.

Four Council members, including the Mayor as a member thereof, shall constitute a quorum, but a smaller number may adjourn from time to time and may compel the attendance of absent members in the manner and subject to the penalties prescribed by the rules of the Council. No action of the Council shall be valid or binding unless adopted by the affirmative vote of four or more members of the Council, except as otherwise provided in this Charter, including § C2-10 concerning vacancies, or as required by state law.

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§ C3-8. Powers and duties.

All powers of the City shall be vested in the Common Council, except as otherwise provided by law or this Charter and the Council shall provide for the exercise thereof and for the performance of all duties and obligations imposed on the City by law. The Council shall have, but not be limited to, the following powers and duties:

A. To enact, amend or rescind all local laws, ordinances and resolutions.

B. To establish, alter, consolidate or abolish City departments, offices, agencies, boards or commissions, provided however, the City shall guarantee that the following services shall be available to its citizens: public safety; public works infrastructure (including water, sewer, sanitation, power, streets and sidewalks); planning and development; public records; public parks and recreation; public library. The Common Council may provide additional services as deemed necessary. In lieu of providing any of these services through City departments, offices, or agencies, the Common Council may:

(1) Arrange with other governments, public agencies, or private businesses to provide any one or more of these services; or

(2) Find that any such service is available to the public at reasonable cost through private sources and, therefore, not necessary to provide as a public service.

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1. **Editor's Note: See Ch. 21, City Boundaries.**
2. **Editor's Note: See Ch. 47, Election Districts.**

C. To confirm Mayoral appointments of City officers, department heads and assistant department heads by three affirmative votes, except as may be provided otherwise in this Charter.

D. To enact legislation over the disapproval of the Mayor as provided by this Charter.

E. To adopt the annual budget, to appropriate moneys and levy taxes.

F. To provide for an annual independent audit and other audits as may be necessary.

G. The Common Council shall maintain a five-year strategic plan establishing long-term goals and objectives for the City. The plan shall:

(1) Be coordinated with the City's financial planning and capital program;
(2) Include measurable objectives and performance indicators;
(3) Be reviewed and updated annually;
(4) Encourage public participation in its development and review;
(5) Identify anticipated revenue and expenditure trends;
(6) Identify significant capital projects and operational priorities; and
(7) Include such other information as may assist the Mayor and Common Council in planning for the City's future.
(8) Be adopted by resolution and reviewed annually no later than July 1.

H. To authorize the Mayor, or a designated City officer, to enter into contracts and execute deeds.

I. To make investigations into the affairs of the City and the conduct of any City department, office, or agency and for this purpose may subpoena witnesses, administer oaths, take testimony, and require the production of evidence. Failure or refusal to obey a lawful order issued in the exercise of these powers by the Council shall be a misdemeanor punishable by a fine of not more than $500, or by

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imprisonment for not more than 15 days or both.

J. To establish the salaries, salary schedules and fringe benefits of all officers and employees of the City.

§ C3-9. Prohibitions.

A. Appointments and removals. Neither the Common Council nor any of its members shall in any manner control or demand the appointment or removal of any City administrative officer or employee whom the Mayor or any subordinate of the Mayor is empowered to appoint, but the Council may express its views and fully and freely discuss with the Mayor anything pertaining to appointment and removal of such officers and employees.

B. Interference with administration. Except for the purpose of inquiries, and investigations under § C3-8(1), the council or its members shall not issue orders to any City office or employee. However, Council members are not prohibited from making inquiries to obtain information necessary for the discharge of their duties. Such inquiries to City officers shall be communicated to the Mayor and coordinated with the City offices' work schedule.

§ C3-10. Legislative acts; procedures.

The Council shall act by local law, ordinance or resolution.

A. Local laws shall be adopted pursuant to the Municipal Home Rule Law of the State of New York.

B. Ordinances shall be adopted pursuant to the following procedures.

(1) Form. Every proposed ordinance shall be introduced, in writing, and in the form required for final adoption. No ordinance shall contain more than one subject, which shall be clearly expressed in its title. The enacting clause shall be "The City of Plattsburgh hereby ordains." Any ordinance which repeals or amends an existing ordinance or part of the City Code shall set out in full the ordinance, sections or subsections to be repealed or amended, and shall indicate matters to be omitted by enclosing it in brackets or by strikeout type and shall indicate new matters by underscoring or by italics.

(2) Procedure. Any member at any regular or special meeting of the Council may introduce an ordinance. Upon introduction of any ordinance, the City Clerk shall distribute a copy to each Council member and file a copy in the office of the City Clerk and include the ordinance, or a summary thereof, on the agenda for the Council meeting when it will be considered. An ordinance shall not be voted on until 10 days after introduction. A public hearing on the proposed ordinance is not required.

(3) The Common Council shall conduct public outreach regarding any proposed ordinance.

(4) The Council may adopt the ordinance with or without amendment or reject it, but if it is amended as to any matter of substance, the Council may not adopt it until the ordinance or its amended sections have been subjected to all the procedures herein before required in the case of a newly introduced ordinance. An ordinance is not adopted until approved by the Mayor, or until his or her disapproval or veto is overridden by a vote of the Council.]

(5) Notice and effective date. As soon as practicable after adoption, the Clerk shall have the ordinance and a notice of its adoption published. As used in this section, the term "publish" means to print one time in at least one newspaper of general circulation in the City, and, if available, in a website: (1) the ordinance or a brief summary thereof, and (2) the places where copies of it have been filed and are available for public inspection and purchase. An adopted

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ordinance shall become effective immediately upon publication or at any later date specified therein.

(6) Filing. Adopted ordinances and proof of publication shall be filed with the City Clerk and promptly codified in the City Code.

C. The Common Council may act by resolution.

§ C3-11. Mayor approval or veto.

A. Every ordinance or resolution of the Common Council, except for the adoption of Council rules, appointment of Council officers and the adoption of the annual City budget and implementing ordinances and resolutions, shall be subject to approval or veto by the Mayor before it becomes effective.

B. If the Mayor is in attendance at a meeting where the Council passes an ordinance or resolution, he or she shall approve it, veto it or state his or her intention to defer a decision on approval or disapproval of the measure. If the Mayor does not state his or her approval, veto or deferral of a decision, the measure shall be conclusively presumed to have been approved.

C. If the Mayor defers a decision on approval or disapproval, or is not in attendance at the meeting where the measure passed, within three business days of such meeting, the City Clerk shall deliver a copy to the Mayor. Within five business days of receipt of the measure, the Mayor shall file his written approval or veto with the City Clerk, or the measure shall be deemed adopted. The measure may be delivered to the Mayor by electronic mail addressed to the Mayor's City of Plattsburgh e-mail address. The Mayor may file his approval or veto by electronic mail addressed to the City Clerk's City of Plattsburgh's e-mail address.

D. If a measure is vetoed at a Council meeting, it may not be reconsidered at that meeting, but may be reconsidered at a Council meeting held within 30 days. If upon reconsideration the measure receives four affirmative votes, it shall be adopted.

E. The Mayor shall have the power to veto a local law. The procedure for approving or vetoing a local law shall be as set forth in the Municipal Home Rule Law.

§ C3-12. Journal of proceedings.

It shall be the duty of the City Clerk to maintain the journal of Council proceedings. Such proceedings shall be made available to the public in a timely fashion. At the end of the year, the proceedings shall be indexed.

§ C3-13. Official newspaper.

Official notices and other legal notices which may be required by law shall be published in such newspaper(s) as may be from time to time designated by the Common Council as official newspaper(s) of the City of Plattsburgh.

ARTICLE IV
Mayor

§ C4-1. Term; qualifications.

A. The Mayor shall be the chief executive officer of the City.

B. The Mayor shall be elected by the electors at large and shall serve a four-year term.[4]

C. The Mayor shall be a qualified resident and elector of the City of Plattsburgh 30 days prior to Election

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Day and shall have a principal place of residence in the City of Plattsburgh during his or her term.

D. The Mayor shall devote himself or herself exclusively to the affairs of the City during the hours City hall is open to the public.

§ C4-2. Compensation.

The compensation of the Mayor shall be established by local law except that changes may not be effective during the term of office during which the change is approved.

§ C4-3. Powers and duties.

The Mayor shall be the chief executive officer of the City, responsible to the Council for the management of all City affairs placed in the Mayor's charge by or under this Charter. The Mayor shall:

A. Appoint and suspend or remove all City employees and appointive administrative officers provided for by or under this Charter, except as otherwise provided by law, this Charter or personnel rules adopted pursuant to this Charter. The Mayor may authorize any administrative officer subject to the Mayor's direction and supervision to exercise these powers with respect to subordinates in that officer's department, office or agency;

B. Direct and supervise the administration of all departments, offices and agencies of the City, except as otherwise provided by this Charter or by law;

C. Attend all Council meetings. The Mayor shall have the right to take part in discussion but shall not vote, except in the case of a tie or when all Councilors present and voting are in favor or opposed to a measure and the Mayor's vote is necessary to pass or defeat the measure;

D. See that all laws, provisions of this Charter and acts of the Council, subject to enforcement by the Mayor or by officers subject to the Mayor's direction and supervision, are faithfully executed;

E. Prepare and submit the annual budget message, budget and capital program to the Common Council, and implement the final budget approved by Council to achieve the goals of the City;

F. Submit to the Council and make available to the public a complete report on the finances and administrative activities of the City as of the end of each fiscal year;

G. Make such other reports as the Council may require concerning operations;

H. Keep the Council fully advised as to the financial condition and future needs of the City;

I. Make recommendations to the Council concerning the affairs of the City and facilitate the work of the Council in developing policy and a five-year plan;

J. Provide staff support services for the Mayor and Council members;

K. Assist the Council to develop long-term goals for the City and strategies to implement these goals;

L. Encourage and provide staff support for regional and intergovernmental cooperation;

M. Promote partnerships among Council, staff, and citizens in developing public policy and building a sense of community; and

N. Perform such other duties as are specified in this Charter or may be required by the Common Council.

§ C4-4. Mayor pro tem.

A. At the first meeting of the Common Council in each official year, or as soon thereafter as practicable,

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the Common Council shall choose a Councilor to be the Mayor pro tem.

B. When the Mayor is absent from a Council meeting or temporarily unable to perform the duties of Mayor due to illness or disability, the Mayor pro tem shall be the presiding officer of the Common Council and have all the powers and duties and be subject to all the obligations and liabilities of the Mayor, except that the Mayor pro tem shall not make any appointment or removal from office, or have the power to veto Council action, or cast a vote on a tie; however, the Mayor pro tem shall not lose his or her vote as a Councilor while acting as presiding officer of the Common Council.

C. When the Mayor is absent or unable to perform the duties of the office for an extended or frequent period(s) of time because of illness or disability, and the Mayor pro tem performs the duties of Mayor on substantially a full-time basis, the Common Council shall increase the Mayor pro tem's compensation commensurate with the duties assumed.

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1. **Note: The term of Mayor was changed from three years to four years by voter referendum at the 2015 general election.**

ARTICLE V
Departments, Boards and Commissions

§ C5-1. General.

A. Creation of departments. The Common Council may establish City departments, offices, or agencies in addition to those created by this Charter and may prescribe the functions of all departments, offices, and agencies.

B. Direction by Mayor. All departments, offices, and agencies under the direction and supervision of the Mayor shall be administered by an officer appointed by and subject to the direction and supervision of the Mayor. With the consent of Council, the Mayor may serve as the head of one or more such departments, offices, or agencies or may appoint one person as the head of two or more of them or more than one person may share the position of the department head.

C. Unless otherwise prescribed by state law or this Charter, the term of office of department heads shall commence on the first day of February following commencement of the Mayor's term in office and shall end on January 31st following the expiration of the Mayor's term in office.

D. Civil service status. The civil service status and rights of all City employees and their beneficiaries, including, but not limited to, those with respect to retirement and social security, shall not be affected by this Charter. Nothing contained in this Charter shall affect the term of office of any City officer or member of any board or commission who shall have been elected or appointed prior to the effective date of this Charter. The Common Council may change the civil service status of City positions after the effective date of this Charter in accordance with Civil Service Law.

E. Managerial authority and duty. Department heads shall have the following authority and duties and such others as may be delegated by the Mayor:

(1) Evaluate and recommend prospective appointees to department positions.

(2) Supervise, evaluate, authorize or initiate disciplinary proceedings against department employees.

(3) Make work assignments.

(4) Advise on collective bargaining demands and responses.

(5) At the direction of the Mayor, serve as a management representative in collective bargaining negotiations.

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(6) Approve department purchases of goods and services under the City's purchasing policy.

(7) Prepare the annual department budget and long-range plans for the department.

(8) Formulate and recommend for Council approval new or revised departmental policies.

§ C5-2. Boards and commissions.

The City shall have the following Boards and Commissions whose members and officers shall be appointed as set forth in this Charter, the Administrative Code or state law.

A. Zoning Board of Appeals.

B. Planning Board.

C. Board of Assessment Review.

D. Plattsburgh Public Library.

E. Districting Commission.

F. Emergency Disaster Relief Services Commission

§ C5-3. City departments and officers. [Amended 8-17-2017 by L.L. No. 4-2017; 11-16-2017 by L.L. No. 7-2017]

Each City department shall be managed by a department head and such assistant department heads or deputies whose positions have been established by the Common Council. The function, organization, powers and duties of a department shall be defined in this Charter or the Administrative Code.

A. City Clerk.

B. Law.

C. City Court.

D. Finance.

E. Police.

F. Fire.

G. Public Works.

H. Municipal Lighting Department.

I. Environmental Services.

J. Community Development.

K. Assessor.[5]

L. Codes Enforcement.

§ C5-4. Provisions regarding certain City departments; public library.

§ C5-4.1. City Clerk.

A. Appointment. There shall be a City Clerk who shall be appointed by the Mayor, subject to confirmation by the Common Council. The City Clerk shall be directly responsible to the Mayor.

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B. Powers and duties. The City Clerk shall have the following powers and duties and such others as are delegated by state law, including, without limitation, the powers delegated to Town Clerks under the Town Law, this Charter and the Administrative Code. The City Clerk:

(1) Shall act as registrar of vital statistics of the City.

(2) Shall have custody and control of the journal of Common Council proceedings, laws, ordinances, rules, regulations, resolutions, contracts, agreements, deeds and other instruments the City is a party to.

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1. **Note: In the event the City enters a contract with Clinton County pursuant to Real Property Tax Law § 1537, such that the County provides assessment services for and on behalf of the City with a designated assessor, an Assessor Department within the City shall not be required. During the term of the aforementioned contract, there shall be no department head or related position in the Assessor Department.**

(3) Receive and file the minutes of the proceedings of City boards and commissions.

(4) Maintain the official Administrative Code.

(5) File local laws and publish required notices and documents.

(6) Act as the City's Freedom of Information Law officer.

(7) Issue licenses and permits and collect authorized fees.

(8) Maintain a log of notices of claim and legal process served upon the City, and forthwith transmit copies of such documents to the corporation counsel and City Chamberlain.

§ C5-4.2. Department of Law.

A. Establishment; qualifications, appointment, term. There shall be a Department of Law headed by a corporation counsel who shall be appointed by the Mayor, subject to confirmation by the Common Council. He or she shall have been admitted to practice before the courts of the State of New York for not less than five years prior to appointment. Unless otherwise prescribed by state law, the corporation counsel's term shall commence on the first day of February following commencement of the Mayor's term in office and shall end on January 31st following the expiration of the Mayor's term in office. The corporation counsel may be compensated on a salaried or hourly rate basis, or a combination thereof. The corporation counsel may engage in the private practice of law so long as it does not conflict with his or her duties and such practice is not conducted on City premises.

B. Powers and duties. The corporation counsel shall serve as chief legal adviser to the Mayor, the Common Council and all City departments, offices and boards, and shall represent the City in all legal proceedings, and shall perform any other duties prescribed by state law, this Charter and local law or ordinance. The corporation counsel may bring such actions and proceedings as are authorized by the Mayor or Common Council. No claim, case or proceeding that requires the payment of money by the City may be settled without authorization by the Common Council. The corporation counsel may, with the written consent of the Mayor, employ counsel to assist him in the conduct of important cases or proceedings in which the City is interested or a party and may also, with the consent of the Mayor and Common Council, appoint an assistant corporation counsel to act in his place and stead, in case of his absence or disability.

§ C5-4.3. City Court.

There shall be a City court presided over by a full time City judge. The City court shall not be subject to supervision or control by the Mayor or Council. The City shall provide adequate accommodations for City court.

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A. City judge. Qualifications, appointment. The City judge shall be appointed by the Mayor, subject to confirmation by the Common Council. He or she shall have been admitted to practice before the courts of the State of New York for not less than five years prior to appointment and shall be a resident of the City at the time of his appointment and during his or her term in office. The term of the City judge shall be as prescribed in state law.

B. Acting City judge. Qualifications, appointment. The acting City judge shall be appointed by the Mayor, subject to confirmation by the Common Council. He or she shall have been admitted to practice before the courts of the State of New York for not less than five years prior to appointment and shall be a resident of the City at the time of his or her appointment and during his or her term in office. The term of the acting City judge shall be as prescribed in state law, but if no term is prescribed, the term shall commence on the first day of February following commencement of the Mayor's term in office and shall end on January 31st following the expiration of the Mayor's term in office.

§ C5-4.4. Department of Finance.

There shall be a Department of Finance headed by a City Chamberlain who shall be appointed by the Mayor, subject to confirmation by the Common Council. He or she shall be qualified on the basis of his or her training and experience in financial management. He or she shall be directly responsible to the Mayor.

A. Powers and duties. The City Chamberlain shall:

(1) Be the chief fiscal officer of the City responsible for all financial administration of the City; specifically, he or she shall:

(a) Collect, receive, have custody of, deposit and disburse all fees, revenues and other funds of the City or for which the City is responsible.

(b) Review and pay all payrolls, approved claims, expenses and other authorized disbursements of the City.

(c) Perform the duties of an "enforcing officer" under the Real Property Tax Law.

(d) Conduct the sale of all bonds pursuant to the provisions of the Local Finance Law and keep a record of all indebtedness, bonded or otherwise, of the City.

(e) Provide adequate insurance and surety bond coverage to protect the City from all reasonable risks of loss or damage.

(f) Submit to the Mayor and the Common Council at the end of each quarter of the fiscal year, and such other times as requested, a complete statement of City finances as specified in the Administrative Code.

(2) Advise and assist the Mayor and Council in the preparation of the Mayor's budget and the Council's budget. Prepare for the corporation counsel's review: laws, ordinances and resolutions adopting the City budget and the levying taxes.

(3) Act as the chief auditing and accounting officer of the City; specifically, he or she shall:

(a) Maintain records of appropriations, encumbrances and expenditures and prescribe approved methods of accounting for all units of City government, unless otherwise required by the State Comptroller.

(b) Certify the availability of funds for all requisitions, contracts, purchase orders and other documents by which the City incurs financial obligations or for the expenditure of funds for which the City is responsible.

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(c) Audit for approval of payment all lawful claims or charges against the City or against funds for which the City is responsible, in whole or in part, in the manner provided in the Administrative Code.

(d) Audit the financial records and accounts of all units of City government charged with duties relating to funds of the City or for which the City is responsible.

(e) Provide for budget controls and allocation of appropriated funds in efficient, economical and justifiable manners.

(f) Review, evaluate and recommend changes to the City's purchasing policy and procedures.

B. Deputy Chamberlain. There shall be a deputy Chamberlain appointed by the Mayor and confirmed by the Common Council. The deputy chamberlain shall, unless otherwise prescribed by law, possess the powers and perform the duties of the chamberlain during the absence or inability to act of the chamberlain, or during a vacancy in the office.

§ C5-4.5. Municipal Lighting Department.

The Municipal Lighting Department, established by Local Law No. 1 of 1936 pursuant to Article 14-a of the General Municipal Law, is authorized to provide any service authorized to be furnished by an electric corporation pursuant to Article 4 of the Public Service Law. The department shall be governed by a Board of Directors composed of the Mayor and members of the Common Council. The Board of Directors shall adopt bylaws and hold regular meetings within 15 days of the end of each calendar quarter. The department shall establish and maintain separate financial records showing all revenue and expenditures. The Board of Directors shall establish customer rates, charges and terms of service in compliance with Public Service Commission laws, regulations and procedures. The department shall be administered by a manager appointed by the Mayor and confirmed by the Common Council.

§ C5-4.6. Public library.

The Plattsburgh Public Library is not a branch or department of City government, but a separate entity governed by the Library Board of trustees constituted in accordance with the Charter granted to it by the New York State Board of Regents. The Library Board has the power and duty to determine and carry out all policies and principles pertaining to operations of the library; to use library property; to appoint, manage and control library personnel; to use and expend funds appropriated for library purposes. The Mayor shall appoint the Library Board of trustees, subject to Council confirmation. The City may appropriate funds for library purposes. Library funds shall be subject to oversight, custody and control by the City chamberlain, as provided in state law.

§ C5-4.7. Emergency Disaster Relief Services Commission

The City recognizes that natural disasters, technological incidents, public health emergencies, acts of terrorism, severe weather, infrastructure failures, and other hazards may threaten the health, safety and welfare of residents, visitors, businesses, and public property. The Emergency Disaster Relief Commission shall establish a comprehensive framework for emergency management in the City of Plattsburgh, including preparedness, prevention, protection, response, recovery, and mitigation.

ARTICLE VI
Financial Management

§ C6-1. Submission and notice of budget and budget message. [Amended 8-17-2017 by L.L. No. 5-2017]

On or before October 8 of each year, the Mayor shall submit to the Common Council, and file with the

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City Clerk, a budget for the ensuing fiscal year and an accompanying message. The budget and message shall be available to the public and the Clerk shall publish notice of a public hearing to be held not sooner than seven days following publishing of the Mayor's budget and the accompanying message, and no later than 28 days following the publishing of the Mayor's budget and the accompanying message. As used in this article, the term "publish" means to provide public notice through one or more methods reasonably calculated to inform the public, including publication in a newspaper of general circulation within the City and posting on the City's official Website.

§ C6-2. Budget message.

The Mayor's message shall explain the budget both in fiscal terms and in terms of the work programs, linking those programs to organizational goals and community priorities.

The budget message shall:

A. outline the proposed financial policies of the City for the ensuing fiscal year and the impact of those policies on future years;

B. describe the important features of the budget;

C. indicate any major changes from the current year in financial policies, expenditures, and revenues together with the reasons for such changes;

D. summarize the City's debt position, including factors affecting the ability to raise resources through debt issues;

E. include such other material as the Mayor deems desirable.

The term "major change" includes, but is not limited to:

a. a deficit or surplus that is more than 5% of the current year's budgeted amount for a department or program; and

b. a new program or activity which will include a description of the need, cost, and funding source.

§ C6-3. Budget.

The budget shall provide a complete financial plan of all City funds and activities for the ensuing fiscal year and, except as required by law or this Charter, shall be in such form as the Common Council may require. The budget shall begin with a clear general summary of its contents; shall show in detail all estimated income, indicating the proposed property tax levy, utility rates, and other fees and charges, and all proposed expenditures, including debt service, for the ensuing fiscal year; it shall indicate in separate sections:

A. How each department's or program's expenditures comport with the City's goals and objectives, including the method of financing such expenditures; and

B. Proposed capital expenditures during the ensuing fiscal year consistent with the five year capital program, detailed for each fund by organization unit when practicable, and the proposed method of financing each such capital expenditure; and

C. The anticipated income and expense, and profit and loss, for the ensuing year for each utility and any department or program operated by the City which derives more than 50% of its operating revenues from fees or charges. Such budgets shall include all income and expenses, including the estimated cost of expenses not paid directly by the department or program, such as property insurance, equipment depreciation, employee benefit expenses and support services provided by other departments or programs. The operating budget shall include the number and amount of delinquent customer accounts more than 60, and 120 days past due. The amount of general fund revenue budgeted for use by such department shall be clearly identified. For any fund, the total of proposed

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expenditures shall not exceed the total of estimated income plus carried forward fund balance, exclusive of reserves.

§ C6-4. Common Council action on budget.

A. Amendment before adoption. After the public hearing, the Common Council may adopt the budget with or without amendment. In amending the budget, it may add or increase programs or amounts and may delete or decrease any programs or amounts, except expenditures required by law or for debt service or for an estimated cash deficit, provided that no amendment to the budget shall increase the authorized expenditures to an amount greater than total estimated income. An amendment shall be supported by the information required to be included in the budget and budget message submitted by the Mayor.

B. Adoption. The Common Council shall adopt the budget and necessary implementing ordinances not later than December 15 of the current year.

C. Failure to adopt. If the Common Council fails to adopt a budget by December 15 of the current year the budget submitted by the Mayor and all implementing ordinances shall take effect.

§ C6-5. Appropriation and revenue.

Not later than 14 days after the start of the fiscal year, and as otherwise deemed appropriate, the Common Council shall adopt ordinances or enact local laws which:

A. Appropriate funds by department or board for each separately budgeted program or activity.

B. Establish tax rates and authorizing real property tax levies to raise the budgeted amount of real property tax revenue.

C. Establish new or increased taxes, fees or charges, the estimated revenues from which are included in the budget. If a law imposing a tax, fee or charge authorizes changes in the rate(s) or amount(s) by resolution, a change may be made by resolution.

§ C6-6. Budget amendments after adoption.

The budget may be amended after it is adopted, as follows:

A. Supplemental appropriations. If during the fiscal year the Mayor certifies that there are available for appropriation revenues in excess of those estimated in the budget, the Common Council by ordinance may make supplemental appropriations for the year up to the amount of such excess.

B. Emergency appropriations. To meet a public emergency, or to pay a judgment against the City, or a catastrophic loss in an amount in excess of the City's insurance coverage, the Common Council may make emergency appropriations. To the extent that there are no available unappropriated revenues or a sufficient fund balance to meet such appropriations, the Council may borrow funds to pay such costs on such terms as are permitted by the Local Finance Law.

C. Reduction of appropriations. If it appears to the Mayor that there is likely to be insufficient revenue or unappropriated funds to pay an appropriation, he or she shall promptly inform the Common Council of the amount of the estimated deficit and recommend a course of action. The Common Council may, by ordinance or resolution, reduce one or more unencumbered appropriations to eliminate such deficit.

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D. Transfer of appropriations. The Common Council may, by resolution, transfer an unencumbered appropriation from one budget category to another. The Mayor may transfer an appropriation for an activity or program within a department to another activity or program within such department and shall inform the Council of such action on or before the next regular Council meeting.

E. Public borrowings. Nothing in this article shall be construed to limit the City's borrowing powers under the Local Finance Law.

§ C6-7. Capital program.

A. Submission to City Council. The Mayor shall prepare and submit to the Common Council a five-year capital program no later than October 8.

B. Contents. The capital program shall include:

(1) A clear general summary of its contents;

(2) Identification of the long-term goals of the community;

(3) A list of all capital improvements and other capital expenditures which are proposed to be undertaken during the fiscal years next ensuing, with appropriate supporting information as to the necessity for each;

(4) Cost estimates and recommended time schedules for each improvement or other capital expenditure;

(5) Method of financing upon which each capital expenditure is to be reliant;

(6) The estimated annual cost of operating and maintaining the facilities to be constructed or acquired;

(7) A commentary on how the plan addresses the sustainability of the community and the region of which it is a part; and

(8) Methods to measure outcomes and performance of the capital plan related to the long-term goals of the community.

C. The capital program shall be revised and extended each year with regard to capital improvements still pending or in process of construction or acquisition.

§ C6-8. Common Council action on capital program.

A. Notice and hearing. The Common Council shall publish the general summary of the capital program and a notice stating:

(1) The times and places where copies of the capital program are available for inspection by the public, and

(2) The time and place for a public hearing(s) on the capital program which shall be held not sooner than October 15 or later than October 22.

B. Adoption. The Common Council by resolution shall adopt the capital program with or without amendment after the public hearing and on or before the 14th day after the start of the fiscal year.

C. Failure to adopt. If the Common Council fails to adopt a capital program within the time stated in the preceding section, the capital program submitted to the Council by the Mayor shall take effect.

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§ C6-9. Lapse of appropriations.

All unspent and unencumbered appropriations shall lapse at the end of each fiscal year, except unspent and unencumbered appropriations for capital projects which shall lapse at the end of two years from the fiscal year in which such funds were appropriated.

§ C6-10. Overspending of appropriations prohibited.

No payment shall be made or obligation incurred against any allotment or appropriation except in accordance with appropriations duly made and unless the Mayor or the City chamberlain first certifies that there is an unencumbered appropriation to pay such expense. Any authorization of payment or incurring of obligation, in violation of the provisions of this article, shall be void, and any payment so made illegal. Any City officer or employee who knowingly pays, or causes the City to become obligated to pay, any expense without an appropriation sufficient to pay the cost thereof shall be liable to the City for the amount so paid and may be removed from office or discharged. This section does not prohibit the City from entering into contracts, leases or other obligations which require the City to make payments over more than one fiscal year.

§ C6-11. Independent audit.

A. The Common Council shall provide for an independent annual audit of all City accounts and may provide for more frequent audits as it deems necessary. An independent certified public accountant or firm of such accountants shall make such audits. The auditor will conduct the audit in compliance with the current Code of Ethics and Rules of Conduct promulgated by the American Institute of Certified Public Accountants, the New York State Society of Certified Public Accountants, and the State Board for Public Accountancy.

B. Such audits should be performed in accordance with generally accepted auditing standards (GAAS) and generally accepted governmental auditing standards (GAGAS).

C. The Council shall designate no fewer than three of its members to serve as an Audit Committee. This Committee shall:

(1) Lead the process of selecting an independent auditor;

(2) Direct the work of the independent auditor as to the scope of the annual audit and any matters of concern with respect to internal controls; and

(3) Receive the report of the independent auditor and present that report to the Council with any recommendations from the Committee.

D. The Council shall, using competitive bidding procedures for professional services, designate such accountant or firm annually, or for a period not exceeding three years, but the designation for any particular fiscal year shall be made no later than 30 days after the beginning of such fiscal year. The standard for independence is that the auditor must be capable of exercising objective and impartial judgment on all issues encompassed within the audit engagement. No accountant or firm may provide any other services to the City during the time it is retained to provide independent audits to the City.

§ C6-12. Public records.

Copies of the budget, capital program, independent audits, and appropriation and revenue ordinances shall be public records.

§ C6-13. Civil actions and claims against City.

A. No civil action shall be maintained against the City for damages or injuries to person or property

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sustained in consequence of any street, highway, bridge, culvert, sidewalk or crosswalk being defective, out of repair, unsafe, dangerous or obstructed unless, previous to the occurrence resulting in such damages or injury, written notice of the defective, unsafe, dangerous or obstructed condition of said street, highway, bridge, culvert, sidewalk or crosswalk was actually given to the Superintendent of Public Works and there was a failure or neglect within a reasonable time after the receipt of such notice to repair or remove the defect, danger or obstruction complained of. No such action shall be maintained for damages or injuries to the person or property sustained solely in consequence of the existence of snow or ice upon any sidewalk, crosswalk or street unless written notice thereof, relating to the particular place, was actually given to the Superintendent of Public Works and there was a failure or neglect to cause such snow or ice to be removed or the place otherwise made reasonably safe within a reasonable time after the receipt of such notice.

B. The City shall not be liable in a civil action for damages or injuries to person or property or invasion of personal or property rights of any name or nature whatsoever, whether casual or continuing, arising at law or in equity, alleged to have been caused or sustained, in whole or in part, by or because of any omission of duty, wrongful act, fault, neglect, misfeasance or negligence on the part of the City or any of its agents, officers or employees unless a notice of claim shall have been made and served in compliance with § 50-e of the General Municipal Law nor unless an action shall be commenced thereon within one year after the happening of such accident or injury or the occurrence of such act, omission, fault or neglect; but no action shall be commenced to recover upon or enforce any such claim against the City until the expiration of three months after the service of said notice. Nothing herein contained, however, shall be held to revive any claim or cause now barred by any existing requirement or statute of limitations or to waive any existing limitation now applicable to any claim or cause of action against the City.

C. All actions brought against the City upon any contract liability expressed or implied must be commenced within one year from the time that the cause of action accrued.

D. Where a claim has been filed against the City or any of its servants, agents, employees, boards or representatives for any cause whatsoever demanding payment of a sum of money, the Chamberlain of the City of Plattsburgh by the service of a notice on the claimant, either personally or by registered or certified mail, may require said claimant to appear and be examined in connection with such claim and, when so sworn, to answer as to any facts relating to the justness of such claim and as to all facts and circumstances surrounding the occurrence or happening upon which the claim is based, including the extent and nature of the damages or injuries for which the claim is made.

E. No action shall be commenced against the City or its servants, agents, employees, boards or representatives unless the claimant has duly complied with the request for examination by the Chamberlain as herein set forth, and failure to comply shall be deemed a complete defense to any action.

§ C6-14. Finances and property control; ordinances; rules and regulations.

The Common Council shall provide by law procedures for administration and fiduciary oversight of the budget.

§ C6-15. Audit and payment of claims.

A. A claim is a demand presented for the payment of money due for goods that have been delivered, services that have been provided, or compensation for damages.

B. The City Chamberlain may adopt rules, procedures and forms for the presentation of claims by claimants and City officers and departments.

C. The Common Council shall audit claims and allow or disallow claims in whole or part. The Common Council may, by local law not subject to referendum, delegate its auditing responsibility and authority

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to another body or official.

D. The following claims may be paid without prior audit, but shall be reported on the abstract of claims:

(1) Public utility services, postage, freight, and express charges.

(2) Payments from authorized petty cash funds.

(3) Fixed salaries of officers or employees regularly engaged at agreed-upon wages by the hour, day, week, month, year, or other authorized period, including any payroll withholdings.

(4) Principal or interest payments on debt.

(5) Payments made pursuant to a court order.

(6) Amounts due upon lawful contracts for periods exceeding one year.

(7) Retirement contributions to the New York State and Local Retirement System as billed by the State Comptroller.

E. The City Chamberlain shall prepare an "abstract of claims" listing all claims audited and approved for payment which shall include the claim number, name of claimant, amount approved, fund, and appropriation account chargeable. An abstract of claims shall be presented at each regular Common Council meeting. The Chamberlain's presentation of the abstract of claims is a certification that:

(1) The claim is for a valid and legal purpose.

(2) The purchase is authorized and approved.

(3) There are sufficient appropriations to pay the claim.

(4) The claim is mathematically correct.

(5) The claim meets legal and policy requirements in relation to competitive bidding or, when permitted, competitive offering, and the requirements of the City's procurement policy.

(6) Other adopted policies have been followed.

F. The abstract of claims shall be reviewed and approved by a pre-audit committee of the Common Council which shall consist of any three members of the Common Council, including the Mayor. The pre-audit committee shall review the abstract of claims, and supporting documentation deemed necessary, and recommend approval or disapproval to the Common Council. The pre-audit committee members are not required to meet as a committee, but may review claims individually. The committee members shall indicate their review of claims by signing the abstract of claims.

ARTICLE VII
Transition; General Provisions

§ C7-1. Approval; effective date; supersession.

This Charter shall be submitted to the electors of the City of Plattsburgh for approval at the general election occurring November, 2026. This Charter shall, upon approval by referendum in the manner provided by law, become effective as of January 1, 2027. This Charter shall supersede the City of Plattsburgh Charter in effect on the date of the 2026 general election.[6]

§ C7-2. Severability.

If any provision of this Charter is held invalid, the other provisions of the Charter shall not be affected.

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If the application of the Charter or any of its provisions to any person or circumstance is held invalid, the application of the Charter and its provisions to other persons or circumstances shall not be affected.

§ C7-3. State and municipal laws.

A. In general. All City laws, ordinances, resolutions, orders and regulations which are in force when this Charter becomes fully effective are repealed to the extent that they are inconsistent or interfere with the effective operation of this Charter or of laws, ordinances or resolutions adopted pursuant thereto. To the extent that the constitution and laws of the state of New York permit, all laws relating to or affecting the City or its agencies, officers or employees which are in force when this Charter becomes fully effective are superseded to the extent that they are inconsistent or interfere with the effective operation of this Charter or of ordinances or resolutions adopted pursuant thereto.

B. Specific provisions. Without limitation of the general operation of Subsection A or of the number or nature of the provisions to which it applies:

(1) The following state laws and parts of laws generally affecting City agencies, officers or employees are inapplicable to the City of Plattsburgh or its agencies, officers or employees: Public Officers Law § 3.

(2) The following sections of the City Charter that are superseded by the adoption of this Charter are retained, transferred and re-codified as part of the City Administrative Code, as follows:

Current City Charter Section	City Administrative Code Section
§ C1-2 Boundaries of the City	Chapter 21, § 21-1, City boundaries
§ C1-4 Division in wards	Chapter 47, § 47-2, Boundaries

2. **Editor's Note: This Charter was approved by voter referendum at the 11-3-2015 general election.**

3. **Editor's Note: An amendment to this Charter, extending the term of Mayor and staggering the elections of City Councilors was approved by voter referendum at the 11-3-2015 general election. Said amendments are incorporated in the text of this Charter.**

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Local Law Filing

(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 ascribed as local law number _____ of 20_____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20_____ 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, ascribed as local law number _____ 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_____ 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, ascribed as local law number _____ 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_____.

(Name of Legislative Body)

(Elective Chief Executive Officer)*

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 _____ 20 _____ in accordance with the applicable provisions of law.

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

I hereby certify that the local law annexed hereto, ascribed as local law number _____ 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 _____ 20_____ in accordance with the applicable provisions of law.

(Name of Legislative Body)

(Elective Chief Executive Officer)*

* 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 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.

Local Law Filing

proposed by mayor appointed charter commission and approved by electorate

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

I hereby certify that the local law annexed hereto, ascribed as local law number 3 of 2026 _____ of the City of Plattsburgh having submitted to referendum pursuant to the provisions of Section (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 November 3 20 26 became operative.

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

I hereby certify that the local law annexed thereto, ascribed as local law number _____ of 20_____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20_____ 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 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 the paragraph 5 above.

Sareen Parrotte

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

(Seal)

11/16/2026

(Date)