

Minutes

To: Code Review Committee Members
Village Clerk
Date: 29 December, 2013
Re: **meeting of 10/28/13**

Village hall, 6 pm

Members present: Appleby, Bush, Duff, Fox, Kristansen, CEO Zarnstorff, Trustee Hannan

Minutes of 03/25/13 approved – motion by member Bush, second by member Fox

Minutes of 09/23/13 approved - Member Bush moved, member Kristansen seconded

Discussion re: Ch. 36

- CEO Zarnstorff and Chair Appleby described the Rochester court case in which the appellate division decided in favor of Rochester's inspection warrant law.
- Trustee Hannan has done research into other municipalities that use a one year inspection for some or all of their rental properties. New Paltz, Oswego, Fredonia and Cortland all use this system, among others.
- Cortland's chapter 102 has a variation on the 'Points and Penalties' system in which the CEO has the authority to cancel or not renew CofO's for habitual violators. They obtain an administrative search warrant for all of the properties belonging to a land lord who continually violates code at any of his properties that decreases the interval of inspection from three years to one until that land lord demonstrates a willingness to keep them all up to code.
- There was much discussion about inspection intervals and warrants. CEO Zarnstorff likes Cortland because of less work load and less harassment of land lords by the codes office. He thinks we could use some of the language from the points and penalties proposal done previously to set up criteria for what constitutes habitual violations.

- Member Kristansen asked about owners who do not respond when notified about needed inspections. CEO Zarnstorff said mostly owners do not respond because there really is a problem. He sends a notice of violation, then gets a warrant. The owner has to go to court and pay the fine.
- The committee began looking at what would have to be changed in order to return the draft ch. 36 to 3 year intervals again. Obvious that 36-5-B must be reinstated.
- Trustee Hannan asked whether we could take the current draft to a vote and public hearing and then amend it later with the Cortland plan. There was no objection from the committee.
- CEO Zarnstorff will do a final review of the chapter and send it out so that committee can finish it in November. He will also talk to the folks in Cortland and ask if their plan actually works.

Meeting adjourned 6:58 pm – motion by member Kristansen, second by member Duff.

Next meeting 25 November

Minutes submitted by Art Appleby