

At a Regular Meeting of the Common Council of the City of
Plattsburgh, New York, held MAY 13th, 1949.

PRESENT: MAYOR Davies, Aldermen Holland, LeClair, Villoni, Croteau, Ryan and Cardi.

ABSENT: None.

By Alderman Cardi; Seconded by Alderman LeClair;

LOCAL LAW NO. 22 OF 1949

ENTITLED AN ACT amending Section 45 of Chapter 269 of the Laws of 1902 and repealing Sections 36A, 53, 54, 55, 57, 58, 59, 60, 60A, 66 and 70 of Chapter 269 of the Laws of 1902 and Sections 777, 778, 779, 780, 781, 782 of Chapter 710 of the Laws of 1943.

BE IT ENACTED by the Mayor and the Common Council of the City of Plattsburgh, New York as follows:

Section 45. Control of Finances and Property; Ordinances, Rules and Regulations of the Common Council. The Common Council shall exercise all the corporate powers conferred by this act and other than as provided by law or this act, shall have the management and control of Fire, Police, Public Works and Water and Sewage Departments, except appointments to positions therein which shall be made as provided in Section 10 of this act and of the finances and of all property, real and personal, belonging to said corporation except such property as may be by law exempt from such control. All payments from funds of the City shall be upon warrant of the Mayor, countersigned by the Clerk,^x except payments made to officers and employees of the Municipal Lighting Department, whose pay shall be fixed by law which shall be made upon pay-rolls approved by the business manager of the Municipal Lighting Department, Mayor of the City and the Civil Service Commission^x and such payments shall be made by check signed by the Mayor and the City Chamberlain of said City. Warrants

for the payment of fixed salaries and to cover pay rolls of laborers audited by the Superintendent of Public Works and approved by the Mayor may be issued and delivered without previous audit by the Common Council as required in the case of other claims. The Common Council shall have the power with the approval of the Mayor as hereinbefore mentioned, to make, establish, modify, annul and repeal ordinances, rules, regulations and by-laws for any of the purposes heretofore specified in this act and for the following additional purposes:

1. To prevent vice and immorality, to preserve peace and good order, to prevent and quell riots and disorderly assemblages.
2. To prohibit all exhibitions of any natural or artificial curiosities, caravans, circuses, theatrical and other shows or exhibitions or performances, whether free or for money within the bounds of the city if the Common Council shall deem it advisable to license the same, upon such terms as the Common Council may direct, and to prohibit theatrical or other shows or exhibitions or performances in any place where liquors are sold within the bounds of said city.
3. To suppress disorderly houses, houses of ill-fame, gambling, gaming tables, and all instruments and devices employed in gaming; to regulate or restrain pool and billiard playing by minors in public places, and the playing of games of chance by minors; also to restrain minors from being in public places at night within specified house, when not attended by adult person; to restrain and punish street beggars, vagrants and mendicants; to regulate and restrain all occupants and business noxious to public comfort.
4. To determine the existence and direct the removal of a nuisance in any part of the city; and if the same be not removed within such time as the Common Council shall direct, to cause the same to be removed at the expense of the city, and to declare such expense

to be a lien on the lot and to enforce a collection thereof by leasing or selling the premises in the manner provided in this act for the collection of or assessments, or by action against the owners of the lot or any other person who may have erected, suffered, or maintained such nuisance; and in case of the non-removal or abatement of any such nuisance the Common Council may impose a penalty therefor and enforce the collection thereof, as prescribed by this act.

5. To direct the location of all houses for storing of gunpowder and other combustibles and explosive substance, and to regulate the keeping, selling and conveyance thereof, and the use of candles and lights in barns, stables and outbuildings.

6. To regulate and restrain hawking and peddling in the streets, and to regulate the time, mode, manner and place of holding auctions or public sales of merchandise, and all personal property, and to prohibit such sales on any of the sidewalks or crosswalks of the city, or the streets of the same; to license sales at auctions in said city, of goods or property belonging to persons not residents of said city, or which goods shall have been purchased with intent to sell the same at auction and to prevent such sales without license, and to require the payment of to the city such sums for such licenses as shall be provided for, not exceeding twenty-five dollars per day for each day upon which such sales shall be held.

7. To regulate the sale of fresh meats, fruit, poultry, butter, cheese, eggs, honey, vegetables, fish, and other articles disposed of from vehicles or wagons, and the fees for marketing privileges.

8. To license and regulate cabmen, porters, cartmen, hackmen and drivers of hackney carriages, stages or omnibuses for the transportation of passengers within the city, to fix their rates of compensation, and to require them to have licenses.

9. To regulate the speed of running trains of cars in the City within a half mile each way from any steam railroad depot or station in said city, and to regulate runners, stage drivers and others, in soliciting passengers and others to travel or ride in any stage or omnibus or to go to any hotel or otherwise.

10. To designate such portion of said city as it may deem proper within which no building in whole of wood or other combustible material shall be erected.

11. To prescribe or define such powers and duties of officers of said city as are not specified in this act and are not inconsistent therewith.

12. The Common Council shall have power to punish the wilful giving of a false fire alarm.

13. To lay out, establish, construct, maintain, operate, alter and discontinue streets, bridges, sewers, drainage systems, water systems, and lighting systems for lighting streets, public buildings and public places and to lay out, establish, construct and operate markets, parks, playgrounds and public places or to establish departments of government for the operation of the same. To extend the water works of said city to such points outside the corporate limits of the City of Plattsburgh whenever in the judgment of said Common Council the best interests of the said city shall be served.

14. To employ an engineer, servants and laborers and to fix the compensation of all persons so employed by them.

15. To make all contracts relating to construction, paving, curbing, guttersing and repair of the streets and sidewalks, public places and public squares, sewers and the cleaning of streets, sprinkling and the removal of dirt therefrom, the grading, paving and repaving, macadamizing and remacadamizing of all streets, public places and public

squares and laying or extending of sewers and the provisions of all materials, machinery, implements and utensils necessary therefor. Provided, however, that the grant of any specific power under the provisions of this section shall not be construed in any way as a limitation of power granted to the City of Plattsburgh under any general or special statute.

16. In addition to the other powers conferred upon it by law, the Common Council shall have power to prohibit, permit or regulate, to restrict, locate or relocate the placing or maintenance of tanks, containers, pumps, standpipes, hoses, light posts and other similar appliances for the storage and distribution of gasoline, oil and other motor fuel within the boundaries or beneath the surface of any street, sidewalk or other public place in the City of Plattsburgh, to at any time remove or cause to be removed such tanks, containers, pumps, standpipes, hoses, light posts and other similar appliances as are now or may be hereafter placed within the boundaries or beneath the surface of any such street, sidewalk or public place pursuant to this act; for the purpose or revenue or regulation to require of applicants for permission to so place and maintain such tanks, containers, pumps, standpipes, hoses, light posts and other similar appliances the payment of such fee or license therefor and the compliance with such other conditions as it may deem proper; and to adopt ordinances carrying into effect the power granted to it by this or any other provisions of law, fixing the amount of such fee or license and such other terms and conditions and prescribing penalties for violation of such ordinances.


Section 2. Laws Repealed. Sections 36A, 53, 54, 55, 57, 57, 58, 59, 60, 60A, 61, 66 and 70 of Chapter 269 of the Laws of 1902 and Sections 777, 778, 779, 780, 781 and 782 of Chapter

710 of the Laws of 1943 are hereby repealed.

Section 3. Time of Taking Effect.- This act shall take effect after public hearing and approval by the Mayor.

On roll call, Aldermen Holland, Le^Cclair, Villoni, Croteau, Ryan and Cardi voted in the affirmative; no one in the negative, CARRIED.

The foregoing Local Law certified to the Mayor this 16th day of May, 1949.


ACTING CITY CLERK

The foregoing Local Law is hereby approved after Public Hearing held this 24th day of May, 1949.


MAYOR

(SEAL)

PUBLISHED: MAY 17, 1949