

At a Regular Meeting of the Common Council of the City of Plattsburgh, New York, held December 4, 1980.

PRESENT: Mayor Ianelli, Aldermen Stewart, Baughn, Stanley, Blumette, Lombardoni and Poitras

ABSENT: None

By Alderman Baughn ; seconded by Alderman Stewart :

LOCAL LAW NO. 3 OF 1980

ENTITLED A LOCAL LAW AMENDING SECTION 45A OF THE CHARTER OF THE CITY OF PLATTSBURGH, as last amended by Local Law No. 4 of 1954.

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

SECTION 1: Section 45a of the Charter of the City of Plattsburgh, New York, as last amended by Local Law No. 4 of 1954 is hereby amended to provide as follows:

Section 45-a. STREETS, ROADS, WATER AND SEWER FACILITIES AND SIDEWALKS AND CURBS AND EXTENSIONS AND REPLACEMENTS THEREOF.

1. Whenever the Common Council shall intend to acquire, purchase or receive lands, or rights or easements therein, to open and construct new streets and roads or other public grounds, new water and sewer facilities or sidewalks and curbs, or to extend, widen or otherwise alter existing streets and roads or public grounds, water and sewer facilities or sidewalks and curbs, it shall require that the same be surveyed and monuments placed showing the lines thereof, and a map be made of the same which shall be filed in the City Clerk's Office. and for that purpose, the Common Council and those enacting under its direction shall have the right to enter upon any grounds in said City.

2. In the event that the Common Council is unable to agree with the owners for the purchase of such lands or rights or easements therein required for the purposes aforesaid, it may acquire the same by proceedings pursuant to the provisions of the Eminent Domain Procedure Law of the State of New York.

3. Whenever any of the aforesaid projects are contemplated, the Common Council shall require the appropriate city official to cause proper plans and specifications and estimates of costs to be prepared, and such data shall be transmitted to the Common Council after which they will remain on file in the Office of the City Clerk.

4. In the event that the Common Council shall determine that the work or construction under contemplation shall be accomplished, it shall record an authorization to that effect in its minutes and shall cause to be transmitted to the proper officials, copies of such authorizations.

5. Expenses incurred in the opening and construction of new streets, roads or other public grounds, water and sewer facilities and the replacement of any such facilities, or to widen or extend or otherwise alter existing streets, roads, public grounds, water and sewer facilities, shall be a charge against the property benefited.

6. For the construction of new sidewalks and curbs or for the extension of existing sidewalks and curbs or the replacement of any of the same, each lot or parcel of land fronting thereon, shall be assessed the total expense of all such construction costs in front thereof. It shall in all cases be the duty of the owner of any lot or piece of land within the City to remove or clean away snow, ice or other obstruction from the sidewalk fronting his land. The Public Works Department shall also have the power to clean snow, ice or other obstruction from any sidewalk where the same shall have remained for 24 hours, and the expense of making such repairs or cleaning any sidewalk shall be a charge upon the property adjacent thereto.

7. Upon completion of the aforementioned projects for which assessments for benefits have been fixed and determined by the Common Council, and upon completion of any sidewalk or curb, or of the work of clearing sidewalks, the Public Works Department shall submit to the City Chamberlain, for transmittal to the Common Council, a special assessment roll, listing the properties and the owners thereof opposite which such construction or work has been completed, together with a description of the work or improvement and the amount of the assessment against each parcel of property.

8. Upon authorization by the Common Council, a warrant for the collection of such special assessment shall be executed by the Mayor and City Clerk and delivered with the special assessment roll, to the City Chamberlain. The City Chamberlain shall cause to be published once in the official newspaper of the city, a notice of the receipt by him of such assessment roll and warrant, and stating that such assessments are required to be paid at his office on or before the expiration of thirty days from the date of said publication. The City Chamberlain shall also mail to each property owner listed on such assessment roll an itemized statement covering the cost of the improvement or work assessed against the property.

9. After the expiration of 30 days, fees on the amounts of assessments remaining unpaid shall be charged and collected as provided in Section 153 of Chapter 269 of the Laws of 1902, as amended by Local Law No.13 of 1949, and enforcement and collection shall be made pursuant to the provisions of Section 167, added by Local Law No.23 of 1949, as amended by Local Law No.4 of 1954.

SECTION 2: This Local Law shall take effect on January 1, 19 81 , after public hearing and approval by the Mayor.

On roll call, Aldermen Stewart, Baughn, Stanley, Blumette, Lombardoni and Poitras voted in the affirmative; no one in the negative; CARRIED.

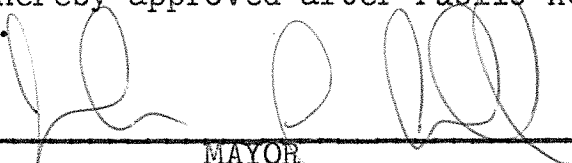
Certified to the Mayor this 11th day of December, 1980.

(SEAL)



CITY CLERK

The foregoing Local Law is hereby approved after Public Hearing held the 11th day of December, 1980.



MAYOR