

Minutes

To: Code Review Committee Members
Village Clerk
Date: 13 February, 2014
Re: meeting of 01/27/14

Village hall, 6 pm

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

Guest: Attorney David Mayer

Minutes of 12/30/13 approved on motion by member Kristansen, second by member Fox

Discussion continued about chapter 36

- After discussion, the committee suggested alternate wording for section 36-4-B(3) reflecting property owners should live within a 15 mile radius of Brockport or appoint property managers who do; we also suggest that their addresses and other contact information should be included in the registration application.
- Member Fox asked what a manager could be expected to do. After discussion, it was decided to add some qualifications and expectations: that they should at least know where water/gas valves and panel boxes are. The Codes department can provide a list of the minimum knowledge base for these managers.
- Attorney David Mayer will work on completed language for 36-4-B (1-3)
- 36-4-E,F,G ok as edited by member Appleby.
- Member Duff asked about how the warrant works. Attorney David Mayer said, as the Rochester code, once the CofO is expired, there is grounds for observation and/or inspection, especially if folks are living there. It should be a simple search warrant rather than an administrative one. Attorney David Mayer mentioned that Brockport could add a definition for probable cause, but that it is likely not necessary.

- Member Fox suggested adding permission to inspect to the registration application. Attorney David Mayer thinks it would not be valid, but will find out for sure.
- To 36-5-A, committee decided to add “No person shall permit occupancy of any structure in the absence of a valid CofO” ahead of the first full sentence.
- Attorney David Mayer suggests removing the definition statements at the beginning of section 36-5-B and then rewording this section so that it works with 36-6-A, concerning transfer of title, with respect to what constitutes a valid CofO for same. The section should read: “No transfer of title to an existing residential rental property shall be completed, in whole or in part, unless a valid certificate of occupancy/certificate of compliance shall be in force. Furthermore, completion of the transfer of title to an existing residential rental property shall terminate any valid certificate of occupancy/certificate of compliance for the property.”
- In section 36-6-A, the second sentence should be changed after the words ‘...a certificate of occupancy for a residential rental property shall be issued and shall’, adding the words “remain valid until i): one year from the date of its issuance, or ii): transfer of title to the property, whichever shall first occur.”
- Section 36-6-B is OK as rewritten.
- In section 36-10-A(3), remove the last sentence.
- Art and David are to provide a final draft for the next meeting, on 24 February.

Meeting adjourned 7:10 pm – motion by member Bush, second by member Duff.

Next meeting 24 February, 2014

Minutes submitted by Art Appleby