

Minutes

To: Code Review Committee Members
Village Clerk
Date: 28 January, 2014
Re: **meeting of 12/30/13**

Village hall, 6 pm

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

Guest: Attorney David Mayer

Minutes of 10/28/13 approved – motion by member Duff, second by member Fox

Discussion re: Ch. 36

- According to Atty Mayer, an administrative search warrant comes up when a CofO has expired and a codes officer needs to get in for whatever reason. It is a cumbersome process, so what is normally done is for the CEO to take action for the use of the property without a CofO. The administrative warrant has to be issued by a judge, as does a regular search warrant. Art will change all instances of 'administrative search warrant' to just 'search warrant.'

Special items of concern to ATTY Mayer

- Section 36-5-B (regarding no transfer of title without a new CofO) – ATTY wants the transfer to invalidate the old CofO so that a new one needs to be obtained by the buyer. This section will have to be rewritten, especially with the switch to annual CofO renewals for rental properties.
- ATTY also wants to have a close look at section 36-10-A to be sure that our inspection and warrant LL matches Rochester's. Art gave ATTY a copy of an e-mail about same from the Rochester zoning people to Scott Z.
- In Section 36-15, we should scratch subsection G about CofO's becoming void upon placarding. H will become G.

Continued general discussion on Chapter 36

- Member Appleby asked about 36-27-B, unofficial notification of violations, or door hang tags. ATTY said this is OK since it is used extensively in Brockport.
- Section 36-27-F, Fines, is all right as written, removing the crossed out text.
- Section 36-28, notification by Fire Department to CEO about disabled alarms, etc. Remove as it is unenforceable, and the CEO would have to inspect anyway. Remember to renumber sections 36-29 thru 36-33.
- Member Kristansen asked whether it should be the village's responsibility to notify land owners of the need to renew CofO's and rental registrations. ATTY said no, because then a failure to do so would be on the village when it should be the land owner's responsibility. This does not preclude the village from keeping track of when each CofO and registration expires, and maybe making a call or sending a post card ahead of time.

Meeting adjourned 7:15 pm – motion by member Fox, second by member Duff.

Next meeting 27 January

Minutes submitted by Art Appleby