

LOCAL LAW #7 of 2017
AMENDING THE OGDENSBURG CITY CHARTER AS RECOMMENDED BY
THE OGDENSBURG CHARTER REVIEW COMMISSION

A Local Law providing for changes in the Ogdensburg City Charter as recommended by the 2017 Ogdensburg City Charter Review Commission.

Be it enacted by the City Council of the City of Ogdensburg as follows:

SECTION 1. Article II, of the City Charter of the City of Ogdensburg entitled Election Districts be and the same is amended as follows:

§ C-4. Districts established; boundaries.

There shall be six election districts within the City of Ogdensburg, as follows:

A. Within County Legislative District No. 1:

- (1) District No. 1: Beginning at a point on the Southwesterly City corporation line where Ogden Street meets State Highway 68 and traveling Northwesterly and then Northerly along said corporation line in the St. Lawrence River to where it intersects with a visual extension of Franklin Street; thence in a Southeasterly direction along said visual extension and the center of State Street to the intersection with Washington Street; thence southwesterly along the center of Washington Street to the intersection with State Street; thence Southeasterly along the center of State Street to the intersection with Montgomery Street; thence Southwesterly along the center of Montgomery Street to the intersection of Pickering Street; thence Southwesterly along the center of Pickering Street to the intersection Lafayette Street across the Oswegatchie River (turning into Spring Street) to the intersection with St. Lawrence Avenue; thence Northwesterly along the center of St. Lawrence Ave. to the intersection with Ogden Street; thence Southwesterly along the center of Ogden Street to point of beginning.
- (2) District No. 2: Beginning at a point on the Southwesterly City corporation line where Ogden St. meets State Highway 68 and traveling in a Southeasterly direction along said corporation line to where it intersects with State Highway 37; thence in a Northeasterly direction along the center of State Highway 37 to the intersection of County Route 6; thence in a Northeasterly direction across the Oswegatchie River to an intersecting point between Mechanic Street and Fine Street; thence in a Northeasterly direction to the intersection of Fine Street and Shea Way; thence in a Northern direction along the center of Shea Way to the intersection of Jersey Avenue; thence Southwesterly to the intersection of Pickering Street; thence North along the center of Pickering Street to the intersection of Lafayette Street; thence Southwesterly across the Oswegatchie River along the Southern border of Election District 1, along the center of Ogden Street to the point of beginning.
- (3) District No. 3: Beginning at a point on intersection of Montgomery and State Street; thence North down the center of State Street to the intersection of State Street and Washington Street; thence Northeasterly to the intersection of Washington Street and Franklin Street; thence Northerly along the center of Franklin Street to the intersection of Riverside Avenue; thence Northeasterly along the center of Riverside Avenue to the intersection of Riverside and Paterson Street; thence Northerly to the intersection of Paterson and Railroad Street; thence Northeasterly along the center of Railroad Street to its end. Thence the election district boundary travels Southerly along Denny Street to its intersection with Ford Street; thence Northwesterly the center of Ford Street to its intersection with Paterson Street; thence Southerly along the center of Paterson Street to its intersection with Montgomery Street; thence Northwesterly along the center of Montgomery Street to Morris Street; thence Southerly along the center

of Morris Street to Lafayette Street; thence Northwesterly along Lafayette Street to the intersection of Franklin Street; thence Northerly along the center of Franklin to the intersection of Montgomery Street.; thence Northwesterly along the center of Montgomery Street to the point of beginning.

- (4) District No. 4: Beginning at a point on the Southern City corporation line where it intersects with Shea Way and traveling Northerly along the center of Shea Way to Jersey Avenue then Northwesterly along Jersey Avenue to its intersection with Pickering Street; thence Northerly along the center of Pickering Street to its intersection with Montgomery Street; thence Northeasterly along Montgomery Street to its intersection with Franklin Street; thence Southerly one block down Franklin Street to Lafayette Street; thence Northeasterly along Lafayette Street to its intersection with Morris Street; thence one block North to the intersection of Morris Street and Montgomery Street; thence traveling Northeasterly along Montgomery to its intersection with Paterson Street; thence Northerly along Paterson Street to Jay Street; thence traveling Northeasterly along the center of Jay Street to the intersection of Grant Street; thence Southerly along the center of Grant Street Extension to its intersection with Montgomery Street Ext.; thence traveling Northwesterly along the center of Montgomery Street Ext. to its intersection with Rosseel Street; thence traveling Southerly along the center of Rosseel Street to Lafayette Street; thence traveling one block Northwesterly to Plover Hill Avenue; thence traveling Southerly along the center of Plover Hill Avenue to its intersection with Jersey Avenue; thence travel one block Northwesterly to the intersection of Jersey Avenue and Park Street; thence travel Southerly on Park Street to a point on the Southern city corporation line, which travels Northwesterly to a point at the beginning of the Election District.

B. Within County Legislative District No. 2:

- (1) District No. 5: The Northern boundary of Election District 5 utilizes the St. Lawrence River from the Northwestern most point of Franklin Street heading Easterly to a point where Wall Street would intersect the St. Lawrence River. Heading Southeast inclusive of all property South and West along the Railroad tracks extending to the Northwest side of Ford Street at its intersection with Linden Street. Traveling South inclusive of the Western side of Linden Street to its intersection with Greene Street, Election District 5 includes the Northern side of Greene Street traveling Westerly to its intersection with Kiah Street. From this point, Election District 5 heads South on Kiah Street including all property on the West side of Kiah Street, to its intersection with Jay Street. From Jay Street, the Election District includes all property on the North side of Jay Street heading West to a point where Jay Street intersects Paterson Street. From this intersection, Election District 5 includes all property on the East side of Paterson Street to its intersection with Greene Street. At this point of intersection, the boundary of Election District 5 travels East including all property on the South side of Greene Street to its intersection with Proctor Lane. At said intersection, Election District 5 continues North along Proctor Lane, including all property to the East of Proctor Lane to a point where Proctor Lane intersects Ford Street. At this point, Election District 5 continues East along Ford Street inclusive of all property on the South side of Ford Street to its intersection with Denny Street. At this point of intersection, Election District 5 continues Northerly along Denny Street including all property to the East side as far as Denny Street's intersection with Railroad Street. At this point of intersection, Election District 5 includes all property to the East of Denny Street, and North of Railroad Street as far as Railroad Street's intersection with Paterson Street. From Paterson Street, heading South, Election District 5 includes all property on the West side of Paterson Street as far as the intersection with Riverside Avenue. From this point of intersection heading West along Riverside Avenue, Election District 5 includes all property on the Northern side of Riverside Avenue as far as its intersection with Franklin Street continuing to the original starting point of the Election District at its boundary inclusive of all property on the East and North side of Franklin Street to the St. Lawrence River.

- (2) District No. 6: The election district is defined by following the City limits line with Lisbon from the Eastern most boundary where it intersects the St. Lawrence River and travels South and West to the intersection of Park Street and State Highway 37. Election District 6 then proceeds Northerly along the Northeast side of Park Street to the intersection of Jersey Avenue. From this intersection, Election District 6 continues inclusively of everything in the City to the East along the Southeastern side of Jersey Avenue as it turns into Plover Hill Avenue, to its intersection with Lafayette Street heading Easterly to its intersection with Rosseel Street. Heading North on Rosseel Street, to its intersection with Montgomery Street heading Easterly to Grant Street, heading North to Jay Street. From Grant Street's intersection with Jay Street, continuing East one block to Kiah Street and then including the East side of Kiah Street heading North to its intersection with Greene Street. From Greene Street, heading East to its intersection with Barre Street and then proceeding Northerly on Barre Street to Ford Street. The Election District continues to include all that territory on the South side of Ford Street proceeding East on Ford Street to its intersection with Linden Street. At this point, the Election District includes all territory to the North and East of the Railroad Tracks heading Northwest towards Wall Street and then utilizes the St. Lawrence River as its Northern most boundary North of North Meadow Drive heading East to its intersection with the City of Ogdensburg's common boundary with the Township of Lisbon.

SECTION II. Article III, of the City Charter of the City of Ogdensburg entitled City Council and Mayor be and the same is amended as follows:

§ C-13. City Attorney.

C. Duties of the City Attorney:

- (1) Act as legal counsel for the City of Ogdensburg;
- (2) Perform such other duties as are assigned by this Charter, the City Council (consistent with this Charter) and the City Manager.

SECTION III. Article IV, of the City Charter of the City of Ogdensburg entitled City Manager be and the same is amended as follows:

§ C-19. Powers and duties.

A. The City Manager shall be the chief executive officer and chief administrative officer of the City and shall:

- (7) Submit to the City Council and make available to the public by April 1 of each year a complete report on the finances and administrative activities of the City as of the end of each fiscal year.

SECTION IV. Article V, of the City Charter of the City of Ogdensburg entitled Administrative Departments; Administrative Code be and the same is amended as follows:

§ C-23. Administrative Code.

The Administrative Code shall prescribe the functions of all City departments, offices and agencies and shall be amended by City Council from time to time upon recommendation of the City Manager. However, no function assigned by this Charter to a particular department, office or agency may be discontinued or, unless this Charter specifically provides for it, may be assigned to any other department, office or agency except by local law subject to referendum upon petition. The Administrative Code shall be brought into compliance with the Charter by within two years of adoption of the amended City Charter. Thereafter, the Administrative Code shall be reviewed annually by the City Council.

SECTION V. Article VIII, of the City Charter of the City of Ogdensburg entitled Department of Planning and Development be and the same is amended as follows:

§ C-28. Department established; head.

B. - Minimum qualifications:

- (1) A Master's degree in planning, engineering, urban geography; landscape architecture, Public administration, environmental studies or a related field; OR
- (2) Graduation from a regionally accredited or New York State registered four year college or university with a Bachelor's Degree in planning, engineering, urban geography, landscape architecture, public administration, environmental studies or related field and one year of experience in municipal, community or regional planning.

C. Duties of the Director of Planning and Development:

- (2) Performs research and conducts studies on planning issues including housing, recreation, transportation, tourism, land use regulation, community development and environmental concerns;
- (3) Participates in comprehensive projects involving research, data collection, investigation and analysis of sociological, economic and environmental factors related to community planning concerns;
- (4) Reviews and critics proposals and requests for land use changes, site plan development applications, subdivision, variance and rezoning;
- (5) Participates in meeting with civic and business leaders, neighborhood groups and planning committees to determine community planning needs and provides technical assistance on land use regulations and related planning concerns and makes presentations on planning proposals and issues;
- (6) Participates in the preparation of promotional literature and grant applications and grant administration processes.

SECTION VI. Article VIII, of the City Charter of the City of Ogdensburg entitled Department of Planning and Development be and the same is amended as follows:

§ C-32. Board of Appeals.

There shall be a Board of Appeals which shall be constituted and empowered as a Board of Appeals pursuant to the

General City Law, Article 5-A. The Board shall consist of five members to be appointed by the Mayor and City Council. Such members shall serve for terms of three years pursuant to § 81 of the General City Law. The Board shall hear and decide appeals from administrative decisions, petitions for variances to City Council ordinances in the case of peculiar and unusual circumstances where practical difficulties or unnecessary hardship would prevent carrying out the strict letter of any such ordinances and such other matters properly coming before it pursuant to the General City Law and other laws applicable thereto.

SECTION VII. Article X, of the City Charter of the City of Ogdensburg entitled Department of Public Works be and the same is amended as follows:

§ C-36. Tree Commission.

There shall be a Tree Commission which shall be constituted and empowered as a Tree Commission pursuant to General Municipal Law, Article 13, except as otherwise provided in this Charter. The Commission shall consist of seven members, called “Commissioners”, who shall be appointed by the Mayor and City Council for terms of three years. The Ogdensburg Tree Commission is charged with assisting the City with the development and administration of a comprehensive tree management program for the care of trees on City property.

SECTION VIII. Article XII, of the City Charter of the City of Ogdensburg entitled Department of Fire be and the same is amended as follows:

§ C-42. Department established; head.

A. There shall be a Department of Fire, the head of which shall be the Fire Chief.

B. Minimum qualifications, job description and duties of the position of Fire Chief shall be established by the Ogdensburg Civil Service Commission.

C. Powers and duties of the Fire Chief:

- (1) The Fire Chief shall have jurisdiction and control of the administration, disposition and discipline of the Department of Fire and Code Enforcement Division;
- (2) Works with other emergency response leaders by coordinating fire control, rescue, hazardous material clean-up and medical treatment efforts.
- (3) Schedules and assigns duties to firefighters, trains and drills them in firefighting and rescue techniques, evaluates their performance and oversees their advancement.
- (4) Monitors the care and maintenance of the fire station and all equipment, submits requests for new acquisitions and works with fire department budgets.
- (5) Makes sure firefighters follow established policies and procedures by keeping records and reports of all fire response actions.
- (6) Reports to and assumes command at all major fires and extraordinary emergencies;
- (7) Plans, coordinates, and directs the over-all activities of the firefighting unit and code enforcement division;
- (8) Directs the inspection of buildings for fire hazards to insure compliance with fire Prevention ordinances;
- (9) Maintains discipline and promotes the morals of the fire department and code enforcement division;
- (10) Reviews reports and makes inspections to determine the condition and efficiency of all firefighting unit and code enforcement division;

- (11) Prepares and presents the annual budget for the fire department and code enforcement division;
- (12) Consults with superiors regarding major policy determinations;
- (13) Initiates and develops public relations policies for the fire department and code enforcement division.

SECTION IX. Article XIII, of the City Charter of the City of Ogdensburg entitled Department of Assessments be and the same is amended as follows:

§ C-45. Department established; head.

C. Duties of the City Assessor:

- (1) Annually values and revalues all real property in the city; utilizes and maintains current tax maps and appraisal cards;
- (2) Attends hearings of the Board of Assessment and makes changes in assessments in accordance with law as directed by the board;
- (3) Attends the public examination of the tentative assessment roll as those from property owners and transmits them to the Board of Assessment Review;
- (4) Prepares reports and maintains records of assessment activities as needed;
- (5) Prepares and files aid reimbursement request to the State ORPS;
- (6) Coordinates data retrieval with the Code Enforcement Department's inspectors.

SECTION X. Article XIII, of the City Charter of the City of Ogdensburg entitled Department of Assessments be and the same is amended as follows:

§ C-46. Board of Assessment and Review

There shall be a Board of Assessment and Review which shall be constituted and empowered pursuant to Real Property Tax Law, Article 5, § 523 except as otherwise provided in this Charter. The Commission shall consist of not less than three, nor more than five members to be appointed by the Mayor and City Council. The members shall serve for terms of office as provided in § 523(c) of the Real Property Tax Law. The Board of Assessment and Review shall be charged with the duty of reviewing and correcting all assessments of real property made pursuant to the provisions of Title 1 of this article.

SECTION XI. Article XIV, of the City Charter of the City of Ogdensburg entitled Department of Parks and Recreation be and the same is amended as follows:

§ C-51. Pride & Beautification Commission.

There shall be a Pride and Beautification Commission which shall be constituted and empowered as a Pride and Beautification Commission pursuant to General Municipal Law, Article 13, except as otherwise provided in this Charter. The Commission shall consist of eleven members, called "Commissioners", who shall be appointed by the Mayor and City Council for terms of three years. The Ogdensburg Pride and Beautification Commission shall be entitled to advise the City Council on all matters involving beautification of the City and to make recommendations for making public property, and streets more attractive and aesthetically pleasing.

SECTION XII. Article XVII, of the City Charter of the City of Ogdensburg entitled Fiscal Policies be and the same is amended as follows:

§ C-61. Acceptance of preliminary budget; modifications.

The City Council, after receiving the City Manager's preliminary budget, shall accept the proposed preliminary budget or make any modifications to it as the City Council may desire and, on or before the 15th day of November of each year, shall file the accepted proposed preliminary budget with the City Clerk and the Comptroller of the City of Ogdensburg. The proposed preliminary budget shall be a public record and shall be available for inspection by the general public at the office of the City Clerk.

SECTION XIII. Article XVII, of the City Charter of the City of Ogdensburg entitled Fiscal Policies be and the same is amended as follows:

§ C-71. Extension of taxes.

The City Clerk, on that day following the adoption of the annual tax levy by the City Council, shall deliver to the Comptroller a certified copy of the resolution making such levy. Thereupon, and on or before March 31 of the current year, the Comptroller shall extend the City tax as levied by the City Council, and shall enter these extensions along with all delinquent special assessments, delinquent sewer rates, delinquent water rates, delinquent rubbish collection charges and any other delinquent special charge on the original assessment rolls filed with him, which rolls then become the tax rolls of the City for the ensuing year. When the tax rolls have been thus completed, a warrant signed by the Manager and by the City Clerk shall be attached thereto, directing the Comptroller to collect from the persons named in the rolls the sums specified as levied against the parcels described in the rolls as owned by them.

SECTION XIV. Article XVII, of the City Charter of the City of Ogdensburg entitled Fiscal Policies be and the same is amended as follows:

§ C-72. Payment of taxes.

The City tax and all delinquent assessments and charges added to the rolls pursuant to §§ C-80 and C-81 hereof shall be due and payable at the office of the City Comptroller in two installments on the 15th day of April and on the 15th day of July.

SECTION XV. Article XIX, of the City Charter of the City of Ogdensburg entitled Transitional Provisions be and the same is amended as follows:

§ C-100. Charter Review Commission.

The Mayor and City Council shall either appoint a Charter Review Commission or place on the ballot the election of a Charter Review Commission no later than December 31, 2023, and immediately following each six-year period thereafter. Should the appointment/election of a Charter Review Commission not occur by December 31, 2023, or in the six-year periods immediately thereafter, all powers of the City vested in City Council pursuant to the Charter shall be vacated other than to cause the establishment of a Charter Review Commission, at which time vacated powers shall be restored. Such appointed or elected Commission shall consist of twelve qualified voters of the City of Ogdensburg. It shall be the duty of said Commission to

review the Charter in light of current needs and trends and make recommendations to the City Council.

SECTION XVI. EFFECTIVE DATE. This local law shall take effect immediately upon filing in the office of the New York State Secretary of State which filing shall occur no less than 45 days from the date of adoption by the City Council of the City of Ogdensburg and no more than 65 days from said date in accordance with sections 24 and 27 of the Municipal Home Rule Law and sections C-17, C-22 and C-23 of the City Charter of the City of Ogdensburg.