

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village

(Select one:)

of SENECA

Local Law No. 3 of the year 2012

A local law To Provide Safe, Stable Housing for Recipients of Public Assistance in Seneca County
(Insert Title)

Be it enacted by the Board of Supervisors of the
(Name of Legislative Body)

County City Town Village

(Select one:)

of Seneca as follows:

PART 1. Legislative Intent:

The Seneca County Board of Supervisors, consistent with §143-b of the New York State Social Services Law, recognizes the importance of providing safe and stable housing for County residents including those receiving benefits under the Temporary Assistance programs provided under the Social Services Law. The Board finds that housing of recipients of Temporary Assistance in sub-standard housing, subject to violations of the State Building and Fire Codes constitutes a hazard to the health and safety of families in receipt of such assistance, many of which include children. The Board also finds that consistent with the implementation of Local Law No. 2 of 2006 as amended by Local Laws No. 1 of 2008 and 1 of 2010, non-payment of real property tax on properties constituting such housing creates further hazards in that such properties are subject to those Local Laws causing delay in remedial action by the owner and subjecting the recipients of such assistance to displacement through foreclosure proceedings. The Board further finds that violations such as those described herein, constitute and render housing dangerous, hazardous and detrimental to the life and/or health of persons entitled to public assistance. In furtherance of the goal of promoting safe stable housing in Seneca County, the Seneca County Board of Supervisors enacts the following:

PART 2. Definitions:

1. "TANF" shall mean those programs referred to or formerly referred to as Temporary Assistance to Needy Families, Aid to Dependent Children, Shelter Assistance, Public Assistance, or the program or programs so designated under New York State Social Services Law and the regulations promulgated under Title 18 of the

(If additional space is needed, attach pages the same size as this sheet, and number each.)

New York Code, Rules and Regulations.

2. "County" shall mean the County of Seneca, State of New York.
3. "Commissioner" shall mean the Commissioner of Social Services for Seneca County.
4. "Code Enforcement Officer" shall mean the Code Enforcement Officer appointed pursuant to subdivision (b) of section 3 of Local Law No. 2 of 2006 and shall, for the purposes of enforcement of this local law, include those persons appointed as "Building Inspectors" by the County.
5. "Code Enforcement Personnel" shall include the Code Enforcement Officer and all Building Inspectors.
6. "Uniform Code" shall mean the New York State Uniform Fire Prevention Code, Residential Code, Property Maintenance Code and Building Code, as currently in effect and as hereafter amended from time to time.

PART 3. Restrictions on Payments of Rent on Behalf of Recipients of Public Assistance or TANF in Seneca County

1. The Commissioner, in applying the provisions of 18 NYCRR 381.3, for the purposes of making payments on behalf of an applicant for or recipient of Public Assistance or TANF to a landlord pursuant to §143-b(1) Social Services Law and/or 18 NYCRR 381.3(e) shall make inquiry into the safety and stability of the housing unit or units for which such payment or payments are to be made.
2. No such payment shall be made to any landlord or on behalf of any such applicant for or recipient of Public Assistance or TANF where there is found to be, with respect to any such housing unit, any violation of the Uniform Code, or where any real property tax due on any such unit or on the premises upon which such housing unit is situate, is delinquent as defined under §1102 of the New York State Real Property Tax Law.
3. The Commissioner shall be empowered
 - A) To require an inspection of any such housing unit or units by County Code Enforcement Personnel
 - B) To accept the findings of Code Enforcement Personnel as to the existence or non-existence of any such Uniform Code violation or violations.
 - C) To require of the County Treasurer's Office, accurate and up-to-date information as to the existence of any tax delinquency with respect to any such housing unit or units or the premises upon which such housing unit or units are situate.
4. Nothing contained herein shall be construed so as to alter or limit the authority conferred upon the Commissioner under the provisions of the New York State Social Services Law §143-b.
5. This local law shall become effective upon filing with the Secretary of State

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 3 of 2012 of the (County)(City)(Town)(Village) of Seneca was duly passed by the Board of Supervisors on August 14 2012, in accordance with the applicable provisions of law.
(Name of Legislative Body)

~~**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*)**~~

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 20 , in accordance with the applicable provisions of law.

~~**3. (Final adoption by referendum.)**~~

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. *(Elective Chief Executive Officer*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

~~**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**~~

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law. *(Elective Chief Executive Officer*)*

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

~~5. (City local law concerning Charter revision proposed by petition.)~~

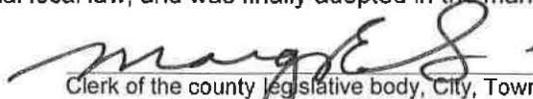
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

~~6. (County local law concerning adoption of Charter.)~~

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.



Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 8/24/2012

(Seal)