

LOCAL LAW NO.: 1 - 2010

OF

FEBRUARY 8, 2010

A LOCAL LAW AMENDING CERTAIN SECTIONS OF
CHAPTER 163 ENTITLED "FEES" OF THE CODE
OF THE CITY OF NEWBURGH

BE IT ENACTED by the City Council of the City of Newburgh as follows:

SECTION 1 - TITLE

This Local Law shall be referred to as "A Local Law Amending Certain Sections of Chapter 163 entitled 'Fees' of the Code of the City of Newburgh".

SECTION 2 - PURPOSE AND INTENT

The purpose of this local law is to amend Chapter 163 of the Code of the City of Newburgh to promote proper governmental administration and to provide for a consolidated schedule of fees involving the administration of City ordinances, local laws, rules and regulations. Accordingly, the City Council finds it is in the best interests of the City of Newburgh to amend Chapter 163. This local law is enacted under the authority granted to municipalities under the Municipal Home Rule Law of the State of New York.

SECTION 3 - AMENDMENT

Chapter 163 entitled "Fees" of the Code of the City of Newburgh is hereby amended to read as follows:

§ 163-2. Code compliance.

The following code compliance fees shall be charged:

A. Social services:

- (1) Pre-rental inspection: [~~\$50.~~] \$75.
- (2) Each re-inspection: [~~\$25.~~] \$50.

B. Certificate of occupancy:

- (1) Single-family or two-family residence: \$[100] 120.
- (2) Residential accessory structure/residential addition, alteration or renovation: \$50.
- (3) Multiple-family residence (three units and above): \$[300] 360.
- (4) Commercial/industrial: \$[300] 360.
- (5) Re-inspection: \$200.
- (6) Copy of certificate of occupancy: \$25.
- (7) Violation search: [\$20] \$100, plus copies at \$0.25 per [copy] page.
- (8) Street reports: \$20.

C. Trailers:

- (1) (Reserved)
- (2) Temporary (used by contractors as offices during construction):
 - (a) One to 10 days maximum: \$50.
 - (b) Ten to 30 days maximum: \$100.

D. Blasting permit: [\$100.] \$250.

E. Sign permits: \$[100] 120.

F. Scaffold permit: [\$25] \$50 per erection.

[G. Dumpster permit: \$25.]

[H] G. Permit for use of crane (See Chapter 139.):

- (1) Three days maximum: [\$100.] \$300.
- (2) After three days: \$50 per day.

[I] H. Wood- or coal-burning stove permit:

- (1) Construction: \$25.

(2) After three days: \$50 per day.

[J] I. Boiler permit: \$25.

[K] J. Swimming or bathing pool permit: [~~\$25.~~] \$50.

[L] K. Fence permit: \$25.

[M] L. Place of assembly category buildings, annual inspection: [~~\$100.~~] \$150.

[N] M. Commercial buildings (other than public assembly category), annual inspection: [~~\$50.~~] \$75.00

§ 163-4. Streets and sidewalks.

Fees for the various activities associated with streets and sidewalks shall be as follows:

A. Street opening permit: [~~\$125~~] \$175.

B. Sidewalk permit: [~~\$50~~] 60.

C. Curb cut permit: \$75.

D. Loading zones (See § 288-29.): \$100 per year.

E. Handicapped parking spaces (See § 288-34D.): \$25.

§ 163-5. Trades, businesses, professions and other activities.

The following fees shall be charged for permits and licenses for the trades, businesses, professions and activities listed below:

A. Electrical (See Chapter 155.):

(1) Electrical licenses:

(a) Master electrician (Class A).

[1] New license: [~~\$300.~~] \$350.

[2] Renewal: [~~\$100.~~] \$300 every two years.

(b) Master electrician (Class B).
[1] Temporary (one job only): [\$300.] \$750.

(c) Special electrician (Class C).
[1] New license: \$50.
[2] Renewal: [\$25.] \$50.

(2) Plate or sign: \$10.

(3) Manual of rules and regulations for electrical examiners (See Chapter 30.): \$5 per copy.

(4) Electrical permit: [\$15] \$25 per permit.

B. Plumbing (See Chapter 230.):

(1) Examinations:

(a) Application: \$300 nonrefundable, including one reexamination.

(2) License (certificate of competency):

(a) Certificate of registration: [\$50.] \$250.

(b) Renewal:

[1] Within 30 days of expiration: [\$50.] \$100.

[2] If renewed after January 1: [\$65.] \$125.

[3] Sticker: \$5 per vehicle per year.

(3) Plumbing Permit

(a) 1-5 fixtures: \$30.

(b) 6 or more fixtures: \$50.

C. Gasoline and petroleum tanks (See Chapter 263, Article IV.):

- (1) Permit for installation of gasoline tanks: [~~\$250.~~] \$350.
- (2) Operation of petroleum dispensers: [~~\$50~~] \$100 per year.
- (3) Gas pump within line of street: \$50 per year.
- (4) Permit for installation of combustible liquid tank:
 - (a) Tanks of 275 gallons (up to two tanks): no fee.
 - (b) Tanks of 550 gallons: \$50.
 - (c) Tanks of 1,000 gallons and larger: [~~\$100~~] \$250 for tanks of 1,000 gallons and \$15 for each additional 1,000 gallons of tank capacity.
- (5) Permit for removal of tank: \$25 per tank.

D. Taxis and vehicles for hire (See Chapter 272.):

- (1) Taxicab license fee: [~~\$150~~] \$400 per year.
- (2) Taxicab driver's license application: [~~\$50 per year~~] \$100.
- (3) Taxicab driver's license: \$100 per year.

E. Peddlers (See Chapter 223.):

- (1) Application fee: [~~\$50~~] \$75, nonrefundable.
- (2) License fees:

Activity	Per Week	Per Month	PerYear
Peddling on foot	\$10	\$25	\$100
Peddling with handcart or pushcart	\$25	\$50	\$200
Peddling with vehicle (1 person)	\$25	\$50	\$200
Each helper to person peddling with a vehicle	\$5	\$40	\$50

F. Cabaret license (See Chapter 108.):

- (1) Per year: \$100.

- (2) Per day: \$10.
- G. Bowling alley license: \$25 per year.
- H. Roller-skating rink license (See Chapter 108.): \$75 per year.
- I. Boxing or wrestling match license (See Chapter 108.): \$150 per year.
- J. Motion-picture shows (See Chapter 108.): \$150.
- K. (Reserved)
- L. (Reserved)
- M. Junkyard license (See Chapter 198.): [~~\$100~~] \$250 annually.
- N. Vehicle license for private garbage collectors (See Chapter 183.): [~~\$100.~~] \$200.
- O. Garage sale permit (See Chapter 181.): \$[3] 5.
- P. Newsracks (See Chapter 209.):
 - (1) Annual permit fee: \$25.
 - (2) Renewal: \$25.
 - (3) Inspection fee: \$10.
- Q. Wreckers and towers (See Chapter 297.):
 - (1) Annual license fee: \$150 for the first two vehicles.
 - (2) For each truck or vehicle in excess of two: \$25.
- R. Letter and parcel receptacles (See Chapter 207.):
 - (1) Annual permit fee: \$25.
 - (2) Renewal: \$25.
 - (3) Inspection fee: \$10.

S. Public assembly:

- (1) Permit fee: \$[25] 50.

§ 163-6. Planning, zoning and building fees.

C. Building permit applications:

- (1) Upon filing of an application for a building permit for a new residential structure, the following fee shall be charged: \$[200] \$250, plus \$[0.20] \$0.25 per square foot of floor area.
- (2) Upon filing of an application for a building permit for a new commercial or industrial structure, the following fee shall be charged: \$[300] 350, plus \$[0.20] 0.25 per square foot of floor area.
- (3) Upon filing of an application for a building permit for an addition, alteration, renovation or accessory building, the following fee shall be charged: \$[10] 12.50 per \$1,000 of construction value. Minimum fee of \$50 for a Building Permit.
- (4) Upon filing of an application for a building permit for demolition, the following fee shall be charged: \$[50] 75 per story.
- (5) Failing to apply for a building permit prior to the commencement of work, the following fee shall be charged in addition to the amounts charged in Subsection C(1), (2) and (3) of this section: 50% of the application fee for a residential structure or \$200 for a commercial structure.
- (6) Required inspections for building permit applications conducted outside of regular working hours: \$150.
- (7) Informational Report: \$50.

§ 163-8. Parks and recreation activities.

The various park and recreation fees shall be as follows:

D. Assemblies in public places.

- (1) Application fee for permit: \$[25] 50.

E. Docking at Newburgh Landing.

(1) One-time permit.

- (a) Permit for recreational vessels over 40 feet in length (by length of boat): \$1 per foot.
- (b) Permit for all commercial vessels (by length of boat): \$1 per foot.

(2) Monthly or annual permit.

- (a) Vessels with a capacity of fewer than 100 persons: \$[75] 125 per week.
- (b) Vessels with a capacity of 100 or more persons: \$[100] 200 per week.

§ 163-10. Police and Fire Department fees.

A. Police Department.

(1) Police alarm device permit: \$[25] 50 per alarm.

(2) False alarms:

- (a) Any alarm activation to which the Police Department personnel respond which is not the result of an unauthorized entry, fire, smoke or other emergency (i.e., false alarm):

[1] One to three per calendar year: \$0.

[2] Four to 10 per calendar year: \$50 per alarm.

[3] Eleven or more per calendar year: \$125 per alarm.

- (b) The above charges shall be paid to the City Clerk by the property owner or lessee upon receipt of an annual billing statement from the City.

(3) Fingerprinting:

(a) Full set:

[1] City residents: \$25.

[2] Non-City residents: \$75.

- (b) Thumbprint by Clerk: \$5.
- (4) BB gun permit: \$5.
- B. Fire Department:
 - (1) Nightclub (licensed premises) inspection: [~~\$100~~] \$250.
 - (2) Fireworks permit: \$75.
 - (3) Fire-suppression system fees: Upon filing of an application for a permit for the installation of a fire-suppression system in accordance with Chapter 107 of the City of Newburgh Code of Ordinances, the following fees shall apply: 2% of the approved estimated costs of the system.

§ 163-11. Dogs and other animals.

The following fees shall be charged pursuant to Chapter 150, Dogs and Other Animals:

- A. Euthanization and burial:
 - (1) Dogs:
 - (a) Under 40 pounds: \$50.
 - (b) Over 40 pounds: \$65.
 - (2) Cats:
 - (a) Cat: \$45.
 - (b) Kitten \$25.
- B. Redemption of impounded dog: \$35.
- C. License fees. In addition to the fees established by § 110, Subdivision (1), of the Agriculture and Markets Law of the State of New York, the following local fees shall be charged:
 - (1) For each spayed or neutered dog: [~~\$2.50~~] \$5.00.
 - (2) For each unspayed or unneutered dog: [~~\$2.50~~] \$5.00.

D. Boarding.

- (1) For each animal which is placed in the care and custody of a private boarding facility: the actual cost of such placement.
- (2) For each animal in the care and custody of the City of Newburgh Animal Control Officer boarded at City facilities: \$25 per day or part thereof.
- (3) In addition to the above, the City of Newburgh will charge the owner of such animal the actual cost of veterinarian services and medication expenses incurred by the City while caring for such animal.

E. Other fees.

- (1) Dogs:
 - (a) Spay: \$77.
 - (b) Neuter: \$77.
 - (c) Rabies shot: [~~\$20~~] \$28.
- (2) Cats:
 - (a) Spay: \$40.
 - (b) Neuter: \$23.
 - (c) Aids/Fiv combo: \$30.

§ 163-12. Miscellaneous.

Miscellaneous department charges shall be as follows:

- A. License pertaining to games of chance: \$50.
- B. Returned check fee: \$20.
- C. Road dedication: \$250 plus the cost of recording and other incidental expenses to process the application; said fee is not returnable.
- D. City Clerk.
 - (1) Issuance of certification of cancellation of tax lien:

- (a) First certification: free per tax lot;
 - (b) Replacement certification: \$25 per tax lot.
- E. Dumpster permit for construction, demolition or rehabilitation of property.
 - (1) For the first seven days: \$35.
 - (2) Per [day] week after the first seven days: \$[5] 35.
- F. For the removal of wastes from a dumpster pursuant to Charter § C9.03: \$120 per month.
- G. City Collector.
 - (1) Search of tax records and calculation of taxes owed: [\$50] \$75 per tax lot.
- H. Law Department:
 - (1) Preparation and review of documents in connection with the purchase of real property from the City: \$200 per tax lot, payable at closing.
 - (2) Preparation and review of resolutions, documents and related services by the Law Department in connection with requests by private parties to the City for an action, enactment of a resolution or execution of a document in connection with that private party, will be charged an amount equal to the reasonable cost to the City to render such services as established by the Law Department and approved by the City Manager.

§ 163-12.1. Geographic information systems.

- A. Mapping \$40 per hour (length of time to be determined by the GIS Analyst).
- B. Printing (by paper size):
 - (1) The first eight-inch by eleven-inch copy: \$5; each additional copy: \$3.
 - (2) The first eleven-inch by seventeen-inch copy: \$10; each additional copy: \$6.
 - (3) The first customized paper size up to 36 inches by 40 inches: \$25; each additional copy: \$15.

(4) The first copy larger than thirty-six inches by 40 inches: \$30; each additional copy: \$18.

C. Data:

(1) Building footprint data: \$50.

(2) Parcel data: \$100.

(3) Orthoimagery: \$200.

(4) All other data: \$20 per request.

D. Subscription: \$100 per [war] year for Interactive Mapping Services.

E. Administrative fee: 15% of the total fee per order.

§ 163-13. Civil service examination fees.

A. Fees for application for any civil service open competitive exams for the position [for] of police officer or fire fighter for which the New York State Department of Civil Service has provided the examination and rated the candidates shall be \$40.

B. Fees for application for all other open competitive exams for civil service positions for which the New York State Department of Civil Service has provided the examination and rated the candidates shall be [~~\$15~~] \$20.

C. Candidates for [such] promotional examinations who are employees of the City of Newburgh or of the Newburgh Enlarged City School District at the time of application for the examination shall [be exempt from the City portion of such fee (\$7.50)] pay to the City of Newburgh a fee of \$15.00 and shall pay that portion of the fee mandated by and payable to the State of New York Department of Civil Service (\$7.50).

D. Applicants for civil service examination who satisfy any one of the criteria stated herein shall be entitled to a waiver of the payment of any examination fee(s) upon the provision of certification of their eligibility therefor which is satisfactory to the City as provided hereinbelow in Subsection E hereof:

(1) Individuals who are unemployed and primarily responsible for the support of a household; or

- (2) Individuals who are eligible for Medicaid, or receiving supplemental security income (SSI) payments; or
- (3) Individuals who are receiving public assistance in the form of temporary assistance for needy families/family assistance or safety net assistance, or are certified eligible for Job Training Partnership Act/Workforce Investment Act programs through a state or local social services agency.

E. Content of waiver form.

- (1) To qualify and be approved for the waiver of examination fees provided herein, applicants must demonstrate to the satisfaction of the City that they qualify. Applicants may do so by submitting a signed and notarized form to the City of Newburgh Civil Service Administrator. The format of such form shall be approved by the Civil Service Commission and shall comply with the legal and regulatory requirements of the state, and shall provide, at a minimum, the following:
 - (a) A reproduction of that portion of Civil Service Law Section 50.5(b) providing the legal authority for the subject waiver;
 - (b) The examination title(s), exam number(s) and examination date(s);
 - (c) Indication of the criteria which qualifies the applicant for the waiver;
 - (d) A certification statement to be signed by the applicant and notarized by a New York State notary public attesting to the applicant's eligibility and stating the possible consequences of false statements;
 - (e) The applicant's name, address, telephone number, social security number, the date of the application, a place for the notary seal, and such other information as the Civil Service Commission may appropriately require.
- (2) All information which is protected by privacy and security laws and other protections shall be kept confidential by the City and not publicly disclosed.

SECTION 4 - VALIDITY

The invalidity of any provision of this Local Law shall not affect the validity of any other provision of this Local Law that can be given effect without such invalid provision.

SECTION 5 - EFFECTIVE DATE

This Local Law shall take effect immediately when it is filed in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

[Brackets] denote deletions

Underlining denotes additions