

# *Local Law Filing*

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**(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 Port Jervis**

**Local Law No. 9 of the year 2024**

**A LOCAL LAW OF THE CITY OF PORT JERVIS, COUNTY OF ORANGE,  
AMENDING CHAPTER 280, SECTION 280-11 OF THE CITY CODE RELATING TO  
BUILDING DEPARTMENT REVIEW FEES**

**Be it enacted by the Common Council of the City of Port Jervis as follows:**

See attached.

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

## LOCAL LAW NO. 9 OF 2024

### A LOCAL LAW OF THE CITY OF PORT JERVIS, COUNTY OF ORANGE, AMENDING CHAPTER 280, SECTION 280-11 OF THE CITY CODE RELATING TO BUILDING DEPARTMENT REVIEW FEES

BE IT ENACTED BY THE COMMON COUNCIL OF THE CITY OF PORT JERVIS AS FOLLOWS:

#### **Section 1. Purpose**

After considering the historical monetary amounts needed for the City of Port Jervis Building Department, working with its project professionals, to review and inspect new building and development projects, and considering the need to encourage responsible and affordable development within the City, the Common Council deems it necessary to amend the current review fee schedule and change said schedule to a percentage of construction cost instead of a dollar amount based on square footage of a new structure.

#### **Section 2.**

The City of Port Jervis Code, Section 280-11 entitled “Building Department Review Fees” is hereby deleted in its entirety and replaced with the following:

#### **“§280-11 Building Department Review Fees:**

**An escrow account is to be established to cover review fees at the time of application. The escrow shall be One Percent (1%) of cost of the new building construction or building alterations as the case may be, or \$2,000.00, whichever amount is greater. Should the escrow fund become depleted under the sum of \$500.00, the fund shall be replenished to \$2,000.00 by the applicant within ten (10) days of the date written notification is sent to the applicant by the Building Department via regular mail or e-mail. Any remaining escrow funds shall be returned to the applicant at the conclusion of the project.”**

#### **Section 3. Separability**

If any provision of this local law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law or the application thereof to other persons or circumstances, and the Common Council of the City of Port Jervis hereby declares that it would have passed this local law or the remainder thereof had such invalid application or invalid provision been apparent.

**Section 4. Repeal**

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

**Section 5. Effective Date**

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

(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. 7 of 2024 of the (County)(City)(Village)(Village) of Port Jervis was duly passed by the Common Council of the City of Port Jervis on November \_\_\_\_, 2024, in accordance with the applicable provisions of law.

**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. 9 of 2024 of the (County)(City)(Village)(Village) of Port Jervis was duly passed by the Common Council on December \_\_\_\_, 2024, and was approved by the Mayor and was deemed duly adopted on November \_\_\_\_, 2024 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)(Village)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_.

(Name of Legislative body)  
(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)(Village)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_.

(Name of Legislative body)  
(Elective Chief Executive Officer\*)

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 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 Village 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 \_\_\_\_\_ 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 Villages 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.

\_\_\_\_\_  
Stacey Hosking, Clerk-Treasurer,  
City of Port Jervis,  
Clerk of the county legislative body, City, Village or Village  
Clerk or officer designated by local legislative body

(Seal)

Date: \_\_\_\_\_, 2024