

(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 of PLATTSBURGH
~~Town~~
~~Village~~

Local Law No. 3 of the year 19 93

A local law CONCERNING THE LEASING OF CITY PROPERTY
(Insert Title)

Be it enacted by the COMMON COUNCIL of the
(Name of Legislative Body)

~~County~~
City of PLATTSBURGH as follows:
~~Town~~
~~Village~~

1. Purpose It is the intent of this law to provide a simplified procedure for leasing city lands and buildings which are not needed for a public purpose, or which have been designed and constructed for rental to other persons.

2. Definitions The term "property" means lands, buildings, space within buildings, fixtures, and equipment.

3. Leases Not Requiring Public Bidding
Property which the Common Council finds has a fair market rental value of less than [\$10,000] \$5,000 per year and is not offered for lease for a term in excess of [5] 3 years may be leased in accordance with the following procedures:

- .1 The Common Council shall adopt a resolution which finds:
 - i. the property is not needed for a public purpose during the proposed lease term.
 - ii. the fair market rental value of the land or building is estimated to be not more than \$5,000 dollars per year, exclusive of the cost of utilities, maintenance and other expenses required to be paid by the tenant.

iii. the proposed lease term will not exceed 3 years, including renewals.

iv. that sufficient notice of the availability of the property for lease has been given to the public by a newspaper article, or a news story broadcast on radio or television, or by mailing notice to persons in Clinton County who may be interested in leasing the property.

v. and that: (i) either the proposed lessee is the only person known to be interested in leasing the property

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

or, (ii) if other persons have expressed interest, that the proposed lessee has made the best offer to lease the property, considering: rent, tenant improvements, compatibility of intended use of the premises with nearby uses and city objectives, tenant experience in successfully operating businesses engaged in similar uses.

- .2 Upon making the above findings, the Common Council may by resolution approve the lease of such property on such terms as it deems advisable.

3. Leases Requiring Public Bidding

Property which the Common Council finds has a fair market rental value in excess of \$5,000 per year, or property offered for lease for a term in excess of 3 years, shall be leased in accordance with the following procedures:

- .1 The Common Council shall find that the property is not needed for a public purpose during the proposed lease term.
 - .2 A summary of the proposed lease terms shall be published for 2 days in any 10 day period not less than 15 nor more than 30 days before the date set for receiving offers to lease. Such summary shall include a description of the leased property, the minimum rent, the maximum lease term, and such other terms and conditions the Common Council may find advisable to include in such notice. Such notice shall also include the date, time and place of a public auction at which offers to lease shall be accepted.
 - .3 Offers to lease the property shall be accepted at a public auction. Sealed bids may be submitted prior to the commencement of the auction and shall be opened and read aloud before asking for bids from those present at the auction.
 - .4 The Common Council shall have the right to reject all bids received, but when the Council determines to accept a bid it shall accept the bid of the highest responsible bidder. Notice of acceptance of a bid shall be sent within 30 days of the date of the auction.
4. Permissive Referendum This local law is subject to a permissive referendum pursuant to section 24 of the Municipal Home Rule Law. This local law changes the provisions of General City Law section 20.2a concerning the leasing of real property owned by cities.
 5. Effective Date This law shall take effect 45 days after its adoption, but not until approved by a majority of the qualified electors of the City of Plattsburgh if a properly signed and authenticated petition protesting this law is filed 45 days after its adoption with the City Clerk.

(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. _____ of 19__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19__, 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 19__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19__, and was (approved)(not disapproved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 19__.
(Name of Legislative Body) (Elective Chief Executive Officer*)
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 19__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19__, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19__. Such local law was
(Name of Legislative Body) (Elective Chief Executive Officer*)
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 _____ 19__, 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. 3 of 1993 of the ~~(County)(City)(Town)(Village)~~ of PLATTSBURGH was duly passed by the COMMON COUNCIL on JULY 22 1993, and was (approved)(~~not disapproved~~)(~~repassed after~~)
(Name of Legislative Body)
~~disapproval~~ by the MAYOR on JULY 23 1993. Such local law was subject to
(Elective Chief Executive Officer*)
permissive referendum and no valid petition requesting such referendum was filed as of September 6 1993, 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 chairman 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.)

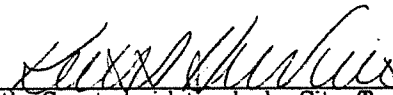
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 19____, 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 19____ of the County of _____, State of New York, having been submitted to the electors at the General Election of November _____ 19____, 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 of 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 4, above.



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

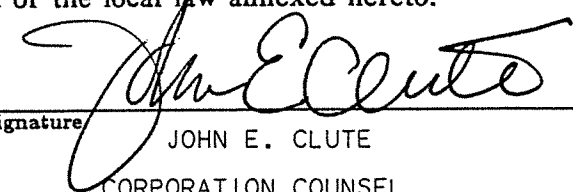
(Seal)

Date: 30 SEPTEMBER 1993

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK
COUNTY OF CLINTON

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.



Signature JOHN E. CLUTE

Title CORPORATION COUNSEL

County
~~City~~
~~Village~~ of PLATTSBURGH
~~Village~~

Date: 30 SEPTEMBER 1993