

4512

2013-2014 Regular Sessions

I N S E N A T E

April 5, 2013

Introduced by Sen. DeFRANCISCO -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development

AN ACT to amend the executive law, in relation to authorizing the city of Syracuse to add unpaid housing code violation penalties, costs and fines to the city's annual tax levy in accordance with applicable law

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Section 382 of the executive law is amended by adding a new
2 subdivision 4 to read as follows:

3 4. (A) IN ADDITION TO AND NOT IN LIMITATION OF ANY POWER OTHERWISE
4 GRANTED BY LAW, THE CITY OF SYRACUSE IS HEREBY AUTHORIZED TO COLLECT ANY
5 UNPAID HOUSING CODE VIOLATION PENALTIES, COSTS AND FINES THROUGH PLACE-
6 MENT BY THE CITY'S COMMISSIONER OF FINANCE ON THE CITY'S ANNUAL TAX LEVY
7 IN ACCORDANCE WITH THE APPLICABLE PROVISIONS OF THE CITY'S TAX AND
8 ASSESSMENT ACT (CHAPTER SEVENTY-FIVE OF THE LAWS OF NINETEEN HUNDRED
9 SIX, AS AMENDED).

10 (B) IN ORDER TO BE ELIGIBLE FOR PLACEMENT ON THE CITY'S ANNUAL TAX
11 LEVY SUCH UNPAID HOUSING CODE VIOLATION PENALTIES, COSTS AND FINES SHALL
12 HAVE BEEN ADJUDICATED AND IMPOSED THROUGH A JUDGMENT IN A COURT OF
13 COMPETENT JURISDICTION ON AN OWNER OF REAL PROPERTY WITHIN THE CITY, AS
14 CERTIFIED BY THE CITY'S CORPORATION COUNSEL TO THE COMMISSIONER OF
15 FINANCE, AND HAVE REMAINED UNPAID FOR ONE YEAR PRECEDING THE PLACEMENT
16 ON THE CITY'S TAX LEVY.

17 (C) SUCH HOUSING CODE VIOLATION PENALTY, COST OR FINE AS SET FORTH IN
18 A COPY OF THE JUDGMENT CERTIFIED BY THE CORPORATION COUNSEL TO THE
19 COMMISSIONER OF FINANCE SHALL BE SET DOWN IN THE ANNUAL TAX LEVY UNDER
20 THE HEADING UNCOLLECTED FINES AND PENALTIES AND SHALL BE LEVIED,
21 ENFORCED AND COLLECTED IN THE SAME MANNER, BY THE SAME PROCEEDINGS, AT
22 THE SAME TIME, UNDER THE SAME PENALTIES AND HAVING THE SAME LIEN UPON
23 THE PROPERTY ASSESSED AS THE GENERAL CITY TAX AND AS A PART THEREOF.

24 S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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