

A LOCAL LAW to amend Russell Gardens Code Chapter 12 entitled “Building Construction.”

Section One. Russell Gardens Code Chapter 12 entitled “Building Construction” Article IV entitled “Building Permits” subsection 12-13 entitled “Application Requirements” subsection E is hereby amended to read as follows:

E. Payment of taxes or other moneys due Village; outstanding violations.

1. No application for a building permit of any kind including a sign permit shall be accepted, nor shall a permit or certificate of occupancy or compliance be issued unless there shall have been fully paid, as of the time of the application, any and all Village taxes due, whether represented by unredeemed tax sales certificates or otherwise, or assessments or liens of any kind, together with interest and other lawful charges pertaining to such taxes, assessments or lien, Village Court fines and/or any other charges, penalties or other moneys due the Village. The certificate of the Clerk-Treasurer and/or the Village records shall constitute prima facie evidence of the correctness of the amount claimed to be due the Village.
2. Outstanding violations.
 - a. No application for a building permit of any kind including a sign permit shall be accepted, nor shall a permit or certificate of occupancy or compliance be issued except as set forth in subsection **E(2)(b)** below unless any and all violations on the property have been rectified and any Village Court proceedings relating to such violations, including the payment of any fines or penalties, have been completed.
 - b. An application for a building permit or sign permit may be accepted and a permit or certificate of occupancy or compliance may be issued to rectify an outstanding violation, provided that there is deposited with the Clerk-Treasurer cash in the amount equal to the maximum fine that could be

imposed by the Village Court for such violation. In the event that a fine is subsequently imposed for such violation, it shall be deducted from the amount deposited and the balance remitted to the depositor.

Section Two. This local law shall become effective upon filing with the Secretary of State.