

**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

*1888 --- 2013
125th City of Middletown Celebration*

THE FOLLOWING WAS PRESENTED

By Ald. Smith

Sec'd by Ald. Ramkissoon

Date of Adoption 07-24-12

Index No: 204-12

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Amodio	X			
Ald. Burr	X			
Ald. Ramkissoon	X			
Ald. Smith	X			
Ald. Sommers	X			
Ald. Masi	X			
Ald. Sabnis	X			
Ald. Sierra	X			
Pres. Rodrigues				X
TOTAL	8			1

WHEREAS, the Common Council seeks to make owners of rental units more responsible for the health, safety and welfare of tenants and neighbors, and further seeks to provide such owners with options for designation of managing operators and agents.

NOW THEREFORE BE IT Resolved, and be it Ordained, by the Common Council of the City of Middletown, New York, as follows:

Section 1 - The Code of the City of Middletown, N.Y., Chapter 296, Housing, as adopted July 27, 1959, and as amended thereafter, be and is hereby amended by replacing Paragraph 5 of Subsection B of Section 296-15 (Application for Permit) to read as follows:

(5). The name, address and telephone number of the managing agent or operator of each boardinghouse, rooming house, lodging house, multiple dwelling or two-family dwelling who is authorized to act on behalf of the owner, who is further authorized to provide immediate access to the entire building, who is designated to be responsible for maintaining this property in compliance with all State and City codes, and who is further designated to accept service of process in any proceeding related to this property. The Commissioner of Public Works shall be notified within 10 working days of any change in this information. Such managing agent or operator must be one of the following:

(a) the owner of the property, provided the owner lives in the City of Middletown or within a ten (10) mile radius of the City; or

(b) a responsible person over the age of 21 who lives in the City of Middletown or within a ten (10) mile radius of the City; or

(c) a responsible person over the age of 21 who resides onsite in the subject premises.

Section 1 - The Code of the City of Middletown, N.Y., Chapter 296, Housing, as adopted July 27, 1959, and as amended thereafter, be and is hereby amended by replacing Paragraph 5 of Subsection C of Section 296-31 (Application for Permit) to read as follows:

(5). The name, address and telephone number of the managing agent or operator of each single family dwelling or two-family dwelling who is authorized to act on behalf of the owner, who is further authorized to provide immediate access to the entire building, who is designated to be responsible for maintaining this property in compliance with all State and City codes, and who is further designated to accept service of process in any proceeding related to this property. The Commissioner of Public Works shall be notified within 10 working days of any change in this information. Such managing agent or operator must be one of the following:

(a) the owner of the property, provided the owner lives in the City of Middletown or within a ten (10) mile radius of the City; or

(b) a responsible person over the age of 21 who lives in the City of Middletown or within a ten (10) mile radius of the City; or

(c) a responsible person over the age of 21 who resides onsite in the subject premises.

Section 3 - This resolution and ordinance shall take effect as of October 1, 2012, and shall apply to all permits issued or renewed thereafter pursuant to Chapter 296 of the Code of the City of Middletown. Notice of the adoption of this resolution and ordinance shall be mailed by the Department of Public Works to all owners of property in the City who must apply for permits pursuant to Chapter 296.