

CITY OF AMSTERDAM, NEW YORK
NON-RESIDENT RESIDENTIAL AND/OR COMMERCIAL PROPERTY OWNER
REGISTERED AGENT DESIGNATION CERTIFICATE

Address(es) of Real Property : _____ SBL: _____
: _____ SBL: _____
: _____ SBL: _____
: _____ SBL: _____

(please print clearly)

I, _____ residing at (please provide your physical address as well as any PO Box for mailing _____ am the owner of the above listed property(ies) or I am the _____ (if officer of property please provide title) of _____, the corporation or other entity that owns the above listed property(ies).

My phone number is _____. I am authorized to designate a registered agent for the property(ies) shown above and pursuant to Amsterdam City Code Section 156-4, I hereby designate _____ as registered agent who resides at _____, County of _____, State of New York. My registered agent's telephone number is _____.

Owner Signature: _____ Date: _____

State of _____ }
County of _____ } ss.:

On the ____ day of _____ in the year _____, before me, the undersigned, a Notary Public in and for said State, personally appeared, _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

**CITY OF AMSTERDAM, NEW YORK
NON-RESIDENT AND COMMERCIAL PROPERTY OWNER
ACCEPTANCE OF DESIGNATION CERTIFICATE**

ACCEPTANCE BY DESIGNATED AGENT

I _____ residing at _____

acknowledge this Designation Certificate and consent to such designation and agree to receive service of all notices of code violations, legal notices and processes arising from the NYS Uniform Fire Prevention & Building Codes and the laws of the City of Amsterdam related to the above listed real property and swear to the truthfulness of the information provided above. My telephone number is _____

Designated Agent Signature: _____ Date: _____

State of New York }
County of _____

} ss.:

On the _____ day of _____ in the year _____, before me, the undersigned, a Notary Public in and for said State, personally appeared, _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

NOTARY PUBLIC

FOR CITY CLERK USE ONLY

Date Registration Received: _____
Date Fee Received: _____
Renewal Date: _____
Cancellation Date: _____

LOCAL LAW NO. 3 OF 2015 - A LOCAL LAW AMENDING CHAPTER 156 NONRESIDENT AND COMMERCIAL PROPERTY OWNER REGISTRATION

BE IT ENACTED by the Common Council of the City of Amsterdam as follows:

SECTION 1. PURPOSE AND LEGISLATIVE INTENT

The intent of these amendments is to clarify various provisions within Chapter 156 and expand its applicability to nonresident owned single family residential properties.

SECTION 2. - SUBSTANTIVE PROVISIONS.

Chapter 156: Non Resident, Residential or Commercial Property Owner Registration is amended as follows:

Chapter 156: Non Resident Residential or Commercial Property Owner Registration

§156-1. Purpose and legislative intent. The purpose of this chapter is to protect the health, safety and welfare of residents, to protect a diverse housing stock from deterioration, and to facilitate service of process and administration of housing inspections and code enforcement. The Common Council finds and declares that the registration of nonresident residential and commercial property owners is intended to and will ensure the protection of persons and property in all existing residential rental and commercial property and ensure that property owners and prospective property owners are informed of, and adhere to, code provisions governing the use and maintenance of rental and commercial properties.

§156-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

COMMERCIAL PROPERTY -- Any real property located in the City of Amsterdam that is improved by a structure that is not designed to be used for residential purposes. This definition is limited in applicability to this chapter.

DESIGNATION CERTIFICATE -- A form designating a registered agent for an owner.

RESIDENTIAL PROPERTY -- Any parcel of real property located in the City of Amsterdam that is improved by a structure or group of structures that are designed to be used for residential purposes.

OWNER -- Any person or entity that, alone or with others, has legal or equitable title to real property.

REGISTERED AGENT -- Any person designated by the owner as described in this chapter.

§156-3. Registration required.

An owner of any residential or commercial property or multifamily/residential property who is not a resident of Montgomery County or an adjoining county, or is not a natural person (i.e., an LLC, Corporation, etc.) is required to designate a registered agent. In the instance where an owner who is not a natural person has a place of business in Montgomery or an adjoining county then the \$30 filing fee established by §156-6 shall be waived.

§156-4. Designation of registered agent.

Any owner of real property in the City of Amsterdam required to designate a registered agent shall file with the City Clerk a designation certificate on a form prescribed by the City Clerk. The designation certificate shall name a natural person, over the age of 18 years, residing in Montgomery County or an adjoining county as an agent to receive service of all notices of code violations, legal notices and process arising from the Uniform Code and the codes and laws of the City of Amsterdam related to real property in the City of Amsterdam. The registered agent shall acknowledge the designation certificate before a notary, consenting to such designation and swearing to the registered agent's residence and contact information. The owner shall acknowledge or have an officer acknowledge the designation certificate appointing the registered agent and consenting to the service of any notice or legal process on the agent before a notary. The designation certificate shall remain in effect until replaced by the owner or canceled pursuant to § 156-5 or until three years elapse from the date of filing. Owners and registered agents shall list their physical addresses in addition to any post office box on the designation certificate.

§156-5. Duties of registered agent; penalties for offenses.

The registered agent shall notify the City Clerk of the City of Amsterdam within 15 days of any change of address or telephone number. The registered agent shall accept service of all notices and legal process on behalf of the owner arising from the uniform fire and building codes and codes and laws of the City of Amsterdam related to real property in the City of Amsterdam. The registered agent shall contact the owner within one day of receipt of any notice or legal process on the owner's behalf. The registered agent may only terminate its agency status by the owner filing a replacement designation certificate or upon 30 days' written notice of termination of agency status, personally served on the owner, with proof of service filed with the City Clerk of the City of Amsterdam. Failure of the registered agent to comply with these duties is punishable by a fine not to exceed \$250 or 15 days in jail.

§156-6. Duties of owner; fees.

Any owner required to designate a registered agent by § 156-3 shall designate such agent by the later of 120 days from taking title to a property requiring such designation or by January 1, 2009. The owner shall pay a fee of \$30 upon filing a designation certificate or a replacement certificate. Each certificate may apply to up to four unique properties for one fee of \$30. Failure to file the designation certificate within the time above or failure to file a replacement designation certificate within 30 days of the notice of cancellation by the registered agent, lapse of the designation certificate or notice by the City of Amsterdam that a replacement agent is required shall cause a code enforcement fee to be charged to the owner in the amount of \$2 per month for each \$1,000 of full assessed value of the property requiring designation of a registered agent, not to exceed \$250 per month nor be less than \$20 per month per property. Failure to pay these fees within 30 days of the invoice date shall cause the charge to become a lien against the associated real property and be levied with the City taxes against the real property.

SECTION 3. SEVERABILITY

Should any section or provision of this local law be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the local law as a whole or any parts thereof other than the part so decided to be unconstitutional or invalid.

SECTION 4. ENABLING LEGISLATION

This Local Law is adopted pursuant to the authority granted by Section 10 of the Municipal Home Rule Law of New York State.

SECTION 5. EFFECTIVE DATE

This local law shall be effective when filed with the Secretary of State.