

Chapter 155

PROPERTY REGISTRATION

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[HISTORY: Adopted by the Board of Trustees of the Village of Alden: 2-9-2012 as L.L. No. 2-2012. Other amendments noted where applicable.]

GENERAL REFERENCES

Licenses and permits -- See Ch. 125.

§ 155-1. Title.

This chapter shall be known as the "Property Registration Law of the Village of Alden, New York."

§ 155-2. Purpose.

The purpose of this legislation is to protect the health, safety and welfare of the residents of the Village of Alden as well as the individuals who may rent property within the Village.

§ 155-3. Definitions.

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

AGENT -- Any person who has charge, care, custody and/or control of a building or part of such building in which rental dwelling units or rooming units are leased on either a weekly, monthly, or longer period of time.

OWNER – The property owner of record as listed in the most recent publication of the Official Tax Roll of the Village of Alden.

RENTAL UNIT – Any room or contiguous group of rooms located within a building and forming a habitable living space which is leased and/or rented for any period of time.

ROOMING UNIT – Any furnished room for rent located within a building and forming a single sleeping space which is leased and/or rented.

LEASE – Any agreement, whether oral or written, regardless of the length of time which shall reflect an agreement between two or more parties with respect to the use and/or occupation of a rental dwelling unit and/or rooming unit.

§ 155-4. Registration required.

- A. All owners, residing outside the County of Erie, State of New York, of real property including, but not limited to, mobile home parks, commercial establishments, retail entities, service businesses, and industrial facilities shall register said real property with the Village Clerk and Code Enforcement Officer.
- B. All owners of apartment units and/or dwelling units which are leased and/or rented regardless of the particular length of time of such lease or rental of units, shall register said real property with the Village Clerk and Code Enforcement Officer. This shall not include owner-occupied one and two family dwellings.
- C. As of the effective date of this article, all owners of existing real property required to be registered as above shall be registered on or before May 31, 2012.
- D. The owner of any newly constructed or created rental unit required to be registered as above shall register such real property prior to allowing occupancy of said real property and any new rental unit therein.
- E. The owner of any real property already registered with the Village shall notify the Village, in writing, within thirty (30) days after any change occurs in the registration information. A new owner of a registered real property shall register such property within thirty (30) days of assuming ownership.

§ 155-5. Registry.

- A. The Village shall maintain a registry of all registered property containing the following information which shall be provided by the owner on forms available

from the Code Enforcement Officer. Such required information shall include, but not be limited to, the following:

- (1) Name, legal residence, address, if different, and telephone number of the owner of the real property. In the event that the owner is not a natural person, then the owner information shall include the president, general manager or other chief executive officer of the entity owning such property. Where more than one natural person has an ownership interest, the required information shall be included for each owner. The information required shall also include the address, telephone number, and electronic address for the owner and all other responsible persons as set forth herein.
- (2) Name, legal residence, address, telephone number and electronic mail address of any agent in care, custody and/or control of the real property.
- (3) The number and type of rental and/or rooming units in the dwelling, if applicable.
- (4) The legal address of the real property. Individual room or housing unit numbers or designations must be provided for rental properties, where applicable.
- (5) The employer identification number in the event that the real property is owned by a corporation or similar entity.
- (6) If neither the address of the owner nor the address of the agent in control of the real property as provided herein are located within the County of Erie, the owner must provide the name, legal resident, or other business address within Erie County of a natural person who shall act as an agent for service of process and service of notices and orders issued pursuant to the Code of the Village of Alden, the New York State Fire Building Construction and Fire Prevention Code and the New York State Energy Conservation Code, for service of process in connection with the prosecution of violations under such Codes. The owner and/or agent shall accept service of process by regular mail and certified mail, return receipt requested which shall be deemed sufficient and proper service.

§ 155-6. Expiration of registration. [Amended 3-6-14 by L.L. No. 3-2014]

- A. All valid registrations currently on file with the Village of Alden for real property under this Code shall remain in effect until such time that information on said registration changes or the subject property undergoes a change in status or use.

§ 155-7. Fees.

Upon registering, the owner of such real property shall pay an annual registration fee¹ as set forth by the Board of Trustees. All registration fees and renewal fees must be paid by no later than May 31st of each calendar year.

§ 155-8. Violations; penalties for offenses.

- A. It shall be a violation of this article for an owner or responsible person to provide inaccurate information for the registry of real property or to fail to provide the information required herein for the registry and/or to fail to register and/or re-register after the expiration of the original registration.
- B. A violation of this article will be assessed on each day that the property is not registered up to Twenty-five Dollars (\$25) per day for each day that the property is either not registered and/or inaccurate and/or incomplete information is provided after notice to the owner to comply.

¹ Editor's Note: See Ch. A220, Fees.