

Article 2. Section 2. Definitions is amended to add a new definition for "Seasonal Property" as follows:

Seasonal Property

Property occupied for only part of a year, such as where an owner lives at another location for a portion of the year, but where the local property is continued to be maintained.

Article 3. Section 2. Definition is amended to delete a portion of the definition of "Vacant" so that such definition hereafter reads as follows:

Vacant

Any parcel of land in the Village that contains a building or structure that is not lawfully occupied or inhabited by human beings as evidenced by the conditions set forth in the definition of "Evidence of Vacancy" above which is without lawful tenant, or lawful occupant or without a certificate of occupancy.

Article 4. Section 5. Subdivision E is amended to read as follows:

E. A non-refundable annual registration fee pursuant to a fee schedule established by resolution of the Village Board shall accompany each registration pursuant to this section. The registration fee shall not apply to vacant real property, which is otherwise subject to the registration requirement, upon a showing by the owner that the building or structure is:

- a. Undergoing active and diligent construction, renovation or rehabilitation, or
- b. Used on a seasonal basis, but is otherwise secure, or
- c. Subject of an administration or probate proceeding in a Surrogate's or other probate court; or
- d. Damaged by a natural disaster, but where the owner intends to repair and reoccupy the property and is actively taking steps to do so, or
- e. Located on real property which is listed for sale with a licensed real estate agency, in which case the exemption is for a period of one year
- f. Located on real property which is located on real property which is for sale by owner provided the property is listed for no more than ten percent (10%) above the assessed value of the property, in which case the exemption is for a period of one year.

Article 5. A new Section 10 is added as follows:

Section 10. Delinquent registration fees as lien.

If the owner fails to pay the amount of any registration fee due after being given notice of the amount of such registration fee due, said amount as assessed shall constitute a lien and charge on the real property as which it is levied until paid or otherwise satisfied or discharged and shall be collected in the same manner and at the same time as the other village taxes and charges.

Article 6. Severability.

Each separate provision of this Local Law shall be deemed independent of all other provisions herein, and if any provisions shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.

Article 7. Repealer.

This Local Law shall supersede all prior local laws, ordinances, rules and regulations which may be inconsistent with the provisions of this law.

Article 8. Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State.

Article 9. Numerical/Lettering Designations

The chapter designations and numerical/lettering designations of the sections included in the Local Law shall be delegated to the discretion of General Code Publishers, which may renumber the chapter and sections included in this Local Law as necessary to accommodate incorporation of this Local Law in the Code of the Village of Fort Plain.