

RESOLUTION 09-75

RESOLUTION ADOPTING LOCAL LAW NUMBER 5 OF 2009

(AMENDING LOCK BOX LOCAL LAW, LOCAL LAW NUMBER 4 OF 2006)

At a Regular Meeting of the Town Board of the Town of Lansing held in and for the Town of Lansing at the Lansing Town Hall on 18th day of March, 2009, the following members being present: A. Scott Pinney, Supervisor; Connie Wilcox, Councilperson; Francis Shattuck, Councilperson; Martin Christopher, Councilperson; and Matthew Besemer, Councilperson; and the following members being absent: none; and the following motion for a Resolution was duly made by motion of Connie Wilcox, and was duly seconded by Francis Shattuck; and the vote was as follows: A. Scott Pinney - aye; Francis Shattuck - aye; Connie Wilcox - aye; Martin Christopher - aye; Matthew Besemer - no; and the following Resolution therefore passed 4-1, and was duly adopted:

WHEREAS, the Code Office has examined the impact of requiring that lock boxes be required for certain multiple dwellings pursuant to Section 2(D) of Local Law Number 4 of 2006; and

WHEREAS, after consulting with the Fire Department and determining that there is no risk to public health or safety arising from such change; and

WHEREAS, owners of such buildings can still have lock boxes, the only change being that the law will not require the same; and

WHEREAS, the action was and is hereby declared a Type II Action, and no environmental review is therefore required; and

WHEREAS, upon the Public Hearing as duly held at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, being in the Town of Lansing, on the 18th day of March, 2009, at 6:05 o'clock P.M., and in consideration of the comments and evidence thereat presented, if any, and upon due consideration of the foregoing, the Town Board of the Town of Lansing has hereby

RESOLVED, that Local Law Number 5 of 2009 be and hereby is adopted, reading in its entirety as follows:

**“TOWN OF LANSING, TOMPKINS COUNTY, NEW YORK
LOCAL LAW NUMBER 5 OF 2009**

Amendments to Lock Box Local Law, Local Law Number 4 of 2006

SECTION 1: This Local Law shall be known as “Local Law Number 5 of 2009”. Local Law Number 5 of 2009 applies only within those portions of the Town of Lansing, Tompkins County, New York, that are outside of the Village of Lansing. This Local Law does not replace or supplant any requirements of the New York State Building and Fire Code and the New York State Energy Code (herein together, the “Building Codes”), nor any provision of Local Law Number 6 of 2006 (Code Enforcement) of the Town of Lansing.

SECTION 2: Section 2 of Article 2 of Local Law Number 4 of 2006 is hereby amended to delete subsection D and re-enumerate the remaining subsections, as follows:

Section 2. Properties Requiring Rapid Access Lock Boxes.

Each of the following Structures shall require one or more Lock Boxes:

- (A) All new and existing Structures that have an Automatic Alarm.
- (B) All new and existing Structures that have an Elevator.
- (C) All new and existing Structures that have an automatic fire suppression system.
- (D) All new and existing Structures that have one or more Automatic Gates.
- (E) All Properties and Structures protected by secured or locked gates, fences, walls, or barriers of any sort.
- (F) All Structures storing more than 500 gallons of petroleum products.
- (G) All new and existing Properties or Structures that store, for industrial or commercial uses or purposes, including retail or wholesale sale or delivery, any Hazardous Materials.

SECTION 3: This Local Law shall take effect immediately, and the Town Clerk is directed to immediately file a copy of this Local Law with the NYS Secretary of State as required by law.”;

and it is further

RESOLVED, that in accord with §21 of the Municipal Home Rule Law, the final adopted copy of this Local Law shall be presented to the Supervisor for approval; and it is further

RESOLVED, that upon such approval by the Supervisor (or other approval occurring pursuant to said §21 of the Municipal Home Rule Law), and within 20 days after the final adoption of this Local Law, the Town Clerk shall file a certified copy of this Local Law, together with the required Certifications, in the Office of the Town Clerk and with the New York State Secretary of State as required by Municipal Home Rule Law §27. Said filing may be made by delivery to the State Records and Law Bureau, Department of State, 41 State Street, Albany, New York 12231.

SEQRA: Type II Action.