



**CITY CLERK'S OFFICE**

City Hall, 520 Warren Street  
Hudson, New York 12534

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TRACY S. DELANEY  
City Clerk

March 7, 2025

Thomas DePietro  
Common Council President  
City Hall  
520 Warren Street  
Hudson, NY 12534

Dear Council President DePietro:

On March 5, 2025, this office received a petition titled "Petition to Amend The Charter of the City of Hudson, NY to Reorganize the Form of City Government From a Strong Mayor Form to a Council-Manager Form".

Pursuant to New York Municipal Home Rule Law §24 and §37, I have examined said petition and I hereby certify that the petition complies with all the requirements of law.

Very truly yours

  
City Clerk

cc: John Friedman, Esq. *via email*

2025 MAR -7 PM 12:28  
CITY OF HUDSON, NY  
CLERK'S OFFICE  
HUDSON, NY

**PETITION TO AMEND THE CHARTER OF THE CITY OF HUDSON, NY TO  
REORGANIZE THE FORM OF CITY GOVERNMENT FROM A STRONG MAYOR  
FORM TO A COUNCIL-MANAGER FORM.**

To: City Clerk, City of Hudson, NY

(1) We the undersigned, being duly qualified electors of the City of Hudson, County of Columbia, State of New York, representing not less than ten percent (10%) of the total number of valid votes cast for governor in the City of Hudson at the last gubernatorial election, present this petition to the City Clerk of Hudson and respectfully request that the following law to amend the Charter of the City of Hudson be submitted to the voters of the City of Hudson at the next general election to be held on November 4<sup>th</sup>, 2025 and that the Common Council take such additional steps necessary to enact said proposed local law:

**A LOCAL LAW AMENDING THE HUDSON CITY CHARTER**

**BE IT ENACTED BY THE COMMON COUNCIL OF THE CITY OF HUDSON AS FOLLOWS:**

**SECTION 1. TITLE** This Local Law shall be known as The 2025 Charter Amendment Law.

**SECTION 2. LEGISLATIVE FINDINGS**

The Common Council of the City of Hudson finds that it is in the City's and its citizens' best interest to amend the city charter to reorganize its structure of government from a strong mayor form to a council-manager form.

The Council acknowledges that a petition, containing this local law and an amended city charter has been duly delivered to it by the city clerk and that this petition has been endorsed by a legally sufficient number of signatures from electors of this city empowered by statute to be signatories of such petition.

The Council finds that the requirements of New York State Municipal Home Rule Law Section 37(11) are met by the following statement:

**Section 37(11) Fiscal Statement**

A fiscal statement pursuant to Section 37(11) of the New York State Municipal Home Rule Law is not required as part of the petition to reorganize Hudson city government as (i) it relies on normal budgetary procedures to provide the necessary moneys to meet the expenses of city government under such reorganization, and (ii) it does not require specific salaries or the expenditure of specific sums of money not required prior to enactment of such reorganization. NY CLS Mun. H.R. Law § 37(11); Matter of Saratoga Citizen, Inc. v. Franck, 95 A.D.3d 172 (NYS Sup. Ct., App. Div., 3d Dept. 2012).

Under this petition, existing salaries for members of the council remain unchanged except that the salary for the member of the city council who is elected by that body to serve as its president shall also receive an additional \$1,000 but the cost for this is more than offset by the removal of the at-large elected council president position the salary for which is presently \$15,000, and the reduction of the number of city council members from 10 to 5 yielding additional savings of \$25,000 in annual base salaries. The only other salary mentioned in the proposed reorganization under the petition is that the salary for the mayor's position will be \$5,000, a \$74,182 savings from its 2025 budgeted amount of \$79,182. No other salaries are mentioned in the proposed reorganization contained in the petition. Accordingly, the direct result of the proposed reorganization under the petition is a reduction in annual expenditures of \$113,182. The salary and other expenses associated with the city manager position will be funded by the city's normal budgetary procedures.



### **SECTION 3. LEGISLATIVE INTENT**

It is the intent of the Common Council to approve this local law and, in so doing, present the amended charter articles it contains to the electors of the city at the next general election to be held following the Council's passage for such electors' acceptance or rejection pursuant to relevant statutes.

### **SECTION 4. STATEMENT OF AUTHORITY**

This local law is authorized by Article 37 of the Municipal Home Rule Law, and Article XII of the Hudson City Charter.

### **SECTION 5. AMENDMENT**

The Hudson City Charter, Articles 2 – 6, 8 – 9, 11 – 13, 15 – 19, 21 – 29, 31 – 32 and 34 are hereby *AMENDED*, *subject to mandatory referendum of the city's electors at the general election next following passage hereof*, by *ADDING* the underscored language and omitting the stuck-through language in each such Article as shown in the balance of this Section 5. Charter Articles 1, 7, 10, 14, 20, 30 and 33 are not amended by this local law and are, therefore, unchanged:

#### **ARTICLE II Officers and Salaries**

**§ C2-1. Officers and salaries. [Amended 1-29-1976 by L.L. No. 2-1976 ; 6-21-1994 by L.L. No. 6-1994 ; 12-18-2001 by L.L. No. 6-2001 ; 4-20-2004 by L.L. No. 3-2004 ; 11-16-2004 by L.L. No. 5-2004 ; 5-16-2006 by L.L. No. 5-2006 ; 7-20-2021 by L.L. No. 4-2021 ; 9-20-2022 by L.L. No. 6-2022 ; 9-20-2022 by L.L. No. 7-2022 ]**

The officers of the City shall be the City Manager, a Mayor, a President of the Common Council, a City Judge, a City Treasurer, one Assessor, a Commissioner of Public Works, a Commissioner of Police, a Commissioner of Fire, a Commissioner of Youth, a Commissioner of Purchases, a Commissioner of Grants, a Commissioner of Senior Services, a Planning Board of seven members, a Zoning Board of Appeals of seven members, an Historic Preservation Commission of seven members, such members of the Board of Plumbers as are now or hereafter shall be provided by law, local law, or ordinance, a City Clerk, a Superintendent of Public Works, a Superintendent of Cemeteries, such number of policemen as the Commissioner of Police shall appoint, a Chief of the Fire Department, two Assistant Chiefs of the Fire Department, a Code Enforcement Officer and such Assistant Code Enforcement Officers as may be otherwise authorized, a Director of Youth, a Bingo Inspector, special policemen and, in the discretion of the ~~Mayor~~City Manager, a City Marshal and a City Legal Advisor as the ~~Mayor~~City Manager may deem necessary or expedient for the preservation of the rights or the protection of the interests of the City.

#### **§ C2-2. Ward and district officers.**

There shall be in each ward a Supervisor and ~~two~~ one Aldermaen, and in each election district such Inspectors of Election and other election officers as are or shall be provided by law.

#### **§ C2-3. Number of offices to be held. [Amended 5-16-2006 by L.L. No. 5-2006 ]**

No person shall, at the same time, hold more than one of the offices created or authorized by this Charter, except that the holding of the office of Commissioner of Deeds or Superintendent of Cemeteries shall not disqualify any person from holding

any other office hereunder and excepted further that the Aldermen shall elect one of their members to serve as President of the City Council and, as such, to serve as chair and presiding officer of the Common Council, all pursuant to this Charter].

**§ C2-4. Eligibility to hold office. [Amended 1-6-1992 by L.L. No. 3-1992 ]**

- A. No person shall be eligible to any City office under this Charter, except the Superintendent of Public Works, who, at the time of election or appointment, shall not be an elector of the City; and no person shall continue to hold office hereunder after ceasing to be such elector. No person shall be eligible to any ward office under this Charter who, at the time of election or appointment, shall not be an elector of the ward in which elected or appointed; and no person shall continue to hold a ward office hereunder after ceasing to be an elector of such ward.
- B. Notwithstanding § C2-4A: **[Amended 8-18-2015 by L.L. No. 3-2015 ; 11-26-2019 by L.L. No. 5-2019 ]**
  - (1) An appointed person otherwise eligible to hold office under this Charter in accordance

with the Public Officers Law of the State of New York need not be an elector of the City  
so long as such person shall reside in Columbia County within 15 road miles of a

boundary of the City of Hudson;

- (2) The City Legal Advisor need not be an elector of the City so long as such person shall reside in Columbia County. [Amended 9-20-2022 by L.L. No. 8-2022 ]
- (2) The Chief of the Fire Department of the City of Hudson and the two Assistant Fire Chiefs of the City of Hudson need not be an elector of the City so long such persons shall reside in Columbia County within 3 road miles of a boundary of the City of Hudson. [Added 6-20-2023 by L.L. No. 5-2023 ]
- (3) The City Manager of the City of Hudson need not be an elector of the City so long as such person shall reside in Columbia County within 15 road miles of a boundary of the City of Hudson.

**§ C2-5. Salaries of City officers. [Amended 4-20-2004 by L.L. No. 3-2004 ]**

The officers of the City shall receive such salaries as are set forth in the annual budget of the City of Hudson. The Common Council shall have the power by resolution to increase the salary or compensation of any City officer at any time for services to be thereafter rendered, and such increase may be made after salary and compensation shall have been fixed and provided for in the budget of the City for the fiscal year, provided that appropriations are available for the payment thereof. The salaries provided for in this section shall be paid to the respective officers or employees entitled thereto in equal monthly installments. Notwithstanding the foregoing, commencing on January 1, 2028 the annual salary of the following officers shall be as set forth herein provided, however, that the same shall be adjusted each year thereafter by the reported change in the Consumer Price Index for the area including the City of Hudson: Mayor - \$5,000; Alderman - \$5,000; President of the City Council – an additional \$1,000.

**§ C2-6. Hospitalization insurance for certain City officers.<sup>1</sup> [Added 4-16-1991 by L.L. No. 3-1991<sup>2</sup>]**

- A. The Mayor, President of the Common Council, City Manager, City Treasurer, Aldermen, City Clerk, Assessor and Legal Advisor holding office as of the date of adoption of this Charter shall continue to receive, without cost, hospitalization insurance equivalent to that provided in the Public Employment Code adopted pursuant to § C31-1 of this Charter, for so long as they retain their office. For purposes of this section, any officer or employee of the City of Hudson who continues in the same office by reason of having been reelected, reappointed or appointed or elected to a new position, or any Alderman who becomes the President of the Common Council or Mayor during or upon expiration of a term, shall be deemed to have retained his or her office.
- B. Any City Manager, ~~Mayor, President of the Common Council~~, City Treasurer, Alderman, City Clerk, Assessor or Legal Advisor elected or appointed subsequent to the date of adoption of this Charter, except for those retaining office as provided in Subsection A, shall be entitled to receive hospitalization insurance equivalent to that provided in the Public Employment Code in effect at the time such officer takes office, provided that the officer contributes to the cost of such insurance in the proportion required of employees hired after the effective date of that Public Employment Code.

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1. **Editor's Note: Former § C2-6, Salaries of Alderman, as amended, was repealed 10-16-1984 by L.L. No. 9-1984.**
  2. **Editor's Note: This local law also provided that if any court of competent jurisdiction decrees to be invalid the disparate treatment of officers retaining office and officers hereafter elected or appointed, as provided by Subsections A and B, respectively, then Subsection B shall be declared void, and both classes of officers shall be entitled to hospitalization insurance without cost as provided by Subsection A.**

ARTICLE III  
Elections, Appointments and Vacancies

**§ C3-1. Elective offices to be filled at general elections.**

The elective offices of the City and of the various wards thereof shall be elected at the general elections.

**§ C3-2. Qualification of voters.**

Every citizen of the age of 18 years, who shall be qualified in all respects as required by the constitution and laws of this state to vote in the election district in which he resides, shall be entitled to vote in such district, and not elsewhere, for any or all of the City officers who are to be chosen at any election, and for any or all of the officers of the ward in which such election district is, who are to be chosen at any election.

**§ C3-3. Statement and notice of result of election.**

The election officers in each election district of the City shall forthwith upon its completion deliver to and file with the City Clerk a certified statement of the result of such election in each such district respectively, and the City Clerk shall deliver such certified statement to the Common Council at its regular meeting next succeeding such election in each year; and the Common Council shall, upon such certified statement, declare and determine what persons have been duly elected and make and subscribe a certificate thereof in a book of record provided for that purpose, whereupon the City Clerk shall serve each person so elected to office with a written notice of his election by either serving such notice personally or leaving the same at his place of residence.

**§ C3-4. Declaration of result; commencement of terms.**

The persons having a plurality of the votes for the respective offices to be filled shall be declared duly elected and shall enter upon the discharge of the duties of their respective offices on the first day of January following their election.

**§ C3-5. Appointment following tie vote; term of appointee.**

If at any election authorized by this Charter no person voted for thereat shall have been chosen by reason of two or more candidates' having received an equal number of votes for the same office, the Common Council shall appoint a person to fill such office. Such appointment shall be made between the first day and the fifteenth day of December following the occurrence of such failure, at a special meeting of the Common Council called and held for that purpose. The person so appointed shall take office on the first day of January following his appointment and hold office until and including the thirty-first day of December thereafter; and his successor shall be elected at the general election in the year following such appointment and shall hold office for the unexpired portion of the term of the office to which he was elected.

**§ C3-6. Filling of vacancies in office.**

- A. Vacancies occurring in any manner, in any elective office, shall be filled by appointment by the Common Council. Such appointments, except in the cases specified in § C3-5 of this

Charter, shall be made not less than 10 days nor more than 20 days after the occurrence of such vacancy at any meeting of the Common Council. Such officers so appointed to fill vacancies shall serve until and including the 31st day of December next following such appointment, and in case such term of office shall not expire on the 31st day of December next following such appointment, there shall be elected at the general election in the year in which such appointment shall be made a person who shall take office on the first day of January next following such appointment who shall hold office for the remainder of the unexpired term. In case the appointment by the Common Council to fill a vacancy as herein provided shall not be made until after the expiration of the time in which the name of the candidate for election to fill the unexpired term of the office in question can be placed upon the ballots to be voted at the general election in the year in which such appointment shall be made, then and in that event the person so appointed shall hold office from the date of such appointment to and including the 31st day of December in the next year; and in case such term of office shall not expire on the 31st day of December in the year next following such appointment, there shall be elected at the general election in the year next following the year in which such appointment shall have been made a person who shall take office on the first day of January next following such election and who shall hold office for the remainder of the unexpired term.

- B. Vacancies in any appointive office shall be filled by the officer, board or commission authorized by this Charter to make appointments to such office, but only for the unexpired terms.

**§ C3-7. Special meetings to make appointments; failure to appoint. [Amended 11-21-1995 by L.L. No. 12-1995 ]**

Each special meeting or regular meeting of the Common Council for the purpose of making appointments in cases of failure to elect elective officers and for the purpose of making appointments to vacancies in elective offices, as provided in §§ C3-5 and C3-6 of this Charter, shall be called by the City Manager, ~~by the Mayor, or by the President of the Common Council,~~ or by any three Aldermen. Such call shall be in writing and be signed by the officer or officers issuing it and shall be filed in the office of the City Clerk at least six days before the day of the meeting. The City Clerk shall indorse upon the call, when the same is filed, the day and time of filing, and if more than one call shall be so filed, that first received in order of time shall be deemed to be the official call for the meeting. Such call shall state the purpose of the meeting and the time and place of holding the same. The City Clerk shall also cause a written copy of such call to be served ~~on the Mayor, the~~ City Manager ~~President of the Common Council~~ and each Alderman, either by mail or by hand delivery at a meeting of the Common Council. Each such appointment shall be in writing; it shall be signed by a majority of the members of the Common Council; and it shall be delivered by the presiding officers of the Common Council to the City Clerk, who shall file the same in his office and record it in a book of record to be kept by him for that purpose. In the event of the failure of the Common Council to make any appointments to elective offices in case such appointment is necessary under the provisions of this Charter within the periods of time respectively prescribed, the Mayor, or, in case of his or her inability to act, ~~the President~~ a super majority comprising not less than 4 members of the Common Council, shall make such appointment.

**§ C3-8. Provisions of Election Law applicable.**

The provisions of the Election Law shall govern the elections provided for in this Charter insofar as they are applicable, except as otherwise provided in this Charter.



ARTICLE IV  
Officers: Terms and Qualifications

§ C4-1. Elective City officers.

The officers of the City to be elected by general ballot shall be a Mayor, a ~~President of the Common Council~~, a City Judge and a City Treasurer, as hereinafter provided. A City Council President, who shall be an officer of the City, shall be elected by the Aldermen comprising the Common Council as provided in this Charter.

§ C4-2. Elective ward officers.

The officers to be elected by the electors of each ward shall be one ~~Supervisor and two Aldermaen~~ and one County Supervisor.

§ C4-3. Terms of elective officers.

A. All of the officers whose election is provided for by this Charter, except such as shall be appointed to fill vacancies in office, shall take office on the first day of January following their elections, and shall hold office for the following terms respectively:

- (1) The Mayor for a term of two years.
- (2) ~~The President of the Common Council for a term of two~~  
years. ~~(3)~~(2) The City Judge for a term of two years.
- (4)(3) The City Treasurer for a term of two years.
- (5)(4) The Supervisor in each ward for a term of two years.
- (6)(5) The ~~two~~ Aldermaen in each ward for a terms of two years.

B. The Mayor, the President of the Common Council, the City Judge, the City Treasurer, the Supervisors and the Aldermen now in office shall continue in their respective offices under this Charter until the expiration of the terms for which they were elected, respectively, except as otherwise provided by law, and until their successors hereunder shall be elected or appointed and qualified; and their successors shall be elected as provided by Article III of this Charter and all applicable laws.

C. Any vacancies in any of the offices created by this Charter, at or after the time this Charter takes effect, shall be filled in the manner prescribed by Article III, §§ C3-5 and C3-6, of this Charter.

C. D. Term limits. No elected official may serve more than 3 terms in any elective office or combination of elective offices.

§ C4-4. Appointive officers and terms.

A. The ~~Mayor~~ City Manager shall appoint the following officers for the terms of office indicated:

- (1) Assessor, for six years.

City of Hudson, NY

- (2) City Clerk, for four years,
- (3) Members of the Planning Board, for three years. **[Amended 9-20-2022 by L.L. No. 6-2022 ]**

- B. The ~~Mayor~~ City Manager shall appoint the following officers to serve at his or her pleasure:
- (1) Commissioner of Public Works.
  - (2) Commissioner of Police.
  - (3) Commissioner of Fire.
  - (4) Commissioner of Youth.
  - (5) Commissioner of Purchases.
  - (6) Commissioner of Grants.
  - (7) Harbor Master. **[Added 11-30-2011 by L.L. No. 8-2011 ]**
- C. The ~~Mayor~~ City Manager may also, in his discretion, appoint a City Marshal and such legal counsel as he may deem necessary or expedient for the preservation of the rights or the protection of the interests of the City.
- D. (Reserved)<sup>1</sup>
- E. The ~~Common~~ Common Council shall every two years designate Commissioners of Deeds as provided by law.
- F. The ~~Mayor~~ City Manager shall appoint an Assessment Board of Review and the members of each board and commission authorized by this Charter, which members shall select one of their number President thereof.
- G. The Commissioner of Public Works shall appoint the Superintendent of Public Works, who shall have such qualifications as may be required elsewhere in this Charter and who shall serve at the pleasure of the Commissioner of Public Works.
- H. The Commissioner of Public Works shall appoint the Superintendent of Cemeteries, who shall serve at the pleasure of the Commissioner of Public Works.
- I. (Reserved)<sup>2</sup>
- J. The Commissioner of Youth shall appoint the Director of Youth, who shall serve at the pleasure of the Commissioner of Youth.
- K. The following City offices shall be filled by the ~~Mayor~~ City Manager from the civil service list:
- (1) Code Enforcement Officer.
  - (2) Building Inspector.
- L. The several appointive officers now in office are continued in their respective offices under this Charter until the expiration of the terms for which they were appointed, respectively, or

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1. Editor's Note: Former Subsection D, which pertained to the Mayor's appointment of the Sealer of Weights and Measures, was repealed 5-17-1994 by L.L. No. 5-1994.

2. Editor's Note: Former Subsection I, regarding the Commissioner of Police's authority to appoint, remove or suspend police officers, was repealed 5-16-2006 by L.L. No. 6-2006.

during the pleasure of the appointing officer, as may be provided elsewhere herein, and until their successors shall be appointed and qualified, and their successors shall be appointed as provided by this Charter and by law.

**§ C4-5. Appointments: how made.**

All appointments and removals by any officer, board or commission shall be in writing over the hand of the officer or commissioner making the same and shall be filed with the City Clerk before taking effect.

**§ C4-6. Power of removal.**

The Mayor-City Manager may remove any person appointed to any City officer or position at his or her discretion unless such person's employment by the City is pursuant to a contract between such person (or his or her bargaining unit, if any) and the City in which event the terms and conditions of such contract shall control.

**§ C4-7. City Manager.**

A. Appointment. The Common Council shall appoint the City Manager by a majority vote of that body. The appointment may be for an indefinite term or a fixed term of not more than 4 years.

a. Basis of Appointment. In determining whom to appoint as City Manager, the Common Council shall ensure that each appointee shall possess either a masters degree in public administration and not less than 4 years of increasingly responsible duties within a public administration or another graduate degree in the areas of governmental management and not less than 6 years of increasingly responsible duties within a public administration; in all events such degrees to be from a reputable and duly accredited institution of higher education.

B. Nature of Appointment. The Common Council may hire the City Manager on either an at-will or contract basis for a term of years not to exceed 4 years per contract. If at-will, the terms and conditions of the City Manager's employment shall be set forth in a duly-enacted resolution of the Common Council; if by contract, the terms and conditions of the City Manager's employment shall be set forth in a writing executed by the Mayor on behalf of the City and by the City Manager on behalf of him- or herself. The terms and conditions of such employment shall, at a minimum, include: the annual salary and benefits; the rights and obligations, including the duties of the employee; any notices as to breach and cure periods, if any; and the standards of decorum expected for the comportment and conduct of the City Manager's office.

ARTICLE V  
General Requirements for Officials

**§ C5-1. Oath of office and bond: time limit.**

Within 30 days after any person shall have received from the City Clerk written notice of his election or appointment to any office provided for in this Charter, he shall take the constitutional oath of office, and shall file the same with the Clerk, together with the bond, if any, required of him by the provision of this Charter. In case of his failure to take and file such oath and make and file such bond, if any required, within the time prescribed, the office to which he was elected or appointed shall be vacant.

**§ C5-2. Official bonds.**

- A. All City employees shall be covered with a minimum bond of \$25,000, except the City Treasurer and his employees, who shall have a minimum bond of \$100,000. **[Amended 4-21-1981 by L.L. No. 4-1981 ; 4-20-2004 by L.L. No. 3-2004 ]**
- B. Each bond required by this section shall be conditioned for the faithful performance of the duties of his office by the officer filing such bond.
- C. Each of the bonds required by this section shall be approved, as to form and the sufficiency of sureties, by a Justice of the Supreme Court, ~~the~~ a County Judge of Columbia County, ~~the~~ a City Judge and/or the Legal Advisor, and when so approved shall be filed in the office of the City Clerk.

**§ C5-3. Existing bonds continued.**

All bonds heretofore given by any officer of the City of Hudson pursuant to law shall continue valid hereunder, and shall be ~~in~~ compliance, pro tanto, with the provisions of this article. Within 20 days after this Charter takes effect, the City Clerk shall take from each surety on each bond of an officer of the City his or its consent in writing, duly acknowledged or proved as a deed to be recorded in the office of the Clerk of Columbia County, to the effect that such bond shall continue an obligation binding on the surety thereof with the same force and effect under this Charter as if such bond were given pursuant to the provisions hereof. Upon the failure of any surety to execute and deliver to the Clerk such a consent, within the time prescribed, the Common Council shall require a new bond in place of the one whose surety shall fail to give said consent.

**§ C5-4. New bonds may be required.**

The Common Council may, by resolution, for cause shown, require any officer who shall file a bond under the provisions of this article to file a new bond at any time, and in case he shall fail to comply with the resolution within 10 days after written notice thereof and a certified copy of the resolution have been served upon him personally or by leaving such notice at his residence with a person of suitable age and discretion, the Common Council may declare vacant the office to which he was elected or appointed, whereupon such office shall be vacant.

**§ C5-5. Bonds from other officers.**

In addition to the officers who are specifically required by this Charter to furnish bonds, the Common Council may require any appointive officer, or any person who is or may be employed by it, or by the ~~Mayer~~City Manager, to furnish a bond in such an amount as the Common Council may require, and with such sureties as it may approve, conditioned for the faithful discharge of his duties. The Common Council may, whenever it may deem proper, require additional or further security of any such officer or person after the giving of the bond first mentioned.

**§ C5-6. Other officers not to be surety.**

Whenever by any provision of this Charter an officer or a member of a board or commission of the City is required to furnish a bond, no other officer nor member of any board or commission of the City shall be a surety upon such bond.

**§ C5-7. Action on bonds.**

A cause of action shall arise in favor of the City, and the City may sue and recover, upon any breach of any bond required or authorized by the provisions of this Charter.

ARTICLE VI  
~~Mayor~~City Manager

**§ C6-1. Chief executive officer; enforcement of laws.**

The ~~Mayor~~ City Manager shall be the chief executive officer of the City. He or she shall take care that the laws of the state affecting the City or inhabitants thereof, and the local laws, ordinances, bylaws, resolutions, rules and regulations of the Common Council and of the boards and commissions, are faithfully executed. All commissioners appointed pursuant to this Charter shall report directly to the City Manager and serve at his or her pleasure.

**§ C6-2. Approval of legislation ~~audits; veto power.~~<sup>1</sup>**

The City Clerk shall present each ~~local law, ordinance, resolution and~~ audit of the Common Council, with the exception of appointments to be made by the Common Council in cases of failure to elect elective officers and of appointments to fill vacancies in elective office as provided for in §§ ~~C3-5, C3-6 and C3-7~~ of this Charter, to the ~~Mayor~~ City Manager within three days after its passage; if the ~~Mayor~~ City Manager shall approve it, he or she shall sign it and return it to the City Clerk within three days; if he or she disapprove it, or any item or items of an audit, he or she shall, within three days after its presentation to him, return it or such item or items with a statement of his objections, in writing, to the City Clerk, who shall present the same to the Common Council at its next regular meeting, and the same shall have no effect unless the body shall then proceed to reconsider the ~~local law, ordinance, resolution,~~ audit or item or items of an audit disapproved. If, after such reconsideration, ~~2/3~~ a supermajority of its members shall agree to pass the same, it shall take effect. In every case the vote shall be taken by yeas and nays and entered in the minutes with the objection of the ~~Mayor~~ City Manager.

**§ C6-3. Command of police and firemen.**

He or she shall have the power to call out and command the police and firemen whenever in his or her discretion ~~he the City Manager~~ shall deem necessary, and on such occasions to summarily remove or suspend any policeman or fireman for insubordination or neglect of duty, and shall participate in disciplinary hearings affecting members of the Police and Fire Departments.

**§ C6-4. Exclusive power to grant licenses.**

~~He~~ The City Manager shall have the exclusive power of granting all licenses required under any local law or ordinance of the City of Hudson. Said licenses shall be attested by the City Clerk and shall contain a statement of the amount to be paid therefor by the licensee, and no such license shall be of any force unless accompanied by a certificate written thereon or attached thereto and signed by the City Treasurer, stating that the amount mentioned in said license to be paid by the licensee has been fully paid to said City Treasurer; the City Clerk shall keep in books to be provided by the Common Council for that purpose a record of each license so granted by the Mayor.

**§ C6-5. Power of investigation.**

The ~~Mayor~~ City Manager shall have power at all times to examine the books, vouchers and papers of any board, commission, officer or employee of the City, and to summon and examine under oath any person or persons in relation thereto.

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1. Editor's Note: Former § C6-2, Advice to Common Council, was repealed 9-17-1974 by L.L. No. 2-1974.



~~or persons in relation thereto.~~

~~§ C6-6. Acting Mayor~~City Manager.

In case of the absence of the ~~Mayor~~City Manager from the City, or his or her inability to perform the duties of ~~his~~the office, or in case of a vacancy in the office of ~~Mayor~~City Manager, the ~~Assistant City Manager, if such position be occupied~~President of the Common Council, shall be vested with power temporarily to execute the duties of the ~~Mayor~~City Manager; and in the absence or inability to act of both the ~~Mayor~~City Manager and the ~~President of the Common Council~~assistant city manager, or in case of vacancies in both of those offices, the Common Council shall appoint one of its number to perform temporarily the duties of the ~~Mayor~~City Manager.

**§ C6-7. Execution of deeds and contracts.**

Except as otherwise expressly provided in this Charter, ~~(The Mayor~~City Manager and City Clerk shall, on behalf of the City, execute all deeds and contracts made by it and shall cause to be affixed thereto the City Seal.

ARTICLE VIII  
City Treasurer

**§ C8-1. Duties in general.**

The City Treasurer shall be the custodian of all the property and moneys which the City shall take by gift, bequest or devise, as provided in § C1-2 of this Charter, and all moneys which the City shall receive from any source whatever, and all moneys set apart by this Charter, or by any act or resolution of the Board of Estimate and Apportionment, or by any act or resolution of the Common Council for any board, commission or officer. He shall open and keep a separate account with each of the same and hold the same as City Treasurer, to be disposed of as herein provided. The City Treasurer shall also serve as a member of the Board of Estimate and Apportionment, and perform such other duties as are herein provided.

**§ C8-2. Deposit or investment of City funds.**

The City Treasurer shall deposit all moneys held by him as City Treasurer in such bank or trust company as shall be designated by the Common Council as City depository, and he shall temporarily invest moneys not required for immediate expenditure, except proceeds of loans and moneys the investment of which is otherwise provided for by law, in obligations of the United States of America or in obligations of the State of New York subject to all the conditions set forth in § 11 of the General Municipal Law of the State of New York.

**§ C8-3. Collection of moneys and rentals.**

It shall be the duty of the City Treasurer to collect and receive all moneys belonging to the City, and all rentals due upon any leases of City property for any purpose, including all leases in existence at the time this Charter takes effect and all leases which may thereafter be made by the Common Council, as provided by § C12-24 of this Charter.

**§ C8-4. Payment of claims against City.**

The City Treasurer shall pay claims against the City and all boards, commissions and departments thereof, for salaries, wages and principal and interest of bonds and certificates of indebtedness, out of the moneys appropriated for such purposes, upon drafts signed by the ~~City Manager~~ Mayor or President of the Common Council and countersigned by the City Clerk, without prior audit. The City Treasurer shall pay other claims against the City and the boards, commissions and departments thereof out of moneys appropriated therefor upon drafts signed by the ~~City Manager~~ Mayor or President of the Common Council and countersigned by the City Clerk, after the same have been duly audited and allowed by the respective boards, commissions and departments. The City Treasurer shall prepare and furnish uniform forms of drafts to be used for the purposes herein provided and no other form of draft shall be used for the purpose of drawing moneys from the City treasury. Such drafts shall be numbered consecutively and be provided with stubs and be bound in book form. The stubs thereof shall be filled in with the date, amount, purpose and payee named in the draft and shall be preserved in the office of the City Treasurer.

**§ C8-5. Funds for care and maintenance of cemetery lots.**

The City Treasurer shall receive any and all funds given or bequeathed to the City of Hudson, the principal or interest of which is to be used in the care and maintenance of any individual cemetery lot or plot, or in the general care of the cemeteries of the City, as now established, or which may hereafter be established, and he shall issue to the donor or his legal representatives a certificate of indebtedness on the part of the City of Hudson to said donor or his legal representatives conditioned for the faithful application by said City of the principal or interest as may be designated by the donor of any such fund or funds, in caring for and maintaining such individual cemetery lot or plot or in the general care of the cemeteries, as the case may be; and further conditioned that, if said fund shall be faithfully applied by the City to the purposes for which it is donated, the City shall not be liable to repay the same; and that otherwise the City shall repay the same on demand but without interest; if only the interest on such fund or funds is to be expended for the purpose aforesaid, said certificate of indebtedness shall be further conditioned that the City of Hudson will guarantee 1 1/2% per annum perpetually on the fund or funds so given to it in trust, from the time of the receipt of the same by the City, and will pay over the entire income therefrom at least once in each year to the Department of Cemeteries of the City, to be by it used and expended in a manner directed by the donor, and not inconsistent with the provisions of this Charter; and further conditioned that the City of Hudson shall be forever free from any liability for or on account of the principal of said fund or funds or for the interest thereon, except as herein provided; and further conditioned that said fund or funds are taken by the City as a perpetual trust, and may be invested and reinvested by it in such securities as the savings banks of this state are by law permitted to invest in; and further conditioned that if, after caring for and maintaining such individual lots or plots, there shall be a surplus of such entire income remaining, the Department of Cemeteries may in its discretion use such surplus or any part thereof in the general care of the cemeteries of the City, or may direct the City Treasurer to add such surplus or any part thereof to the principal of such trust fund, and the amount so added shall thereupon become a part of such perpetual trust.

**§ C8-6. Reports of City Treasurer.**

The Treasurer shall make a summary report to the Common Council at each monthly meeting thereof of all receipts and disbursements had or made subsequent to his last report, and on what account and from what funds, specifying the respective balances, subject to resolution of the Common Council, or to the drafts of the several officers, commissions or boards; the first item on each such report shall be the total amount of previous audit made within the year chargeable to the particular account reported upon. On the 30th day of June in each year he shall file with the City Clerk, who shall forthwith present the same to the Common Council, an itemized account of all his receipts and disbursements since the date of his last annual report and a statement of the financial condition of the City. When such report shall have been examined and certified as correct by the Common Council, the vouchers relating thereto shall be filed with the City Clerk and be by him preserved as part of the City records for at least six years.

**§ C8-7. Record of collection of taxes.**

The City Treasurer shall enter daily in suitable books all sums of money received by him for taxes or other public purposes, with the names of the persons or corporations by or on whose account the same shall be paid, and the ward for which such taxes are received. He shall also enter in a

column in the assessment rolls in his possession, opposite the names of the persons or corporations who shall have paid their taxes or assessments, the fact of payment, the amount and date thereof. He shall keep a record of the names and respective post-office addresses of all persons who shall pay taxes for nonresidents of said City, and of the post office addresses of such nonresidents, so far as he can ascertain the same.

**§ C8-8. Action on bonds of Treasurer.**

If the Treasurer shall be guilty of any default or neglect in the performance of any of his duties, the ~~Mayor~~ City Manager shall at once cause an action to be brought against him and his surety upon his official bond to recover any amount that may be due to the City of Hudson, in the name of the City of Hudson and without further proceedings prior to the commencement of such action.

**§ C8-9. Clerk of City Treasurer.**

The City Treasurer may appoint a competent person as Clerk, and may remove such Clerk for cause. The Clerk shall perform such duties as the City Treasurer may direct, and shall, before assuming office, execute a bond to the City in such sum as the Common Council may prescribe, and shall receive such compensation as the Common Council shall determine.

**§ C8-10. Assistant City Treasurer.**

The City Treasurer may appoint a competent person Assistant City Treasurer, and may remove such Assistant City Treasurer at pleasure. The Assistant City Treasurer shall perform such duties as the City Treasurer may direct. When the City Treasurer shall be absent from his office, or shall be incapable of performing the duties thereof, or when the office of City Treasurer shall be vacant, the Assistant City Treasurer shall possess all the powers and perform all the duties of the City Treasurer. The Assistant City Treasurer shall, before assuming his office, execute a bond to the City in such sum as the Common Council may prescribe.

**§ C8-11. Collection of delinquent taxes. [Added 5-31-2000 by L.L. No. 5-2000 ]**

It shall be the duty of the City Treasurer to enforce the collection of tax liens on real property in the City of Hudson.

ARTICLE VIIIA  
**Parking Violations Bureau**  
[Added 5-19-2009 by L.L. No. 1-2009 ]

**§ C8A-1. Intent.**

It is the intent of the Common Council to relieve the Traffic Court of the City of Hudson of the administrative problems in connection with the collection of fines for parking violation offenses and to permit said Traffic Court to devote its time to traffic offenses other than parking violations.

**§ C8A-2. Authorization to establish Bureau; head; staff.**

The Traffic Court of the City of Hudson is hereby authorized to establish a Parking Violations Bureau. The ~~Mayor~~ City Manager shall determine the head of such Bureau and in his or her discretion assign such appropriate staff members and designate their work locations and responsibilities accordingly.

**§ C8A-3. Powers and duties.**

- A. The Bureau so established shall be authorized to dispose of parking violations only and to collect the fines presently designated by the Court as penalties for parking violations over which the Bureau has jurisdiction.
- B. Notwithstanding any provision herein, such Bureau shall not be authorized to deprive a person from his right to counsel or from his exercising his right to appear in Traffic Court.

**§ C8A-4. Persons not permitted to appear before Bureau.**

Notwithstanding any other provision herein, any person who shall have been, within the preceding 12 months, guilty of more than six parking violations shall not be permitted to appear in answer to a subsequent violation at the Parking Violations Bureau but must appear in Court at a time specified by the Bureau.

**§ C8A-5. Interpretation.**

Any ambiguity with respect to any provision herein or interpretation hereof shall be governed by Article 14-B of the General Municipal Law, as amended.

ARTICLE IX  
**Legal Advisor and Retained Counsel**  
[Amended 9-20-2022 by L.L. No. 9-2022 ]

**§ C9-1. ~~Mayor~~ City Manager authorized to retain.**

- A. Pursuant to §§ C2-1 and C2-4B(2), the ~~Mayor~~ City Manager shall, ~~during the term of the Mayor's office,~~ have the authority to appoint a Legal Advisor as that term is defined by the Columbia County Civil Service Commission.
- B. The ~~Mayor~~ City Manager may also retain such other legal counsel on a contract basis as ~~the Mayor~~ he or she may deem necessary or expedient for the preservation of the rights or the protection of the interests of the City, subject to the approval of such contract by the Common Council.

**§ C9-2. Duties of Legal Advisor.**

In addition to the duties set forth in the Hudson City Code, including those set forth in § 275-11 and § 176-21, the Legal Advisor shall act as the legal adviser to the ~~Mayor's~~ City Manager's Office, and may serve as legal counsel to the Common Council and the several officers, boards and departments of the City, and may appear for and protect the rights and interests of the City in all actions, suits and proceedings brought by and against it or any City officer, board or department, and such Council, officers, boards or departments shall not employ or retain other counsel except as otherwise authorized by the ~~Mayor~~ City Manager.

**§ C9-3. Duties of retained counsel.**

The ~~Mayor~~ City Manager may employ counsel to assist the Legal Advisor in cases or proceedings in which the City is interested or a party, or to perform other such legal duties as the ~~Mayor~~ City Manager shall deem necessary to protect the rights and interests of the City, except that such retained counsel may not prosecute or otherwise represent or appear on behalf of the City in City Court, as such retained counsel are not public officers pursuant to § C2-1.

**§ C9-4. Hospitalization insurance for Legal Advisor.**

The Legal Advisor shall be entitled to receive hospitalization insurance equivalent to that provided in the Public Employment Code in effect at the time the Legal Advisor is hired, provided that the Legal Advisor contributes to the cost of such insurance in the proportion required of employees hired after the effective date of that Public Employment Code.

ARTICLE XI  
City Court

**§ C11-1. Court continued; jurisdiction, hours and expenses.**

The City Court of the City of Hudson is continued under this Charter, and shall be known as the "City Court of Hudson." It shall be an inferior local court of civil and criminal jurisdiction, and shall be open for the transaction of business each day in the year, Saturdays, Sundays and legal holidays excepted. The Common Council shall provide suitable rooms, light, heat, furniture, books, stationery and equipment for the use of the Court, and shall provide for the payment therefor and of any other necessary expenses of the Court.

**§ C11-2. City Judge to hold sessions; his qualifications.**

The sessions of the City Court shall be held by the City Judge or, in the cases provided for herein, by the acting City Judge. No person shall be eligible to the office of Judge of the City Court unless he shall be an attorney and counselor at law under the laws of the State of New York and shall have actually practiced as such attorney and counselor for at least three years.

**§ C11-3. Acting City Judge. [Amended 4-20-2004 by L.L. No. 3-2004 ]**

In case of the absence from the City of the City Judge, or of his inability to act, or his disqualification to act in a particular matter, or of a vacancy in the office of City Judge, the ~~Mayor~~ Common Council by a majority of at least 80% of the aldermen shall appoint an attorney and counselor having the same qualifications as the City Judge, to discharge the duties of City Judge, and said acting City Judge shall possess all of the jurisdiction and exercise all of the powers and authority with which the City Judge is vested. Before an acting City Judge is authorized to act as prescribed in this section, the fact of the absence from the City of the City Judge, his inability or disqualification to act, or of the vacancy, as the case may be, must be proved by the certificate of the ~~Mayor~~ City Manager, the City Judge or the City Clerk, filed in the office of the City Clerk. Upon his return, or his recovery from inability, or the filling of the vacancy, as the case may be, the City Judge shall file his certificate of the fact, and thereupon the authority of the acting City Judge shall cease. The City Judge may be absent 30 days in each year without loss of salary.

**§ C11-4. Docket.**

There shall be kept by or under the direction of the City Judge a docket of the Court, in which shall be entered a complete and accurate record of all process issued from said Court or by the City Judge and returnable before either, and all proceedings in every civil or criminal action or proceeding brought therein or before the City Judge, and there shall be entered therein the decision or judgment rendered, together with a statement of the amount of the fees, penalties, fines or costs paid by any party to the action or proceeding. Such docket shall be open to public inspection, and shall have the same force as evidence in the courts of this state as dockets of Town Justices.

**§ C11-5. Parties and attorneys.**

A party to an action or proceeding before the City Court or the City Judge may prosecute or defend the same in person, or by attorney duly licensed to practice as an attorney and counselor at law,

or by his guardian or committee if an infant or incompetent; but a person not interested in the subject matter in dispute and who is not an attorney and counselor at law shall not be permitted to prosecute or defend in any such action or proceeding, unless the City Judge, for cause shown, shall first make and enter in his minutes an order granting leave to do so.

**§ C11-6. Jurisdiction and procedural standards.**

The City Court and City Judge of the City of Hudson shall have and exercise such civil and criminal jurisdiction as may be granted by, and be subject to all other provisions of, the Uniform City Court Act, being Chapter 497 of the Laws of 1964, as amended, supplemented and in effect, and by such other laws and rules and regulations as now are or may hereafter be in effect.

**§ C11-7. Interpreters.**

Whenever it shall be necessary in the conduct of any trial or proceeding before the City Court or the City Judge to interpret a foreign language, the City Judge is authorized to employ a suitable person as interpreter. The compensation of an interpreter shall be the same as the compensation of a juror for each day so employed; and claims for such services shall be presented to and audited by the Common Council, and paid as other claims against the City.



ARTICLE XII  
Common Council

**§ C12-1. How constituted; quorum; compensation. [Amended 9-16-1975 by L.L. No. 4-1975 ]**

The ~~President of the Common Council and Aldermen~~, when assembled, or a quorum thereof, shall constitute the Common Council, and in the proceedings thereof each member present shall have a vote unless otherwise herein provided. The attendance of three Aldermen ~~entitled to cast the number of weighted votes as designated in Subsection C(2) of § C12-13~~ shall be required to constitute a quorum, but a less number may adjourn from day to day and compel the attendance of absent members. The members of the Common Council shall receive only such compensation as is otherwise herein provided.

**§ C12-2. Organization meeting. [Amended 12-17-1985 by L.L. No. 1-1986 ]**

The Common Council shall meet at the Common Council chambers annually on the second Monday preceding the third Tuesday of January at 7:00 p.m., prevailing time.

**§ C12-3. Time of regular meetings.**

The Common Council shall hold regular meetings on the third Tuesday of each month, and may adjourn the same to another day or days. When the third Tuesday shall fall on a public holiday, the Common Council shall hold the regular meeting on the next day following.

**§ C12-4. Special meetings; how called; notice; scope. [Amended 11-21-1995 by L.L. No. 13-1995 ]**

Special meetings may be called by the ~~Mayor~~City Manager, by the President of the Common Council or by any three Aldermen. Written notice of all special meetings shall be served on the ~~Mayor~~City Manager and each member of the Common Council ~~by mail to their respective place of residence or by hand delivery at a meeting of the Common Council or by leaving the same at his or her place of residence.~~ Such notice shall contain a list of the subjects to be considered at said special meeting, and no other business shall be transacted at said special meeting, except by unanimous consent of all the members of the Common Council. A copy of the written notice of all special meetings shall be served on the City Clerk as soon as reasonably practicable after the other notices required by this section have been served.

**§ C12-5. Powers of Aldermen.**

The Aldermen shall perform the duties and possess the powers prescribed herein or by the general laws of the state for Aldermen.

**§ C12-6. Powers of President. [Amended 11-26-2019 by L.L. No. 6-2019 ]**

The President of the Common Council shall perform all the duties and possess all the powers of an Alderman herein provided for, together with such other powers and duties as are herein or may hereafter be by law provided. The President shall perform all the duties, and exercise all the powers, conferred upon the President of the Common Council by this Charter. The President of the Common Council shall preside at all meetings of the Common Council, and shall appoint all committees thereof; the President may vote on all questions, and when the President is absent or

unavailable to attend a meeting, the ~~Majority Leader attending~~ Aldermen shall elect one of their number to of the Common Council will preside over the meeting, and at said meeting the ~~Majority Leader~~ Alderman so elected shall have the powers of the President of the Common Council.

**§ C12-7. General legislative powers.**

The general legislative powers of the City for all municipal purposes, except such as may be vested in other boards, commissions or officers of the City, and except as such powers may be limited by the provisions of this Charter or by law, shall be vested in the Common Council; and subject to the limitations herein stated the Common Council shall have authority to govern the City, manage its affairs and provide for the protection, security and welfare of the City, its inhabitants and their property. The Common Council shall have power to make such local laws and ordinances as it shall deem necessary to insure the well-being and good order of the City, and to amend the same. It may by vote of a majority of all its members, taken by ayes and nays, repeal any local law or ordinance which may have been passed under this Charter or which may have been passed under any previous charter, act or local law.

**§ C12-8. Publication and record of ordinances and local laws.**

- A. All local laws and ordinances, and all amendments thereto, as well as all rules and regulations adopted by the Common Council, boards or commissions, shall not take effect until after at least the title of such local laws, ordinances, amendments, rules and regulations, together with an explanatory statement sufficient to indicate the nature thereof and a statement that the complete text thereof is on file and may be examined at the office of the City Clerk, shall have been published daily, for two days in succession, in the official newspaper of the City. In case of insurrection, riot, pestilence, conflagration, flood or other public necessity requiring immediate operation of any local law or ordinance or amendment thereto, or any rule or regulation adopted by the Common Council or any board or commission, such local law, ordinance, amendment, rule or regulation shall take effect as soon as approval thereof has been made by the Common Council and a copy of such local law, ordinance, amendment, rule or regulation shall be served on the Office of the City Manager~~Mayor~~ and the same has been posted in two public places in each ward of the City.
- B. Whenever a local law, after its passage by the Common Council, shall be presented to the ~~Mayor~~ City Clerk for approval, he or she shall, within 10 days thereafter, fix a day for a public hearing concerning such local law and cause public notice of the time and place of such hearing to be given. Such notice shall be given by publication for two successive days in the official newspaper published in the City. Such hearing shall be held not earlier than five days after the day of the last publication of such notice. Such notice shall contain the title of the local law and an explanatory statement concerning the same. The Common Council, led by the President of the Common Council~~Mayor~~ shall attend at the time and place appointed for such hearing and afford an opportunity for a public hearing concerning such local law. Following the hearing such newly-passed local law shall take effect on the first day following the next formal meeting of the Common Council unless the Common Council shall strike such newly-passed local law at such formal meeting. Such hearing may be adjourned from time to time, but an adjournment shall not operate to extend the time of the ~~Mayor to approve such local law or return it to the Common Council with his objections, pursuant to the City Home Rule Law.~~ In case of insurrection, riot, pestilence, conflagration, flood or other public necessity requiring immediate operation of any local law, however, the public hearing required by the provisions of this subsection may be omitted at the discretion of the

City of Hudson, NY

~~Mayor~~ President of the Common Council, and such local law shall take effect as otherwise provided by this Charter by law.

**§ C12-9. Taking effect of ordinances and local laws.**

Every local law, ordinance, rule or regulation adopted as herein provided shall take effect from and after its publication in the official newspaper in the City, as herein provided.

**§ C12-10. Penalties for offenses.**

Any person committing an offense against the provisions of any local law, ordinance, rule or regulation adopted by the Common Council or by any board or commission, and published as herein provided, wherein no other penalty is set forth, shall be guilty of a violation punishable as follows: by imprisonment for a term not exceeding 15 days or by a fine not exceeding \$250, or by both such fine and imprisonment. The continuation shall constitute, for each day the offense is continued, a separate and distinct offense thereunder. The City Court shall have jurisdiction to try all such offenses.

**§ C12-11. Additional powers to enforce legislation.**

The Common Council shall also have power and right to bring suit in the name of the City of Hudson against any person violating any local law, ordinance, rule or regulation of the City, in the Supreme Court, County Court or City Court, to recover the penalties prescribed, and to compel any and all such persons to refrain or desist therefrom, and may sue out an injunction therefor.

**§ C12-12. Records of Common Council, boards and commissions as evidence.**

The local laws, ordinances, rules, regulations, bylaws and resolutions passed by the Common Council, or by any board or commission, and their minutes and proceedings, may be proved in any court in this state by the production of copies thereof attested by the Mayor or Clerk under the seal of the City to the effect that the same are true copies thereof, with the same force and effect as if the originals were produced.

**§ C12-13. Number of member of Common Council votes necessary for passage; quorum requirements. [Amended 9-16-1975 by L.L. No. 4-1975 ; 4-20-2004 by L.L. No. 3-2004 ; 4-20-2004 by L.L. No. 4-2004 ; 2-19-2013 by L.L. No. 3-2013 ; 11-8-2016 by L.L. No. 5-2016**

<sup>1]</sup>

**A. Number of member of Common Council votes necessary for passage requirements.**

- (1) The Common Council shall consist of ~~11~~5 members. Each of said ~~11~~5 members shall be entitled to cast at each special or regular meeting of the Common Council, or at a committee meeting of such Council on which such member serves, one vote. Simple majority decisions shall require ~~six~~3 votes for passage. ~~Two-thirds~~Super-majority decisions shall require ~~eight~~4 votes for passage. ~~Three-fourths~~ majority decisions shall require ~~nine~~ votes for passage.
- (2) Decisions of any committee of the Common Council shall require a vote that constitutes a majority of all the members of the Common Council serving on such committee.

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1. Editor's Note: This local law also provided an effective date for the amendments to this section of 1-1-2018.

- (3) No motion or resolution, or other action of the Common Council, or a committee of such Council, shall pass, unless with the assent of those members thereof as required in Subsection A(1) and (2) of this section. The ayes and nays shall be called and recorded on all motions and resolutions authorizing the expenditure or collection of money, or the making of local improvements or repairs, or on any vote whenever demanded by a member of the Common Council, and on the adoption, amendment or repeal of any local law or ordinance.

B. Quorum.

- (1) The attendance of ~~six~~ 3 members of the Common Council shall be required to constitute a quorum at a general or special meeting which calls for the adoption of any resolution, ordinance, local law, motion or proposal which requires a simple majority of the Common Council under applicable provisions of law.
- (2) The attendance of ~~eight~~ 4 members of the Common Council shall be required to constitute a quorum at a general or special meeting which calls for the adoption of any resolution, ordinance, local law, motion or proposal which requires a ~~two-third~~ super-majority vote of the Common Council under applicable provisions of law.
- (3) ~~The attendance of nine members of the Common Council shall be required to constitute a quorum at a general or special meeting which calls for the adoption of any resolution, ordinance, local law, motion or proposal which requires a three-fourths vote of the Common Council under applicable provisions of law.~~
- (4)(3) The attendance of a majority of the members of the Common Council serving on a committee of such Council shall be required to constitute a quorum at such a committee meeting.

**§ C12-14. Contracting debt not payable within year restricted.**

The Common Council shall contract no debt and authorize no expenditure on the part of the City which shall not be payable in the fiscal year in which it is contracted or within one month thereafter and from the revenues of the fiscal year in which it was contracted, except as herein otherwise provided.

**§ C12-15. City not liable for debts not payable within year.**

In case the Common Council shall contract any debt on or after the first day of May in any year, and before the first day of May next thereafter, which shall not be payable within said fiscal year, or within one month thereafter, and cannot be paid from the revenue of that year, or in case the Common Council shall authorize any expenditure for any purpose in such year exceeding the amount of which said Common Council is authorized by this Charter to raise for such purposes, the City of Hudson shall not be liable to pay the same, nor shall the Common Council audit or pay any debt so contracted or expenditure so authorized.

**§ C12-16. Resolutions to appropriate maximum amount to be expended.**

All resolutions adopted by the Common Council authorizing the expenditure of money shall

appropriate specifically the maximum amount to be expended.

**§ C12-17. Examination, settling and allowing of accounts.**

The Common Council shall, in such manner and form as it may deem proper, examine, settle and allow all accounts chargeable against the City, as well as those of its officers and other persons, except as herein otherwise provided.

**§ C12-18. Audit and allowance of claims.<sup>2</sup> [Amended 4-16-1974 by L.L. No. 1-1974 ; 9-16-1975 by L.L. No. 3-1975 ]**

All claims and demands against the City, except claims for salaries, wages and principal and interest of bonds and certificates of indebtedness, and with the further exception of claims and demands against the Departments of Fire, Police, Cemeteries, Public Works and Youth, the Commissioners of said departments having the authority to audit claims and demands against their respective departments, shall be acted upon by the Common Council at least as often as once in each month, upon days to be designated for such purpose by the Common Council. All claims must be presented in writing and certified, setting forth the items of the claims. They shall be numbered and filed with the City Clerk, and a brief entry of the name of the claimant, number, nature and the amount of the claim made by the Clerk in a book kept by him for such purpose, prepared with appropriate letters and columns so that the entries shall serve as an alphabetical index to the claims. The book shall be provided with a column in which shall be entered after the claim the date when it is audited and the amounts audited and paid, without unreasonable delay. Each claim and demand for services rendered or materials furnished to the City must be presented to the City Clerk within 30 days after the rendition of the last services or the last delivery of materials charged for therein. The Common Council shall not audit, allow or cause to be paid any claims or demand for services or materials not presented in conformity with the foregoing provision except by a two-thirds vote of all its members. All claims and demands against the City presented to the City Clerk for audit and allowance by the Common Council must be so presented at least seven days before the day in that month designated by the Common Council for acting upon claims and demands.

**§ C12-19. Council members not to be interested in claims.**

No member of the Common Council or any other City official shall be concerned or interested in any way, directly or indirectly, in the purchase or in procuring or receiving the assignment to himself or any other person or persons of any claim, demand or allowance against the City of Hudson. The City Treasurer shall not pay in whole or in part any such claim, demand or allowance presented to him by or on behalf of any member of the Common Council. Any person violating any provision of this section shall be deemed guilty of a Class A misdemeanor, and upon conviction thereof shall also forfeit his office.

**§ C12-20. Common Council to provide offices and supplies. [Amended 9-20-2022 by L.L. No. 6-2022 ]**

The Common Council shall provide and assign suitable and convenient offices in the City

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2. Editor's Note: Former § C12-18, Verification of bills, was repealed 4-16-1974 by L.L. No. 1-1974.



building, together with requisite light and fuel, for the following officers, boards and commissions, namely: the Mayor, the City Manager, the Assistant City Manager, Common Council and committee rooms for same, City Judge and courtroom for same, City Treasurer, City Clerk, Commissioner of Public Works, Commissioner of Police, Commissioner of Fire, Board of Estimate and Apportionment, Commissioner of Youth, Commissioner of Purchases, Commissioner of Grants, Planning Board, Assessor, Examining Board of Plumbers and police headquarters, and may in its discretion provide accommodation for any other officer, board or commission, and shall further provide necessary books and stationery for the Mayor, the City Manager, the Assistant City Manager, Common Council, City Judge, City Treasurer, City Clerk, Board of Estimate and Apportionment, Examining Board of Plumbers and Assessor.

**§ C12-21. Payment of audits vetoed by Mayor.**

In case the ~~Mayor~~ City Manager shall veto any audit or item of any audit under the power conferred upon him or her by

§ C6-2 of this Charter, the City Clerk shall forthwith, upon receiving a statement of the ~~Mayor's~~ City Manager's objections thereto, in writing notify the City Treasurer, and the City Treasurer shall not pay any such audit or item thereof unless, upon reconsideration thereof by the Common Council, board or commission making such audit, ~~2/3/43~~ of its members shall agree to pass the same. The City Treasurer shall not pay any audit or item of any audit until after the expiration of six days from the day of making the same.

**§ C12-22. Official newspaper: designation; compensation; discontinuance.**

The Common Council shall, at the first meeting held in May in each year, or as soon thereafter as practicable, designate by resolution a daily newspaper published in the City to be the official newspaper for such term not exceeding one year as said Common Council may determine, in which all matters required by law and the local laws and ordinances, and any proceedings directed to be published by the Common Council, shall be published, and to fix the compensation to be paid therefor, not exceeding the rates allowed by law; and in case of the discontinuance of said newspaper, or a refusal of the publisher thereof to publish said matters and proceedings as required, or in case said newspaper shall cease to be the official newspaper then to designate as aforesaid some other daily newspaper. When any publication shall have been commenced in such official newspaper, and such newspaper shall cease to be the official newspaper before such publication shall have been completed, such publication shall be completed in such other newspaper with the same effect as if it were the original official newspaper.

**§ C12-23. Power to lease City property.**

The Common Council shall have exclusive power to lease property belonging to the City, including the hall in the City Hall, so-called, the markets, wharves and piers of the City. Such leases, when approved by the Common Council, shall be executed by the ~~Mayor~~ City Manager and City Clerk and filed in the office of the City Clerk. A copy thereof shall be filed in the office of the City Treasurer.

**§ C12-24. Power to require reports, information or estimates.**

The Common Council shall also have power by resolution to require any officer, board or commission of the City to furnish reports, information or estimates, whenever deemed proper by the Common Council. If any officer, board or commission shall refuse or fail to furnish any

such report, information or estimate, the Common Council may issue subpoenas, requiring the attendance of such officer or the members of any such board or commission and the production of books, accounts, vouchers or documents, and such subpoenas may be served at any place within the state in the same manner as subpoenas in criminal cases. A witness refusing to attend or to be sworn or affirmed, or to answer any proper or pertinent question, or to produce such books, accounts, vouchers or documents, may be proceeded against and punished in accordance with the provisions of the General City Law.

**§ C12-25. Common Council to be Board of Auditors.**

The Common Council of the City of Hudson shall be the Board of Auditors to examine the accounts of the officers of the City, with the same powers and shall proceed in the same manner as prescribed by law for Boards of Town Auditors in towns, and it shall not hereafter be lawful for the Board of Supervisors of the County of Columbia to audit or allow any account chargeable to said City.

**§ C12-26. City depository: how designated.**

- A. In each year next following the election of a City Treasurer, it shall be the duty of the Common Council during the month of January to advertise at least twice in the official newspaper of the City for sealed proposals from the banking houses in the City to act as depository of the public monies of the City for the term of two years from and after the first day of May next following. Said proposal shall state the rate of interest, if any, which the bidder will pay to the City on the total daily balances standing to the credit of the City. Such proposals shall be sealed and shall be delivered to the Common Council on or before the date set in the notice for receiving bids.
- B. At the time and place fixed in said notice, the Common Council shall meet and all bids and proposals then filed shall be opened either by the President of the Common Council or by the Clerk in the presence of such persons as may then and there attend. And the Common Council shall thereupon accept the offer of the bank or trust company which it deems most advantageous to the City, and shall designate such bank or trust company as such depository for the term of two years beginning upon the first day of May next following, subject, however, to the cancellation of such designation upon the giving of 30 days' written notice by either the depository or the City.
- C. The Common Council is hereby empowered, in the event that no proposal is received from any bank or trust company in the City, to make arrangements for and designate a depository either in or without the City, such arrangements and designation to be made by a two-thirds vote of all the members of the Common Council, subject, however, to the provision as to security as hereafter provided.

**§ C12-27. Notice to depository; required undertaking.**

- A. The City Clerk shall immediately after such acceptance and designation notify the bank or trust company so designated of such acceptance and designation. Whereupon and before such depository shall receive any moneys belonging to said City, such depository shall execute, acknowledge and deliver to the Clerk of the City an undertaking to the City in the penal sum



of \$300,000, with such sureties as the Common Council shall approve, on condition that such depository shall faithfully keep such deposits and shall on the last day of each month pay and account for such interest on daily balances, if any interest is agreed to be paid, by the depository, at the rate as such accepted proposals stated, and shall faithfully pay all orders as shall be drawn upon the Treasurer of the City as hereinafter provided. The depository shall not pay any drafts, orders or checks drawn upon it by the City Treasurer unless said drafts, orders or checks are signed by the ~~Mayor~~ City Manager and countersigned by the City Clerk in addition to the City Treasurer, where such drafts, orders or checks are to pay audits and allowances by the Common Council, and at the end of the term will faithfully pay over to its or their successor all moneys that shall remain in its or their hands belonging to the City.

- B. The bank or trust company so designated as depository, in lieu of any undertaking required or permitted by law to be executed by a surety company, may execute an undertaking or undertakings with or without sureties in the form and upon the conditions prescribed by law, and deposit as collateral thereto in a safety deposit box in a bank or trust company in the City of Hudson approved by the ~~Mayor~~ City Manager, City Treasurer and President of the Common Council outstanding unmatured registered or unregistered bonds of the United States of America, the State of New York or any municipality in the State of New York, having a market value of at least \$300,000, together with an assignment in blank, and for which the ~~Mayor~~ City Manager, City Treasurer and the President of the Common Council shall deliver a certificate containing a description of the bonds so deposited as such collateral.
- C. The bonds or securities shall be in the amount of \$300,000, which bonds or securities shall be approved by the Common Council.
- D. The Common Council shall have power under this Charter to fix the amount of such undertaking for the term beginning May 1, 1938, and any subsequent term. The amount of such undertaking shall in no event be less than \$300,000.
- E. In the event of a default on the undertaking of any depository herein referred to and the subsequent necessity to complete the assignment, such completion shall be by the ~~Mayor~~ City Manager, City Treasurer and President of the Common Council.
- F. The ~~Mayor~~ City Manager, City Treasurer and President of the Common Council may from time to time release securities in their custody as aforesaid, but, however, the market value of the collateral shall at no time be less than the amount of the undertaking. Upon the withdrawal of all moneys from any depository and the closing and settlement of the account thereof, such collateral so deposited shall be returned to such depository. The ~~Mayor~~ City Manager, City Treasurer and President of the Common Council are hereby authorized to lease or rent a safety deposit box for the keeping of said collateral, the expense thereof to be a City charge to be audited and paid in the same manner as other charges against the City are audited and paid. A representative of the depository, the ~~Mayor~~ City Manager, City Treasurer and President of the Common Council must be present at all openings of said safety deposit box containing said collateral.

**§ C12-28. Power to provide transit facilities. [Added 5-18-1976 by L.L. No. 5-1976 ]**

The Common Council of the City of Hudson shall have exclusive power to acquire, own and operate transit facilities of any nature within said City's boundaries. The operation and maintenance of any such transit facilities shall be conducted by the Department of Public Works

of said City on behalf of the Common Council.

ARTICLE XIII  
**Common Council in Relation to Public Improvements**

**§ C13-1. Alteration of streets; notice thereof.**

Whenever the Common Council shall, by vote, at a regular meeting of 2/3 of all the members of said Council voting therefor, decide to lay out, open, make, alter, widen, contract or discontinue any square, street, alley, lane or highway, it shall cause a notice of such decision to be published daily for two successive weeks in the official newspaper, stating the day upon which it will act thereupon, which day shall be at least two weeks subsequent to the first publication of notice.

**§ C13-2. Street alterations not involving property appropriations.**

In case it shall not be necessary to appropriate, for any purpose contemplated in the preceding section, any real estate which shall not belong to the City, or which shall not be given to the City for the purpose, the Common Council, upon the day fixed in the notice, may proceed to lay out, alter, widen, contract or discontinue such square, street, alley, lane or highway mentioned in the notice.

**§ C13-3. Notice of proposed taking of private property.**

In case it shall be necessary to appropriate, for any street, alley, square, lane, highway, walk, bridge, drain or sewer, any real estate, property, right or easement which the City may not be permitted by the owner freely to appropriate, and cannot purchase by contract with the owner thereof, in addition to the notice provided for in § C13-1 of this Charter, the Common Council shall cause a notice to be served upon each of the owners of such real estate, if they can be ascertained, that the Common Council will act upon the question of making an appropriation thereof for the purpose proposed at a time mentioned therein, which shall be at least two weeks after such service. The notice shall be served personally upon persons residing in the City, or by leaving the same at their places of abode with some person of suitable age and discretion. Upon nonresidents it may be served personally or by mailing it, addressed to them at their reputed places of abode. In case the owners are unknown, or their places of abode cannot be ascertained, the publication of the notice, once in each week for two successive weeks in the official newspaper, shall be equivalent to personal service.

**§ C13-4. Appointment of Commissioners to determine facts; proceedings.**

Upon proofs by affidavit of the service of the notice required by the last preceding section being filed with the Clerk, the Common Council may apply to the County Court of Columbia County, in term or at chambers, or to the Supreme Court, at a special term thereof, held for the Third Judicial District, for the appointment of Commissioners. Previous to such application the Common Council shall cause a notice of the time and place, when and where such application will be made, to be published in the official newspaper once in each week for at least two successive weeks, and, at the time such application shall be made, proof by affidavit shall be furnished to said Court of the due publication of such notice, and any party interested shall be entitled to be heard upon such application. At the time mentioned in such notice, upon the application of the Common Council, the Court shall appoint three disinterested freeholders of the City Commissioners, whose duty it shall be to ascertain and report a description of the real estate required to be appropriated,

with the names of the owners and the compensation which should be made to them respectively therefor; what the whole expense will amount to; whether any, and, if any, what, part thereof, ought to be borne by the City, and whether any, and, if any, what, real estate would be benefited by the improvement requiring the appropriation of such real estate, specifying the same in parcels, described with certainty, with the names of the owners, if they can be ascertained, and the proportion and amount of benefit which each parcel would receive. The Commissioners aforesaid shall, before entering upon their duties, make and file with the City Clerk an oath or affirmation faithfully and impartially to discharge their duties according to the best of their ability. They shall cause a notice of the time and place of their first meeting to be published in the official newspaper at least six days before such meeting, and they shall continue their meetings by adjournment from time to time until they shall complete their report. They shall view the premises and receive any evidence that may be offered touching the question before them, and may administer oaths to witnesses who may be examined before them, and shall with all convenient dispatch make their report.

**§ C13-5. Report of Commissioners; proceedings thereon.**

On the coming in of the report, as provided in the last preceding section, the Common Council shall cause to be published in the official newspaper a notice that the same is filed with the Clerk, and that at the time specified therein, which shall be at least six days after the first publication of said notice, it will act upon the same. Prior to such day, any person objecting to the matters contained in the report, or to the proposed improvement, may file with the Clerk his objections in writing, which objections shall be read before the Common Council before any action shall be had on said report. The Common Council may confirm or reject said report; and, if the same shall be rejected, it may, in the manner provided in the last preceding section, apply to either of said Courts for the appointment of three other disinterested freeholders as Commissioners as aforesaid, who shall proceed anew in the premises. Upon the coming in of their report the same shall be filed with the Clerk in the same manner as the report of the first Commissioners. The second report shall be final without further confirmation. The Commissioners shall be paid for their service such compensation as the Common Council shall deem proper.

**§ C13-6. Appropriation of private property; assessment upon property benefited.**

Upon confirming the first report of the Commissioners or upon the filing of the second report as above provided, the Common Council may, by a vote of a majority of all its members, authorize and direct the appropriation of the real estate and the making of the improvement. In such case it shall cause an assessment to be made by transcribing so much of the report acted upon as contained the description of each parcel of real estate to be benefited by the improvement, with the name of the owner, if known, and the amount of the proportion of benefit which it would receive, directing such amount to be assessed upon such parcels of real estate respectively. The assessment shall be made to resemble in form, as nearly as practicable, the tax list, and be provided with a column in which payment can be entered by the Treasurer. Two copies thereof shall be made and signed by the ~~Mayor~~ City Manager and Clerk, one of which shall be filed with the Clerk and the other delivered to the Treasurer.

**§ C13-7. Assessments to be liens upon property benefited.**

The assessment lists so filed with the Clerk and delivered to the Treasurer shall, in all courts

and places, be evidence of the assessments therein specified, and all sums of money assessed therein, upon or in respect to any real estate, shall be liens thereon for two years from the time the assessment lists are filed with the Clerk.

**§ C13-8. Collection of assessments; sales for unpaid assessments.**

Upon receiving an assessment list, pursuant to any of the provisions of this article, the Treasurer shall cause to be published in the official newspaper a notice similar to the one required upon receiving the tax list, and the Treasurer shall attend at his office for the purpose of receiving the moneys due upon said assessment lists, as provided in § C18-7 of this Charter, and at the expiration of the month mentioned in said section the Treasurer shall make a return to the Common Council of all sums remaining unpaid upon said list, and thereafter, whenever directed by the Common Council, shall proceed to advertise and sell the premises upon which, or in respect to which, there shall remain any unpaid assessment, in the same manner as is provided in § C18-16 of this Charter, and the provisions relating to sales for unpaid taxes in this Charter shall be applicable to sales for unpaid assessments mentioned in this section.

**§ C13-9. Proceeds to be kept separate; application thereof.**

All moneys received by the Treasurer, upon any assessment list made pursuant to the provisions of this article, shall be kept by him distinct from all other moneys, and shall be drawn from him only by orders expressly directing their application to the payment of the expenses for which the assessment was made. No money belonging to the City shall be paid out by the Treasurer upon orders drawn against moneys to be raised upon any such assessment list.

**§ C13-10. Second assessment upon property benefited.**

In case the Common Council shall at any time ascertain that the expense of any public improvement cannot be defrayed by the money raised upon the assessment list provided therefor, it may cause the deficiency to be assessed upon the real estate described therein, in sums proportioned to the former assessment. All the provisions of this article relative to the assessment list heretofore mentioned, to the assessment therein and to the collection and payment of the moneys thereon shall be applicable to the second assessment list in this section provided.

**§ C13-11. Refund of excess amount raised.**

In case the amount raised for any public improvement by assessment shall exceed the cost of the same, such excess shall be refunded in proportion to the amount paid by each person or parcel of real estate.

**§ C13-12. Taking prohibited until compensation paid.**

No real estate shall be taken or appropriated for the opening, widening or altering of any street, lane, highway, alley, drain or sewer in the City without the permission of the owner, until the compensation reported by the Commissioners to be proper therefor shall be paid or tendered to the owner or deposited to his or her use in one of the banks of the City to be designated by the Common Council for that purpose.

**§ C13-13. Infant owner; appointment of guardian.**

When such owners of real estate shall be known to be infants under the age of 21 years, the County Judge of Columbia County, or the City Judge of the City, may, on the application of the infant or someone in behalf of said infant or of the Common Council, appoint a guardian for such infant, taking from him adequate security for the faithful performance of his duties as such, and all notices required to be served upon the infant shall be served upon such guardian, who shall see to the protection of the rights of such infant.

ARTICLE XV  
Letting Contracts

**§ C15-1. When bidding required; notice of bid and specifications. [Amended 5-21-1974 by**

**L.L. No. 2-1974 ; 10-17-1978 by L.L. No. 5-1978 ; 12-20-1983 by L.L. No. 1-1984 ; 12-15-1992**

**by L.L. No. 10-1992 <sup>1</sup>]**

Except as otherwise provided by law, it shall be the duty of the Common Council and each board and commission after public notice to let to the lowest responsible bidder who will give adequate security therefor, all contracts for public works involving an expenditure equal to or greater than the amount specified for public works in Subdivision 1 of § 103 of Article 5-A of the General Municipal Law as it may be amended from time to time and all purchase contracts involving an expenditure equal to or greater than the amount specified for purchase contracts in Subdivision 1 of § 103 of Article 5-A of the General Municipal Law, and the nature of such public works or purchase contracts will admit of competition on the part of those who might perform the same. The notice shall describe the work and materials for which contracts will be let, and the day and hour and place of the meeting at which proposals therefor will be opened, and shall be published in the official newspaper of the City at least two successive days prior to the date of said meeting. At least five days shall elapse between the first publication of such advertisement and the date so specified for the opening and reading of bids. Specifications of work to be done, or the materials to be furnished, shall be prepared and set forth with sufficient detail to inform all persons of the materials to be supplied and written or printed copies thereof shall be delivered to all applicants therefor. Surplus and secondhand supplied materials or equipment may be purchased without competitive bidding from the federal government, the State of New York or from any other political subdivision or district, as well as materials and/or equipment through New York State or Columbia County uniform bids.

**§ C15-2. Public bidding required.**

No contract shall be let except after the receipt of sealed bids or proposals therefor, and no bids or proposals shall be received at any time other than at a regular meeting of the Common Council or of such board or Commissioner in accordance with published notice under the provisions of this Charter.

**§ C15-3. Receiving of bids; action thereon.**

- A. All bids and proposals shall be opened by some member of the Common Council, board or Commissioner having jurisdiction thereof, or by the City Clerk, publicly and in the presence of such bidders and other persons as may be there present at the time and place specified in such notice, and an abstract of all such bids or proposals shall be transcribed in proper books kept for that purpose.
- B. The contract may be awarded at the meeting at which the bids are opened if a majority be present, or within a reasonable time thereafter, and no person submitting or on whose behalf any bid or proposal is submitted shall have the right to withdraw or cancel any such bid,

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1. Editor's Note: Section 2 of this local law provided that the Common Council shall adopt by resolution regulations to be utilized by the City of Hudson departments for the purchase of goods and services not governed by this local law. Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).



proposal or bond until the same has been acted upon by the Common Council or by the Board or Commissioner receiving such bid. The Common Council, board or Commissioner may reject all bids or proposals received at any meeting and advertise again for new bids or proposals to be received at another meeting as above prescribed.

**§ C15-4. Public bidding not required in emergencies.**

In case of public emergency involving accident or other injury by which the heating, plumbing or safety of any public building, or the fire apparatus of said City, or the water supply or sewer system of said City, or the safety or welfare of the public, shall become disabled or be in danger of becoming disabled, the Common Council or the board or Commissioner having jurisdiction thereof shall cause repairs thereto to be made without letting by contract, upon filing with the City Clerk a certificate approved by the ~~Mayor~~ City Manager, showing such emergency and necessity of such repair.

**§ C15-5. Provisions inapplicable: supplies furnished by correctional institutions.**

The provisions of this Charter, or of any law requiring advertisements for bids or proposals for the awarding of contracts for supplies to be furnished for any of said departments, shall not be applicable to the supplies which may be furnished under the provisions of the Correction Law.

**§ C15-6. Cost of public improvements to be estimated.**

Every contract for a public improvement shall be based upon an estimate of the whole cost thereof, including all expenses incidental thereto and connected therewith, to be furnished by the proper officer or Commissioner having charge of such improvements, and no contract for a public improvement shall be entered into for a sum greater than the estimated cost thereof.

**§ C15-7. Municipal lighting contracts.**

All municipal lighting shall be supplied according to plans and specifications prepared under direction of and approved by the Common Council and pursuant to contract therefor awarded by the Common Council as herein provided. No contract for municipal lighting shall be advertised for or entered into for a period exceeding five years.



ARTICLE XVI  
Board of Estimate and Apportionment

**§ C16-1. How constituted; organization; quorum; meetings; duties.**

- A. The ~~Mayor~~City Manager, City Treasurer and President of the Common Council shall constitute the Board of Estimate and Apportionment. The first meeting of the Board in every fiscal year shall be called by notice from the ~~Mayor~~City Manager, personally served upon the members of said Board. Subsequent meetings shall be called as the Board shall direct, and at all meetings the ~~Mayor~~City Manager shall preside if present. A majority of the members of the Board shall constitute a quorum.
- B. The Board of Estimate and Apportionment shall annually between the 15th day of September and the first day of November meet and make a budget of the amount estimated by it to be required to pay the expenses of conducting the public business of the City of Hudson for the next ensuing fiscal year. The Board shall also include in said budget the sums required for the payment of salaries fixed as provided in this Charter and also such sums as shall be necessary to provide for the payment of the interest and principal of the bonds and other obligations of the City, or for which the City is liable, including any moneys borrowed under the provisions of § C14-6 of this Charter, and also to provide for the collection and payment to the credit of any sinking funds of any sums now directed by law to be collected and credited to such sinking funds.
- C. The Board of Estimate and Apportionment shall also prepare during said time an estimate of all revenues of the City for the next ensuing fiscal year other than moneys raised by tax upon the real and personal property liable to tax in the City, at the time and in the manner provided by law, and other than such revenue as it may be provided by law, revenues shall be for the uses and purposes of the department, officer, board or commission receiving such revenue.
- D. Such budget shall be prepared in such detail as to the titles of appropriations, the terms and conditions, not inconsistent with law, under which the same may be expended, the aggregate sum and the items thereof allowed to each department, officer, board or Commissioner as the Board of Estimate and Apportionment shall deem advisable.

**§ C16-2. Departmental estimates.**

In order to enable said Board to make such budget and estimate, each department, officer, board and commission shall, not later than September 10, send to the Board of Estimate and Apportionment an estimate in writing, herein called a "departmental estimate," of the amount of expenditures, specifying in detail the objects thereof, required in their respective departments, offices, boards and commissions, including a statement of each of the salaries of their officers, clerks and subordinates during the ensuing fiscal year. Each shall also at the same time file with said Board of Estimate and Apportionment a statement of all revenues received by said department, officer, board or Commission during the last preceding fiscal year, and a statement of all revenue which it is estimated said department, officer, board or commission will receive during the next ensuing fiscal year. Duplicates of these departmental estimates and statements shall be sent at the same time to the Common Council.

**§ C16-3. Consideration of budget by Common Council.**

After such budget is made by the Board of Estimate and Apportionment, together with the final estimate of the revenue of the City as prepared by said Board of Estimate and Apportionment, it shall be submitted by the Board on or before November 10 to the Common Council, whereupon a special meeting of the Common Council shall be called by the ~~Mayor~~City Manager to consider such budget, and at such meeting no other business shall be considered. Such meeting may be adjourned from time to time until final action is taken on such budget, but such consideration and adjournment shall not continue beyond 20 days after the time for which such meeting is first called by the ~~Mayor~~City Manager, and in the event of the Common Council's taking no action thereon within such period of time, the budget shall be deemed to be finally adopted as submitted by the Board of Estimate and Apportionment. Before any budget shall be finally adopted, the ~~Mayor~~City Manager shall hold a public hearing thereon, upon notice given by publication for two successive days in the official newspaper. Such hearing shall be held no earlier than five days after the date of the first publication of the notice. A representative of each department, officer, board or Commissioner required to submit a departmental estimate shall be present at the public hearing provided herein.

**§ C16-4. Power of Common Council to reduce budget.**

The Common Council may reduce any items or amounts fixed by the Board of Estimate and Apportionment, except such amounts as are now or may hereafter be fixed by law, and except such amounts as may be inserted by the Board of Estimate and Apportionment for the payment of principal and interest of the City debt and payments to the credit of sinking funds as provided by law, but the Common Council may not increase such amounts nor vary the terms and conditions thereof nor insert any new items.

**§ C16-5. Veto of reductions by ~~Mayor~~City Manager; how overridden.**

Such action of the Common Council on reducing any item or amount fixed by the Board of Estimate and Apportionment shall be subject to the veto power of the ~~Mayor~~City Manager as elsewhere provided in this Charter, and unless such veto is overridden by a ~~super-majority~~two-thirds vote of all members of the Common Council, the item or amount as fixed by the Board of Estimate and Apportionment shall stand as part of the budget. If the ~~Mayor~~City Manager shall veto any act of the Common Council under this article, he shall when the same is returned to the City Clerk issue a call for a meeting of the Common Council to be held upon the next following weekday not a holiday, and any action by the Common Council overriding said veto must be taken within five days thereafter.

**§ C16-6. Transfer of funds between budgetary items.**

- A. The City Treasurer of the City of Hudson, upon the request of a department, officer, board or commission, shall, without the approval of the Board of Estimate and Apportionment or of the Common Council being required therefor, transfer any sum up to \$500 from one budgetary item that contains more than is required to another item which is deficient.
- B. The City Treasurer of the City of Hudson, upon the request of a department, officer, board or commission, shall, with the approval of the Board of Estimate and Apportionment, transfer any sum more than \$500 but less than \$1,000 from one budgetary item that contains more than is required to another item that is deficient.

- C. The City Treasurer of the City of Hudson shall, upon the request of a department, officer, board or commission, with the approval of the Board of Estimate and Apportionment and the Common Council, transfer any sum in excess of \$1,000 from one budgetary item that contains more than is required to another item which is deficient.
- D. Nothing in this section shall affect its application in relation to transfers from the contingent fund.

**§ C16-7. Tax budget.**

The amount of estimated expenditures adopted as hereinbefore provided, less the amount of estimated revenue applicable to the payment thereof, shall constitute the tax budget. The Common Council shall levy and cause to be raised by tax the amount of said budget, and the amount shall be levied, assessed and raised by tax upon the real and personal property liable to taxation in the City at the time and in the manner provided by law.

**§ C16-8. Tax rate limitation.**

Exclusive of any tax which may be lawfully levied in any fiscal year: for taxes levied by the Board of Supervisors of Columbia County for state and county purposes; for the payment of any bonds or certificates of indebtedness of the City that may fall due and be payable in that year; for the payment of interest on the bonded or other indebtedness of the City; and for the payment of any unpaid judgments against the City, the Board of Estimate and Apportionment shall not estimate and the Common Council shall not levy nor cause to be raised by tax in any fiscal year for the purposes of the annual budget an amount of money in excess of the percentage amount authorized by the Local Finance Law of the assessed value of the taxable property and special franchises within the City, as such assessed value shall appear on the assessment roll of the City for the current fiscal year.

ARTICLE XVII  
Assessor

**§ C17-1. General powers and duties. [Amended 11-16-1993 by L.L. No. 12-1993 ]**

The Assessor hereby provided for shall perform all the duties and possess all of the powers conferred upon assessors in the towns of this state, and be subject to all their obligations. He shall perform all the duties specified in this Charter, in reference to the assessment of property within the City, for the purpose of levying the taxes. He shall make and complete an assessment roll for each of the wards of the City of Hudson. The tax status date grievance day and other matters related to assessments shall be governed by Article 5 of the Real Property Tax Law of the State of New York as same may be amended from time to time.

**§ C17-2. Manner of assessment.**

In the assessment of any lands in the City, it shall be sufficient to state the names of the owner or owners or occupants of said lands or the number of the lot or farm lot if not subdivided into blocks, and also the street number of any building located and of any lot contained within the limits of any block, but if the land be vacant or the building not numbered, then the name of the street on which it fronts shall be given, with a brief description of the property sufficient to identify the same. In case no inhabited building is on the land, the name of the owner, if known to the Assessor, shall be stated, and if such name is not known, the owner shall be designated as unknown. No error in the name of the owner or occupant shall invalidate the assessment, and the assessment roll shall be considered as referring to the last official map of the locality, unless it is otherwise stated herein.

**§ C17-3. Review of assessments.**

On completing the assessment rolls, the Assessor shall leave the assessment rolls of the several wards at the office of the City Assessor. He shall then give notice by publication in the official newspaper that the assessment rolls are completed and left at said office, where the same may be seen and examined by any person for the next 20 days, and that, at a time and place specified in such notice, the Assessment Board of Review consisting of three members appointed by the ~~Mayor~~ City Manager will meet to review the assessment rolls and to hear and determine all complaints in relation thereto in the same manner and with the same power and authority as Assessors of towns.

**§ C17-4. Completion and filing of roll.**

At the end of 20 days, the Assessment Board of Review shall cease to correct and revise said rolls, and the Assessor shall, within 20 days thereafter, have the same subscribed and filed in the office of the City Assessor. During the time the Assessment Board of Review is correcting and reviewing any tax or assessment, general or local, it shall have power to add or insert in said tax or assessment rolls any property liable to assessment which may have been omitted from such rolls, upon giving personal notice to the owner or agent of such property at least two days prior to adding the same.

**§ C17-5. Assessment records to be public records.**

The books, maps, assessment rolls and papers pertaining to the office of said Assessor shall be

public records, and at all reasonable times be open to public inspection.

ARTICLE XVIII  
Assessment and Collection of Taxes

**§ C18-1. Preparation of City tax lists.**

- A. The Common Council shall impose, upon the persons and property assessed in the assessment roll of the City, the amount of tax to be raised under the provisions of this Charter, including the amount of any other tax or tax for extraordinary purposes which may be required or authorized by law.
- B. The amount to be paid by each person and each parcel of property shall be entered in appropriate columns, and when the taxes shall be entered therein and properly corrected, the roll shall be signed by the ~~Mayor~~City Manager and City Clerk, to which shall be added and annexed a warrant under the corporate seal of the City, signed by the ~~Mayor~~City Manager and attested by the City Clerk, directed to and requiring the City Treasurer to collect all taxes due thereon within such time as shall be specified by the Board of Supervisors of Columbia County in each year for the collection of county taxes, and one copy of said roll shall be immediately filed with the City Assessor and another copy delivered to the City Treasurer. They shall thereafter be called the "tax lists."

**§ C18-2. Upon whom tax to be assessed.**

All sums to be raised by general tax for City purposes in pursuance to this Charter shall be assessed, levied and rated upon and among the owners of real and personal estate, incorporated companies and associations, named in the corrected assessment rolls of the several wards, in proportion to the valuation therein stated, in the same manner and proportion, as near as may be, as taxes in and for the County of Columbia are rated and assessed.

**§ C18-3. Tax to be set opposite name in tax roll.**

The sum rated and assessed upon the property of each person, company, corporation and association shall be set opposite the name of such person, company, corporation or association respectively, in the tax roll.

**§ C18-4. City to be regarded as town for tax purposes.**

The City of Hudson shall be regarded as one of the towns of Columbia County for the purpose of raising and collecting the annual county taxes, and the same provisions of law which shall apply to the assessment and collection of taxes in the towns of this state, and the duty of all officers concerned therein or connected therewith, excepting as the same are altered or modified by this Charter, shall be applicable thereto; but in assessing and laying the county taxes therein, the same shall be assessed and levied upon assessment rolls prepared as herein provided for the City, which shall be delivered to the City Treasurer for collection, in the manner provided by law.

**§ C18-5. Delivery of warrant to City Treasurer.**

The Board of Supervisors of the County of Columbia shall cause to be delivered to the Treasurer of said City on or before the 31st day of December in each year, a warrant, under the hands and seals of said Supervisors, or a majority of them, commanding said Treasurer to collect from

the several persons named in the assessment rolls the several sums mentioned in the last column opposite their respective names, and pay over the same in the manner directed in the warrant. The assessment rolls shall thereafter be called the "county lists." No extension nor renewal of the warrant mentioned in this section shall be required to enable the City Treasurer to enforce the collection of the taxes to be collected by virtue thereof.

**§ C18-6. Tax lists to be evidence of tax imposition.**

The county and City tax lists filed with the City Assessor or delivered to the City Treasurer shall, in all courts and places, be evidence of the imposition of the taxes therein contained, and the taxes therein assessed upon, or in respect to, any real estate, shall be liens thereon from the time the tax lists are delivered to the City Treasurer.

**§ C18-7. Notices of taxes due; collection of taxes.**

- A. The City Treasurer, upon receiving the county and City tax lists, shall cause a notice to be published in the official paper once, stating that the property taxes are due.
- B. City taxes shall be payable in four installments: the first installment shall be payable on the first day of January in each year, the second installment shall be payable on the first day of April in each year, the third installment shall be payable on the first day of July of each year and the fourth installment shall be payable on the first day of September in each year. Each installment shall be at the rate of 25% exclusive of the county taxes, the total of which shall be payable one-half with the first installment of the City taxes and one-half with the third installment of the City taxes. In columns provided in the assessment rolls for that purpose, the City Treasurer shall apportion the total tax levied against each separate assessment and set down in separate columns the amount of each installment. Columns shall also be provided in such rolls in which to enter the date of payment of each installment and for any other necessary purpose. **[Amended 5-19-1981 by L.L. No. 5-1981 ]**
- C. The City Treasurer shall collect the City taxes for a period of 30 days, exclusive of Saturdays, Sundays and holidays, for the first and third installments thereof, and for 15 days for each of the successive installments. **[Amended 9-20-1994 by L.L. No. 13-1994 ]**
- D. Upon receiving any tax or installment thereof, the Treasurer shall write "Paid" opposite to it, together with the date of payment, and the amount paid in a column kept for that purpose, and shall give the person paying a receipt therefor, and shall keep a check list of all receipts so given.

**§ C18-8. Amount of interest on unpaid taxes.**

After the expiration of the month specified in the notice required to be published by § C18-7 of this Charter, any person or corporation may pay his, her or their City taxes upon paying interest to be computed at the rate of 1% per month or fraction thereof upon the amount of the unpaid taxes.<sup>1</sup>

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1. Editor's Note: Former §§ C18-9 through C18-23, as amended, which immediately followed, as well as former § C18-27, were repealed 4-15-2014 by L.L. No. 5-2014. This local law also redesignated former §§ C18-24 through C18-26 and §§ C18-28 through C18-29, as amended, as §§ C18-9 through C18-13.



**§ C18-9. Treasurer may maintain action for taxes.**

Whenever any tax levied and assessed upon any person or property in the City of Hudson, with the fees, interest and expenses which may by law be added thereto, shall remain unpaid after the 15th day of October, the Treasurer may maintain an action in his name of office for the amount of such tax, fees, interest and expenses remaining unpaid and uncollected with interest on said tax, at the rate of 1% per month or fraction thereof, to be computed from the preceding 31st day of January, against any person or corporation liable for such tax, in any court of competent jurisdiction, in which the proceedings, costs, judgments and executions shall be the same and with like effect as in actions between other public officers and individuals; and the amount collected by any such suit shall be used and applied by said Treasurer in the same manner as though the same had been collected by the sale of real estate. The warrants so delivered to the Treasurer shall be presumptive evidence that all the previous proceedings, including the assessing and levying of tax, were regular and according to law. Nothing in this Charter contained shall be construed to repeal or abridge any power now had by officers for the collection of taxes in the City of Hudson.

**§ C18-10. Provisions applicable to local assessments and taxes.**

All the provisions of this Charter shall apply to and include the collection of all local assessments and taxes for local improvements, provided that no sale of real estate for any unpaid local assessments shall be made within one year from the time when the same became due and payable.

**§ C18-11. Reassessment of void or irregular taxes or assessments.**

In case any tax or assessment shall be void, or have failed for want of jurisdiction or any irregularity in the levying or assessing thereof, the Common Council shall have the power, and it shall be its duty, to cause the same to be reassessed in a proper manner. If any person shall have paid on the former assessment, the same shall be credited, or in case the payment exceeded the amount reassessed, the surplus shall be refunded. In case any amount assessed for local improvements, at any time, shall be insufficient to defray the expense of such improvement, the Common Council shall cause to be assessed the amount by which the actual expense thereof exceeds the amount first assessed, to be assessed in like manner as other assessments of a like nature.

**§ C18-12. Uncollected taxes may be added to next budget.**

In case any tax shall be returned by the Treasurer unpaid, which, by reason of the nonresidence of the person bound to pay the same, or for any other cause, cannot be collected, the Board of Estimate and Apportionment may add the amount thereof to the moneys authorized by this Charter to be raised by tax in the succeeding year.

**§ C18-13. Installment payment of eligible delinquent taxes. [Added 5-31-2000 by L.L. No. 6-2000 ]****A. Definitions. As used in this section:**

- (1) "Eligible delinquent taxes" means the delinquent taxes, including interest, penalties and other charges, which have accrued against a parcel as of the date on which an installment agreement is executed.



- (2) "Eligible owner" means an owner of real property who is eligible to or has entered into an installment agreement.
  - (3) "Installment agreement" means a written agreement between an eligible owner and the City Treasurer providing for the payment of eligible delinquent taxes in installments pursuant to the provisions of this section of the Hudson City Charter and pursuant to Article 11 of the New York State Real Property Tax Law.
- B. Installment payment of eligible delinquent taxes. Such installment payment of eligible delinquent taxes shall be made available to each eligible owner on a uniform basis pursuant to the provisions of this section of the Hudson City Charter and Article 11 of the New York State Real Property Tax Law. Such installment payment of eligible delinquent taxes shall commence upon the signing of an agreement between the City Treasurer and the eligible owner. The agreement shall be kept on file in the City Treasurer's office.
- C. The maximum term of installment agreements pursuant to this section shall not exceed 24 months.
- D. Payment schedules of the installment agreements pursuant to this section shall be quarterly.
- E. The required initial down payment on an installment agreement pursuant to this section shall be 25% of the eligible delinquent taxes.
- F. This section of the Hudson City Charter shall apply to all properties within the City of Hudson.
- G. A property owner shall not be eligible to enter into an agreement pursuant to this section where:
- (1) There is a delinquent tax lien on the same property for which the application is made or on another property owned by such person and such delinquent tax lien is not eligible to be made part of the agreement pursuant to this section;
  - (2) Such person is the owner of another parcel within the tax district on which there is a delinquent tax lien, unless such delinquent tax lien is eligible to be and is made part of the agreement pursuant to this section;
  - (3) Such person was the owner of property on which there existed a delinquent tax lien and which lien was foreclosed within three years of the date on which an application is made to execute an agreement pursuant to this section; or
  - (4) Such person defaulted on an agreement executed pursuant to this section within three years of the date on which an application is made to execute an agreement pursuant to this section.
- H. A property owner shall be eligible to enter into an agreement pursuant to this section no earlier than 30 days after the delivery of the return of unpaid taxes to the City Treasurer.
- I. The amount due under an installment agreement shall be the eligible delinquent taxes plus the interest that is to accrue on each installment payment up to and including the date on which each payment is to be made. The agreement shall provide that the amount due shall be

paid, as nearly as possible, in equal amounts on each payment due date. Each installment payment shall be due on the last day of the month in which it is to be paid.

J. Interest and penalties. Interest on the total amount of eligible delinquent taxes, less the amount of the down payment made by the eligible owner, if any is required, shall be that amount as determined pursuant to § 924-a of the New York State Real Property Tax Law, or such other law as may be applicable.

K. The rate of interest in effect on the date the agreement is signed shall remain constant during the period of the agreement. If an installment is not paid on or before the date it is due, interest shall be added at the applicable rate for each month or portion thereof until paid. In addition, if an installment is not paid by the end of the fifteenth calendar day after the payment due date, a late charge of 5% of the overdue payment shall be added.

L. Default.

(1) The eligible owners shall be deemed to be in default of the agreement upon:

- (a) Nonpayment of any installment within 30 days from the payment due date;
- (b) Nonpayment of any tax, special ad valorem levy or special assessment which is levied subsequent to the signing of the agreement by the City of Hudson, and which is not paid prior to the receipt of the return of unpaid taxes by the City Treasurer; or
- (c) Default of the eligible owner on another installment agreement made and executed pursuant to this section.

(2) In the event of a default, the City of Hudson shall have the right to require the entire unpaid balance, with interest and late charges, to be paid in full. The City of Hudson shall also have the right to enforce the collection of the delinquent tax lien pursuant to the applicable sections of state and local law.

(3) Where an eligible owner is in default and the City of Hudson does not either require the eligible owner to pay in full the balance of the delinquent taxes or elect to institute foreclosure proceedings, the City of Hudson shall not be deemed to have waived the right to do so.

M. Notification of potential eligible owners.

(1) Within 45 days after receiving the return of unpaid taxes, or as soon thereafter, is practicable, the City Treasurer shall notify, by first class mail, all potential eligible owners of their possible eligibility to make installment payments on such tax delinquencies. The City Treasurer shall add \$1 to the amount of the tax lien for such mailing.

(2) The failure to mail any such notice, or the failure of the addressee to receive the same, shall not in any way affect the validity of taxes or interest prescribed by law with respect thereto.

(3) The City Treasurer shall not be required to notify the eligible owner when an installment

is due.

- N. The provisions of this section shall not affect the tax lien against the property, except that the lien shall be reduced by the payments made under an installment agreement and that the lien shall not be foreclosed during the period of installment payments, provided that such installment payments are not in default.
- O. Waiver of interest and penalties for certain eligible deployed military members. The Treasurer may waive the interest, penalties and fees otherwise imposed pursuant to this chapter, provided that: **[Added 4-15-2014 by L.L. No. 5-2014 ]**
  - (1) The financial hardship was caused in substantial part by the owner's having been ordered to active military duty in the United States Armed Forces, including the reserve components of such armed forces;
  - (2) The deployment lasted for at least six contiguous months, or the owner was killed in action during such activation; and
  - (3) The owner provides written evidence from the United States Armed Forces of such military duty and deployment.

ARTICLE XIX  
**Department of Police**

**§ C19-1. Establishment of Department.**

There shall be in the City of Hudson a department known as "The Department of Police."

**§ C19-2. Appointment of Commissioner of Police.**

There shall be appointed by the ~~Mayor~~City Manager a Commissioner of Police, who shall be the head of the Department of Police.

**§ C19-3. Term of office of Commissioner.**

The Commissioner of Police shall hold office during the pleasure of the ~~Mayor~~City Manager.

**§ C19-4. Certification of appointment of Commissioner.**

The appointment of the Commissioner of Police shall be evidenced by a certificate in writing signed by the ~~Mayor~~City Manager and filed forthwith in the office of the City Clerk.

**§ C19-5. Commissioner: appointment of subordinates; absence or disability.**

The Commissioner of Police shall appoint to hold office such subordinates as may be necessary to exercise the powers and discharge the duties conferred and imposed upon him by law. The appointment of subordinates shall be for a probationary period pending passing of the civil service examination and thereafter shall be permanent. In case of the absence or inability of the Commissioner or of a vacancy in the office of the Commissioner, the Chief of Police shall discharge the duties of the office until the Commissioner returns, his disability ceases or the vacancy is filled.

**§ C19-6. Required undertaking by Commissioner and designees.**

The Commissioner and such other persons as the Commissioner shall designate, before entering upon the discharge of the duties of their respective offices, shall each execute and file with the City Clerk an official undertaking in such sum as may be specified elsewhere in this Charter.

**§ C19-7. Vacancy in office of Chief of Police.**

Whenever a vacancy occurs in the office of the Chief of Police, the Commissioner of Police shall appoint in his discretion a person deemed by him to be suitable and competent to fill the same.

**§ C19-8. Term of office of Chief of Police.**

The Chief of Police shall hold office during good behavior or until permanently incapacitated or unfit to discharge his duties.

**§ C19-9. Powers and duties of Commissioner.**

The Commissioner of Police shall have cognizance, jurisdiction, supervision and control of

the government, administration, disposition and discipline of the Police Department and of the officers and members of said Department, and shall possess and exercise fully and exclusively all powers and perform all duties pertaining to the government, maintenance and direction of said Department and the apparatus and property thereof and buildings furnished therefor, and shall have the general direction and supervision of the expenditure of all moneys appropriated for police purposes and hereafter appropriated to the Department of Police. He shall have authority to administer oaths and take evidence, affidavits and acknowledgments in all matters and proceedings pertaining to the Department. He shall have general supervision over the records of the Department and its officers. He shall possess such other powers and perform such other duties as may be prescribed by law and all ordinances and local laws of the Common Council.

**§ C19-10. Promulgation of departmental rules authorized; disciplining of officers. [Amended 1-16-1979 by L.L. No. 2-1979 ]**

The Commissioner of Police shall make, adopt and enforce such reasonable rules, orders and regulations not inconsistent with law as may be reasonably necessary to effect a prompt and efficient exercise of all the powers conferred and the performance of all duties imposed by law upon him or the Department under his jurisdiction. He is authorized and empowered to make, adopt, promulgate and enforce reasonable rules, orders and regulations for the government, discipline, administration and disposition of the officers and members of the Police Department, and for a hearing, examination, investigation, trial and determination of charges made or prepared against any officer or member of said Department for neglect of official duty or incompetency or incapacity to perform his official duties or some delinquency seriously affecting his general character or fitness for the office, and may in his discretion punish any such officer or member found guilty thereof by reprimand, forfeiting and withholding pay for a specified time, or suspension during a fixed period or dismissal from office; but no officer or member of said Department shall be removed or otherwise punished for any other cause or until specific charges in writing have been preferred against and served upon him and he shall have been found guilty thereof after reasonable notice and upon due trial before said Commissioner in the form and manner prescribed by law and the rules and regulations of the Department. Notwithstanding the above, it is the intent of this provision that, pending the hearing and determination of charges preferred in accordance with this section, the officer or employee against whom such charges have been preferred may be suspended without pay for a period not exceeding 30 days.

**§ C19-11. Standards for appointments and promotions.**

The Commissioner shall make all appointments, promotions and changes of status of the officers and members of the Police Department in accordance with the provisions of the Civil Service Law of the state, except as otherwise provided herein.

**§ C19-12. Other powers and duties of Commissioner.**

In addition to the powers and duties specifically enumerated herein, the Commissioner of Police shall have the same authority, powers and duties heretofore vested in and held by any previous commission or commissioner having powers of supervision over the Police Department under any previous Charter or local law, except as otherwise may have been amended, with reference to the officers and members of the Police Department of the City of Hudson, and the government, maintenance and direction of said Department and its apparatus, property and buildings and

the general direction and supervision of the expenditure of all moneys appropriated to said Department.

**§ C19-13. Required reports by Commissioner.**

It shall be the duty of the Commissioner of Police to meet with the ~~Mayor~~ City Manager of the City of Hudson for the purpose of reporting to him the condition of the Department of Police and the conduct of his office on the second Tuesday of each month; provided, however, that, in the event that the second Tuesday of any month shall fall upon a public holiday, he shall meet with the ~~Mayor~~ City Manager on the first day thereafter.

**§ C19-14. Appointment and number of officers. [Amended 6-21-1988 by L.L. No. 3-1988 ; 8-21-1990 by L.L. No. 2-1990 ; 7-16-1991 by L.L. No. 7-1991 ; 2-21-1995 by L.L. No. 2-1995 ; 7-18-2000 by L.L. No. 10-2000 ; 12-18-2001 by L.L. No. 7-2001 ; 2-19-2013 by L.L. No. 2-2013 ]**

The Police Commissioner shall appoint the police officers and regulate and control the police of the City. The number of policemen, including the Chief of Police and Sergeants, shall not exceed 26.

**§ C19-15. Oaths of office.**

Each policeman, before entering upon the discharge of his duties, shall take and subscribe and file in the office of the City Clerk the constitutional oath of office.

**§ C19-16. Duties of Chief, Lieutenants, and Sergeants. [Amended 12-18-2001 by L.L. No. 8-2001 ]**

It shall be the duty of the Chief of Police, under the direction of the Commissioner of Police, to superintend the Police Department of said City. He shall keep a record in suitable books of all arrests and all services performed by him and the several policemen. He shall also keep books to be known as the "property books," in which shall be entered all articles taken from persons arrested or seized on warrant or otherwise, together with the disposition made thereof. It shall be the duty of the Lieutenants and the Sergeants of Police, under the direction of the Chief of Police and the Commissioner of Police, to perform any services and exercise any control within the duty or authority of the Chief of Police in the management and operation of the Department.

**§ C19-17. Powers of arrest.**

The Chief of Police, Sergeants and every policeman shall have power, without process, to arrest and take into custody, or cause to be arrested, any person who shall commit or threaten, or attempt to commit, in his presence or view, any breach of the peace, or any offense against any law or statute of this state, or any violation of any ordinance or local law of the City of Hudson, or rule or regulation of any commission or board of said City.

**§ C19-18. Powers of serving and executing civil process.**

Policemen shall have the same power and authority which constables possess in civil cases and special proceedings, in serving and executing all process and papers in any action or proceedings

in behalf of the City of Hudson, or any board, commission or officer of said City.

**§ C19-19. Payment of expenses of policemen.**

Any reasonable and necessary expenses incurred by a policeman, in traveling or otherwise, in the discharge of his duties, shall be audited by the Commissioner of Police and paid by the City Treasurer. Any such charges or expenses which are properly chargeable to any other civil division or municipal corporation shall be so charged by the Commissioner of Police and presented to the proper boards or officers thereof for audit, and when received shall be paid to the City Treasurer, and be by him placed in the fund out of which audits of the Department of Police are payable.

**§ C19-20. Acceptance of presents restricted; violations.**

No policeman or special policeman, or officer of the police force, shall receive any fee, present or reward for services rendered or to be rendered, unless with the approval of the Commissioner of Police, such approval to be given in writing and filed with the City Clerk; and any policeman who shall receive any fee, present or reward in violation of this section shall forfeit his office.

**§ C19-21. Appointment of special policemen authorized; compensation.**

The Commissioner of Police shall have the power to appoint special policemen at any time, to serve without compensation from the City, unless such payment be authorized by a vote of 3/4 of all the members of the Common Council at a regular or special meeting.

**§ C19-22. Disbursements for police expenses.**

The salaries of the Chief of Police, Sergeants and patrolmen, the expense of office furniture, printing, stationery, books, badges and batons for patrolmen, the repair of buildings in the charge of the Department of Police and the expense of maintaining the police alarm system, including the incidental expenses of the Department, shall be paid by the City Treasurer on the draft of the Commissioner of Police, but not, however, in excess of the amount raised by tax for the Department's use and purposes in any year.



ARTICLE XXI  
**Fire Department**

**§ C21-1. Establishment of Department.**

There shall be in the City of Hudson a Department known as "The Department of Fire."

**§ C21-2. Appointment of Commissioner of Fire.**

There shall be appointed by the ~~Mayor~~City Manager a Commissioner of Fire, who shall be head of the Department of Fire.

**§ C21-3. Term of office of Commissioner.**

The Commissioner of Fire shall hold office during the pleasure of the ~~Mayor~~City Manager.

**§ C21-4. Certification of appointment of Commissioner.**

The appointment of the Commissioner of Fire shall be evidenced by a certificate, in writing, signed by the ~~Mayor~~City Manager, and filed forthwith in the office of the City Clerk.

**§ C21-5. Absence or disability of Commissioner.**

In case of the absence or the inability of the Commissioner or of a vacancy in the office, the Chief of the Fire Department shall discharge the duties of office until the Commissioner returns, his disability ceases or the vacancy is filled.

**§ C21-6. Required undertaking by Commissioner and designees.**

The Commissioner and such other persons as the Commissioner shall designate, before entering upon the discharge of the duties of their respective offices, shall each execute and file with the City Clerk an official undertaking in such sum as may be specified elsewhere in this Charter.

**§ C21-7. Powers and duties of Commissioner.**

The Commissioner of Fire shall have cognizance, jurisdiction, supervision and control of the government, administration, disposition and discipline of the Fire Department and of the officers and members of said Department, and shall possess and exercise fully and exclusively all powers and perform all duties pertaining to the government, maintenance and direction of said Department, and the apparatus and property thereof and buildings furnished therefor, and shall have the general direction and supervision of the expenditure of all moneys appropriated for fire purposes and hereafter appropriated to the Department of Fire. He shall have the authority to administer oaths and take evidence, affidavits and acknowledgments in all matters and proceedings pertaining to the Department. He shall have general supervision over the records of the Department and its offices. He shall possess such other powers and perform such other duties as may be prescribed by the law and all ordinances and local laws of the Common Council.



**§ C21-8. Promulgation of departmental rules authorized; disciplining of officers.**

The Commissioner of Fire shall make, adopt and enforce such reasonable rules, orders and regulations not inconsistent with law as may be reasonably necessary to effect a prompt and efficient exercise of all the powers conferred and the performance of all duties imposed by law upon him or the Department under his jurisdiction. He is authorized and empowered to make, adopt, promulgate and enforce reasonable rules, orders and regulations for the government, discipline, administration and disposition of the officers and members of the Fire Department, and for a hearing, examination, investigation, trial and determination of charges made or prepared against any officer or member of said Department for neglect of official duties or incompetency or incapacity to perform his official duties or some delinquency seriously affecting the general character or fitness for the office, and may, in his discretion, punish any such officer or member found guilty thereof by reprimand or suspension during a fixed period or dismissal from office; but no officer or member of said Department shall be removed or otherwise punished for any other cause, nor until specific charges in writing have been preferred against and served upon him and he shall have been found guilty thereof after reasonable notice and upon due trial before said Commissioner in the form and manner prescribed by law and the rules and regulations of the Department.

**§ C21-9. Other powers and duties of Commissioner.**

In addition to the powers and duties specifically enumerated herein, the Commissioner of Fire shall have the same authority, powers and duties heretofore vested in and held by any previous commission or commissioner having powers of supervision over the Fire Department under this or any previous Charter or local law, except as otherwise may have been amended, with reference to the officers and members of the Fire Department of the City of Hudson, and the government, maintenance and direction of said Department and its apparatus, property and buildings, and the general direction and supervision of the expenditure of all moneys appropriated to said Department, together with all of the powers and duties enumerated in §§ C21-19 and C21-20 of the Charter of the City of Hudson and acts amendatory thereto.

**§ C21-10. Required reports of Commissioner.**

It shall be the duty of the Commissioner of Fire to meet with the ~~Mayor~~City Manager of the City of Hudson for the purpose of reporting to him the condition of the Department of Fire and the conduct of his office on the second Tuesday of each month; provided, however, that in the event the second Tuesday of any month shall fall upon a public holiday, he shall meet with the ~~Mayor~~City Manager on the first day thereafter.

**§ C21-11. Commissioner to procure and maintain apparatus and buildings. [Amended 6-20-2023 by L.L. No. 4-2023 ]**

The Commissioner may procure necessary engine rescue trucks and other necessary and convenient apparatus for the prevention and extinguishment of fires, in addition to the engine rescue trucks and other apparatus now belonging to the City, and he shall maintain safe and convenient places and buildings for keeping the same, and shall repair and improve the same or any part thereof, and shall keep said buildings in repair, and do all things necessary to equip, manage and control the Fire Department of the City.

**§ C21-12. Organization of fire companies; election of members. [Amended 2-17-1987 by L.L. No. 1-1987 ; 12-20-1994 by L.L. No. 1-1995 ]**

- A. Volunteer members of a fire company in the City of Hudson shall be elected and appointed as provided in this section.
- B. The Commissioner of Fire shall appoint residents of the City as volunteer members of any newly organized fire company. Thereafter, the fire company may elect other eligible persons, including City officers, as volunteer members. The election shall be pursuant to the bylaws of the fire company, if any; otherwise, by a three-fourths vote of the members of the fire company present and voting at a regular or special meeting thereof. The membership of any person so elected shall become effective when approved by action of the Commissioner of Fire. Membership shall be deemed to have been approved pursuant to this subsection in the event that no action is taken by such Commissioner, either approving or disapproving, within 30 days after service of written notice of election to membership shall have been made by the Secretary of the fire company upon the Commissioner, either personally or by mail.
- C. Any person elected to membership as a volunteer member of a fire company shall be a resident of the City of Hudson, except as otherwise provided in Subsection I of this section.
- D. The membership of a volunteer member of a fire company shall terminate when he ceases to be a resident of the City, except as otherwise provided in Subsection E of this section.
- E. Any fire company may authorize the continued membership of any volunteer member where such member notifies the Chief of the Fire Department that he plans to change his residence to territory which is not in the City and that by reason of his residence in the vicinity and his usual occupation he will be available to render active service as a volunteer fireman in the City. Such authorization shall be pursuant to the bylaws, if any, of the fire company of which he is a member; otherwise by a three-fourths vote of the members of such fire company present and voting at a regular or special meeting thereof. Such authorization shall not become effective unless approved by action of the Commissioner of Fire. Any membership continued pursuant to the provisions of this subsection shall terminate when the member cannot meet either the requirements of this subsection or the residence requirements of Subsection C of this section. **[Amended 6-20-2023 by L.L. No. 4-2023 ]**
- F. The membership of any volunteer fireman shall not be continued pursuant to Subsection E of this section, and persons shall not be elected to membership pursuant to Subsection I of this section, if, by so doing, the percentage of such nonresident members in the fire company would exceed 45% of the actual membership of the fire company.
- G. Nonresidents whose volunteer memberships have been authorized or continued pursuant to Subsection E or I of this section shall have all the powers, duties, immunities and privileges of resident volunteer members, except that they may not be elected or appointed Chief of the Fire Company or Assistant Chief or a line officer of any company unless such line officer shall reside within three road miles of the closest City boundary to such line officer's residence in Columbia County.
- H. A person shall not be eligible to volunteer membership in more than one fire company at one time.

- I. A person who cannot meet the residence requirements of Subsection C may be elected to membership as a volunteer member of any fire company of the Fire Department if by reason of his residence in the vicinity and his usual occupation he will be available to render active service as a volunteer fireman in the City. Such authorization shall be pursuant to the bylaws, if any, of the fire company; otherwise by a three-fourths vote of the members of the fire company present and voting at a regular or special meeting thereof. Such authorization shall not become effective unless approved by action of the Commissioner of Fire. The membership of any volunteer member elected pursuant to the provisions of this subsection shall terminate when the member cannot meet either the requirements of this subsection or the residence requirements of Subsection C of this section.
- J. The provisions of this section shall not be deemed to authorize the election of any person as a member of a fire company or the continuance of membership in a fire company as herein provided if such election or continuance of membership shall be contrary to the bylaws of the fire company.

**§ C21-13. Fire Chief: election; duties; compensation.**

The Chief of the Fire Department shall hold his office for two years and be elected by the firemen of the City at such times and under such regulations as the Commissioner of Fire may prescribe, subject to confirmation by the Common Council, and in case of a failure to elect or of a vacancy or a rejection, the Common Council shall appoint such Chief. The Chief of the Fire Department shall superintend the Fire Department and adhere to the rules and regulations promulgated by the Commissioner of Fire under the authority of § C21-8 of this Charter. He shall have charge of the fire apparatus belonging to the City and shall keep the same in proper order. The salary of the Chief of the Fire Department shall be as fixed by the Common Council.

**§ C21-14. Assistant Chiefs: appointment; powers and duties.**

The Chief of the Fire Department shall appoint First and Second Assistant Chiefs of Fire Department who shall, under his direction, perform any service and exercise any control which is within the power and authority of the Chief in the conduct of the Department. In the absence of the Chief of the Department, the First Assistant Chief shall possess his powers and perform his duties, and in the absence of the First Assistant Chief, the Second Assistant Chief shall possess his power and perform his duties.

**§ C21-15. Residency requirement for Chiefs and line officers. [Amended 9-19-2006 by L.L. No. 12-2006 ; 6-20-2023 by L.L. No. 5-2023 ]**

The Chief of the Fire Department of the City of Hudson and the two Assistant Fire Chiefs of the City of Hudson need not be an elector of the City so long such persons shall reside in Columbia County within 3 road miles of a boundary of the City of Hudson. Company line officers need not be an elector of the City so long such persons shall reside in Columbia County within 5 road miles of a boundary of the City of Hudson.

**§ C21-16. Duties of firemen.**

It shall be the duty of firemen to promptly respond to every alarm of fire and be present and aid in

the extinguishment of the fire; and whenever ordered to do so by the Mayor ~~City Manager~~, aid in the suppression of all riots or riotous assemblages in said City.

**§ C21-17. Inspections of Department.**

The Commissioner may call out the Fire Department, or any part thereof, for inspection at such times as he may deem necessary or proper.

**§ C21-18. Obstructing operations of Fire Department prohibited.**

Any member of the Fire Department or any other person who shall at the time of any fire in said City be guilty of insubordination or disorderly conduct, or shall attempt to obstruct the operations of the Fire Department or incite insubordination therein, or shall neglect or refuse to obey, or attempt to prevent or obstruct the execution of, orders of the Chief of the Department or his assistants, shall forfeit for each offense such penalty as may be prescribed by the ordinance or local law of the City.

**§ C21-19. Regulation of structures to prevent fire.**

The Commissioner of Fire shall have power:

- A. To prescribe from time to time the limits in said City and the streets, alleys and lanes thereof, within which either wooden buildings or buildings constructed of wood with brick or metal veneer shall not be erected, placed or repaired without permission granted by action of said Commissioner.
- B. To compel the owner or occupants of any building or other erection of any kind now within the City or hereafter within the City, which may be in a dangerous or unsafe condition, to render the same safe or take down and remove the same.
- C. To direct and require that all or any buildings or structures within the City shall be provided with roofs, cornices, eaves and partition walls of fireproof materials, and fire walls extending above such roofs, under such penalties as may be prescribed by ordinance or local law for one offense and for each week any building or structure in violation of such ordinance or local law shall be continued.
- D. To regulate the construction of chimneys, flues, boilers and apparatus used in any building or manufactory, and to cause the same when unsafe to be removed or placed in a safe condition; to prevent the deposit of ashes in unsafe places; and to compel any person or persons to aid in the extinguishment of fires and in the preservation of property considered by said Commissioner or his representative in danger of injury or destruction by fire.
- E. To adopt such rules and regulations generally governing the matters specified in this section and for the prevention and extinguishment of fire, as the Commissioner may deem expedient, and not inconsistent with law, local law or ordinance.

**§ C21-20. Structures in violation declared nuisances.**

Every building or other structure erected contrary to the provisions of any ordinance or local law made in pursuance of the last section is hereby declared to be a common nuisance and may be

abated and removed as such by and under the direction of the Commissioner of Fire.

**§ C21-21. Disbursements for fire expenses. [Amended 6-20-2023 by L.L. No. 4-2023 ]**

The salary of the Chief of the Fire Department, the expense of office furniture, printing, stationery, books, the expenses of fire trucks, hose and other apparatus for the prevention and extinguishment of fires, the repair of buildings in the charge of the Department of Fire and the expense of maintaining the fire alarm system, including the incidental expenses of the Department, shall be paid by the City Treasurer on the draft of the Commissioner of Fire, but not, however, in excess of the amount raised by tax for the Department's uses and purposes in any year.

**§ C21-22. Financing of fire-fighting apparatus. [Amended 4-20-2004 by L.L. No. 3-2004 ]**

In the fiscal year beginning May 1, 1947, and in each fiscal year thereafter, the entire cost of all machinery, equipment and fire-fighting apparatus, including trucks, for the Fire Department to be purchased or acquired in any fiscal year by the City of Hudson shall be paid for by direct budgetary appropriation for such fiscal year or by the issuance, during such fiscal year, of capital notes pursuant to the Local Finance Law. All taxes required for such appropriation or for the redemption of such capital notes shall be excluded from the tax limitation prescribed by § 10 of Article VIII of the State Constitution in the manner provided by the Local Finance Law. The City Treasurer, as chief fiscal officer of the City, is hereby directed in each such fiscal year to determine the amount of such taxes to be deemed indebtedness pursuant to the Local Finance Law and to set forth such determination in a statement in writing. He is further directed to request the approval of the State Comptroller of such determination and to file such determination, all in the manner provided by the Local Finance Law. Nothing herein contained shall be construed to prohibit or prevent the payment of all or any part of the cost of such machinery, equipment and fire-fighting apparatus, including trucks, from moneys legally available for such purpose in any capital reserve fund heretofore or hereafter created pursuant to the provisions of the General Municipal Law.

**§ C21-23. Fire police squads. [Added 7-15-1975 by L.L. No. 2-1975 ]**

The Commissioner or his duly authorized representative may organize within the Department a fire police squad or squads composed of volunteer firemen who are members of any company. Members of fire police squads, so organized, at such times as the Fire Department, fire company or emergency rescue and first aid squad of the Fire Department or fire company are on duty, or when, on orders of the Chief of the Fire Department or fire company of which they are members, they are separately engaged in a response to a call for assistance pursuant to the provisions of § 209 of the General Municipal Law of the State of New York, shall have the powers of and render services as peace officers as provided in § 209-c of the General Municipal Law of the State of New York.



ARTICLE XXII  
**Department of Public Works**

**§ C22-1. Establishment of Department.**

There shall be in the City of Hudson a department known as "The Department of Public Works."

**§ C22-2. Appointment of Commissioner of Public Works.**

There shall be appointed by the ~~Mayor~~City Manager a Commissioner of Public Works, who shall be head of the Department of Public Works.

**§ C22-3. Term of office of Commissioner.**

The Commissioner of Public Works shall hold office during the pleasure of the ~~Mayor~~City Manager.

**§ C22-4. Certification of appointment of Commissioner.**

The appointment of the Commissioner of Public Works shall be evidenced by a certificate in writing signed by the ~~Mayor~~City Manager and filed forthwith in the office of the City Clerk.

**§ C22-5. Appointment of subordinates; absence or disability of Commissioner. [Amended 12-18-2007 by L.L. No. 7-2007 ]**

The Commissioner of Public Works shall have the power to appoint a Superintendent of Public Works and such other subordinates as may be necessary to exercise the powers and discharge the duties conferred and imposed upon him by law. The appointment of the Superintendent and subordinates shall be provisional pending passing of the civil service examination and shall thereafter be permanent after completion of a probationary period. In case of the absence or inability of the Commissioner, or of a vacancy in the office of Commissioner, the Superintendent of Public Works shall discharge the duties of the Commissioner until the Commissioner returns, the disability ceases or the vacancy is filled.

**§ C22-6. Required undertaking by Commissioner and designees.**

The Commissioner and such other persons as the Commissioner shall designate, before entering upon the discharge of their duties of their respective offices, shall each execute and file with the City Clerk an official undertaking in such sum as may be specified elsewhere in this Charter.

**§ C22-7. Powers and duties of Commissioner.**

The Commissioner of Public Works, subject to the provisions of law, shall have cognizance, direction and control of the construction, maintenance, alteration, repair, care, cleaning, paving, flagging and improving of the streets, highways, sidewalks and public places of the City; of the construction, alteration, extension, maintenance and repair of all docks and bridges belonging to the City and of all buildings and appurtenances of the public sewer and water systems; and of the care, superintendence and management of and improvement of all parks and grounds belonging to the City, except lands forming part of the City cemetery. Except as otherwise provided by law, the Commissioner shall have supervision of control over and jurisdiction and authority to make

all ordinary repairs or improvements upon the streets, parks, crosswalks, gutters, vaults, drains, culverts, bridges and public ways and places of the City, including the cleaning, sprinkling, laying of dust with substances other than water, watering and flushing of the same, and may employ such laborers, teams and machinery and incur such expenditures as may be necessary within the limits of the appropriations made therefor. It shall be his duty to inspect the same with sufficient frequency to ascertain their condition and cause the same to be kept free from obstructions and in good condition and repair and reasonably safe for public use. The Commissioner shall also have the general supervision and control of all work performed under any contract of the City for local or other improvements to be performed within or upon any of the public streets, parks, ways and places, or with reference to the public works and ways within the jurisdiction of his department, and shall cause the same to be performed in full compliance with the provisions of any contract therefor.

**§ C22-8. Other powers and duties of Commissioner.**

In addition to the powers and duties specifically enumerated herein, the Commissioner of Public Works shall have the same authority, powers and duties heretofore vested in and held by any previous commission or commissioner having powers of supervision over the Public Works Department under this or any previous Charter or local law, except as otherwise may have been amended.

**§ C22-9. Commissioner to supervise departmental expenditures.**

The Commissioner of Public Works shall have the supervision of the expenditures of all moneys appropriated to the Department of Public Works.

**§ C22-10. Power of Commissioner over departmental meetings and records.**

The Commissioner of Public Works shall have the authority to administer oaths and take evidence, affidavits and acknowledgments in all meetings and proceedings pertaining to the Department. He shall have the general supervision over the records of the Department and its officers and employees. He shall possess such other powers and perform such other duties as may be prescribed by law and all ordinances and local laws of the Common Council of the City of Hudson.

**§ C22-11. Required reports of Commissioner.**

It shall be the duty of the Commissioner of Public Works to meet with the ~~Mayer~~City Manager of the City of Hudson, for the purpose of reporting to him the condition of the Department of Public Works and the conduct of his office, on the second Tuesday of each month; provided, however, that in the event the second Tuesday of any month should fall upon a public holiday, he shall meet with the ~~Mayer~~City Manager on the first day thereafter.

**§ C22-12. Power to open and construct streets restricted.**

The Commissioner of Public Works shall not have power to extend any street or highway now open, nor to open or lay out any new street or highway, nor proceed to construct any such new street or highway, unless the same shall have been ordered to be laid out or opened by the

Common Council, in which case said Commissioner shall have sole and exclusive power, and it shall be his duty to forthwith construct the same.

**§ C22-13. Power to fix grades; recording thereof.**

The Commissioner of Public Works shall have exclusive power and it shall be his duty to determine and establish the grades of all streets, squares, places, alleys, lanes and roads of the City, and the roadways, sidewalks, crosswalks, curbstones, gutters and drains thereon, and all sewers repaired or constructed under his supervision, and to call upon the Superintendent of Public Works to make and furnish any and all surveys, plans and estimates which said Commissioner may require of him in the performance of any of the duties imposed by this article. All grades established by said Commissioner shall be described, and the description of such grades, and of all alterations thereof, shall be recorded by the Commissioner in a book or books, to be called "grade books," which shall be preserved in his office. All surveys and measurements made under his direction, adopted and acted upon, shall be recorded in detail in books to be called "survey books," which shall be preserved in his office.

**§ C22-14. Duty to clean streets and lay dust.**

It shall be the duty of the Commissioner of Public Works to clean the streets of the City and lay the dust thereon, either by sprinkling with water, flushing or by the use of substances other than water.

**§ C22-15. Power to build and repair opened streets.**

It shall be the duty of the Commissioner of Public Works, and he shall have power, to determine what, if any, of said highways shall be rebuilt or repaired, paved or repaved, and the manner in which such work shall be done and the material to be used for such purpose. He shall also have exclusive power and it shall be his duty to determine the methods and materials to be used in building all roadways, sidewalks, crosswalks, gutters, drains, bridges and culverts in and upon any highway which may hereafter be opened and laid out by the Common Council, and to supervise and conduct the building thereof as soon as practicable after said highways or any of them shall have been opened and laid out.

**§ C22-16. Power to make street excavations.**

The Commissioner of Public Works shall have exclusive power, and it shall be his duty, to make all excavations necessary in any of the highways of said City for the purpose of laying, repairing, removing or replacing any drains and water mains or pipes, or for any other public purpose whatsoever.

**§ C22-17. Method of excavation; collection of costs; penalties.**

Any board, commission or corporation, public or private, or any person or persons desiring to have any excavation or excavations made in any of the highways of the City, shall apply to the Commissioner of Public Works for that purpose, and the Commissioner may, if he deems such excavation necessary, issue a permit at such fee as he may determine to be reasonable. If any property owner fails to perform a necessary excavation or replace an excavation properly, the



Commissioner of Public Works shall thereupon proceed to have the work done by and under his direction at a reasonable price to be fixed and charged therefor by the Commissioner, which shall be the lowest cost of excavating and refilling and the proper repair and replacing of the roadway above such excavation, which sum shall be a lien upon the property benefited by such excavation, and the Commissioner of Public Works may enforce its collection by appropriate remedies; such lien shall be entitled to preference over any other liens. In case of the building of public sewers ordered by the Common Council in and upon any of the highways of said City, the building thereof, the filling of the excavations and trenches and the repairing of the roadway over the same shall be conducted by the Department of Public Works. Any board, commission or corporation, public or private, or any person or persons who shall make any excavation or excavations in any of said highways of said City, except in the manner hereinabove provided, shall be guilty of a violation punishable as follows: by imprisonment for a term not exceeding 15 days or by a fine not exceeding \$250, or by both such fine and imprisonment. The continuation of a violation shall constitute, for each day the offense is continued, a separate and distinct offense hereunder. The City Court shall have jurisdiction to try all such offenses.

**§ C22-18. Sidewalk Improvement District [Added 3-28-2023 by L.L. No. 2-2023 <sup>1</sup>]**

**A. Establishment of sidewalk improvement districts.**

- (1) The City hereby establishes a City-wide sidewalk improvement district ("district" or "SID"). The boundaries of the district shall be the same as the City of Hudson municipal boundary. All parcels within the City shall be included in the district with the exception of those parcels identified as "Parcels Excluded from the City of Hudson Sidewalk Improvement District" which accompanies in printed format and is hereby made a part of this section.<sup>2</sup>
- (2) The Commissioner of Public Works or his or her designee shall prepare, maintain, and keep current the list of excluded properties in accordance with amendments made thereon pursuant to action of the Common Council.

**B. Construction or repair of sidewalks in districts.**

- (1) The construction or repair of sidewalks as set forth in this section shall be deemed a local public improvement or work, the expense of which shall be assessed in whole or in part upon the property or properties deemed benefited in the manner as set forth in § C22-18C.
- (2) The Public Works Board shall recommend, subject to amendment and approval by the Common Council, a budget and a schedule of sidewalk construction or repair to be performed in the SID as part of the City's budget for each fiscal year; provided, however, that the budget for the first fiscal year following the year of enactment of this section shall be recommended and approved on such schedule as deemed practicable by the Public Works Board or Common Council. The Common Council shall have the authority to include in such budget all or any portion of the cost for past sidewalk construction or repair performed by the City on a property located in and subject to

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1. Editor's Note: This ordinance also redesignated former § C22-18 as § C22-18.1.

2. Editor's Note: Said document is on file in the City's offices.

assessments as part of the SID, so long as said cost has not been assessed upon the abutting property owner prior to the effective date of this section. Along with such budget and schedule of work, the Public Works Board shall recommend to the Common Council any adjustments it deems desirable to the assessment formula set forth in Subsection C hereof. Such budget may include the issuing of, and payment of the maturing principal of and interest on, any obligation issued pursuant to the Local Finance Law for the purpose of financing the construction or repair of sidewalks pursuant to this section.

- (3) Before the budget and schedule of work required by Subsection B hereof are given final approval by the Common Council, the City Clerk shall give notice by publication three times in a local newspaper of a public hearing thereon on a date specified, which date shall not be less than 10 days from the first publication. Before the date of public hearing, any person may file with the City Clerk written objections to such budget or schedule of work or any part thereof, which objections shall be presented to the Common Council before action shall be taken on such budget and schedule of work. At the time so appointed or at such other time to which it may adjourn for that purpose, the Common Council may hear the allegations of any person interested who shall have filed such objections and may take proof in relation thereto. Such allegations and proofs shall be confined to the matters stated in such written objections. The Common Council may thereupon alter or correct any assessment as justice may require, finally approve the same and file a schedule thereof with the City Treasurer, the amount of each assessment as derived from the assessment formula shall be a lien upon the real property so assessed. Such assessments and, if required, any reassessments, shall be collected in the manner provided in this Charter and the City Code for the enforcement, levy, and collection of City taxes.
- (4) The Public Works Board or Common Council may include construction or repair of sidewalk curb cuts and curb accessibility ramps in the local improvements to be made in a SID. The Public Works Board or Common Council shall not include construction or repair of driveway cuts or aprons, which shall remain the financial responsibility of the abutting property owner.
- (5) The Common Council shall appoint a project manager to oversee the construction and repair of sidewalks governed by this § C22-18 of the Charter.
- (6) Work performed in the SID pursuant to this section shall be deemed a local improvement, and Common Council declares and finds that the assessment formula in Subsection C assesses each property in each district in proportion to the benefit received by that property from the construction and repair of sidewalks in the SID, and that such assessments are necessary to defray the cost of construction and repair of sidewalk in the SID.
- (7) Nothing herein shall be construed to modify or alter any power of the Common Council, Commissioner of Public Works, or Planning Board to require a property owner to bear the full cost of sidewalk construction or repair as part of the site plan review process pursuant to Ch. 325, Art. VIII of the City Code, regardless of whether said property is located within the SID.

## C. Assessment formula.

- (1) Definitions. As used in this section, the following terms shall have the meanings indicated:

**ANNUAL MAINTENANCE FEE** — The annual maintenance fee for non-developable lots and sliver lots is \$0; for low-foot-traffic residential lots with up to three family year-round residences it is \$100; for residential lots of which there is no part immediately adjacent to a sidewalk it is \$50; and for all other lots it is \$200. "Immediately adjacent" as used herein shall mean directly touching or bordering.

**BUILDING SQUARE FOOTAGE** — The total square footage of all buildings on a lot as recorded by the City Assessor.

**COST OF PAST WORK** — The total sum, including labor and materials, actually paid for past work; provided, however, that none of the following shall be included:

- (a) Costs exceeding \$15 per square foot of past work completed; or
- (b) Any overhead fee, interests or penalties imposed for failure to perform sidewalk construction or repair pursuant to the Charter or City Code.

**DOUBLE-LOW-FOOT-TRAFFIC LOTS** — Those lots with a Property Class Code of 280 or 281, or substantially identical successor designations, and with two residences that each have a Site Class Code of 210, 215, 240, 250, or 270; excluding residential properties with four or more dwelling units.

**FRONT FEET** — The length of perimeter, measured in feet, by which a lot abuts the line of the public street or streets, provided that if a lot's perimeter along the line of the public street or streets is bisected such that a portion of the perimeter is within the SID and a portion of the perimeter is not located within the SID, only that portion of the perimeter within the SID shall be included, and provided further that a sliver lot's front feet shall be deemed to be the lesser of the lot's actual front feet or 110 feet.

**LOT** — Lot or parcel of land, as set forth by the current City of Hudson Tax Maps on file with the Columbia County Department of Real Property Services.

**LOT SQUARE FOOTAGE** — The total area of a lot measured in square feet, as recorded by the City Assessor and set forth on the City of Hudson Tax Maps on file with the Columbia County Department of Real Property Services, or as otherwise calculated by that department.

**LOW-FOOT-TRAFFIC LOTS** — Those lots, qualifying neither as sliver lots nor as non-developable lots, with a Property Class Code of 210, 215, 220, 240, 250, 270, 311, or 312, or substantially identical successor designations.

**NONDEVELOPABLE LOTS** — Those vacant lots not qualifying as sliver lots with a lot square footage less than the lowest minimum lot size requirements for any development under the City of Hudson Zoning Code for the zoning district in which the lot is located, as certified by the Code Enforcement Officer or his or her designee pursuant to Subsection C(3) hereof; provided, however, that if a zoning district has more than one minimum lot size, the relevant minimum lot size for this purpose shall be the smallest minimum lot size for that zoning district that is not subject to adjustments for

residency or number of units.

**PAST WORK** — Sidewalk construction or repair performed on a lot located in and subject to assessments as part of the sidewalk improvement district, and permitted by and performed in accordance with the general drawings and specifications established by the Commissioner of Public Works, provided that such work is performed at the cost of the property owner of the lot upon which the work is performed for the sole purpose of performing sidewalk construction and repair, and provided further that work completed as required by a site plan review pursuant to Ch. 325, Art. VIII of the City Code is excluded.

**PROPERTY CLASS CODE** — The property type classification code, as defined by the New York State Office of Real Property Services in the Assessors' Manual, or such other substantially similar documentation later produced by that office, assigned to a lot by the Columbia County Department of Real Property Services, as may be updated by that department from time to time.

**SIDEWALK CONSTRUCTION OR REPAIR** — Construction or repair of any public sidewalk or footpath intended for the use of pedestrians in a City park or approximately following along the line of the public street or streets upon which the lot fronts, including but not limited to sidewalk curb cuts and curb accessibility ramps, and other actions determined by the Public Works Board or Common Council to be necessary to the construction or repair of said sidewalk or footpath, including, but not limited to, any paving, earth work, drainage, and appurtenances; provided, however, that the construction or repair of driveway cuts or aprons is excluded.

**SITE CLASS CODE** — The property type classification code, as defined by the New York State Office of Real Property Services in the Assessors' Manual, or such other substantially similar documentation later produced by that office, assigned to each residence on a lot with more than one residence by the Columbia County Department of Real Property Services, as may be updated by that department from time to time.

**SLIVER LOTS** — Those vacant lots with a lot square footage equal to 2,000 square feet or less.

**VACANT LOTS** — Those lots with a Property Class Code between 300 and 399, or substantially identical successor designations.

- (2) Each lot in the SID shall be annually assessed for work to be performed in the district as follows: annual maintenance fee plus frontage fee less past work reduction.
  - (a) Square footage fee. The square footage fee for all low-foot-traffic lots, double-low-foot-traffic lots, and residential lots which are not immediately adjacent to a sidewalk shall be \$0. For all other lots, the lot's square footage fee shall be equal to the lot's building square footage times \$0.015.
  - (b) Frontage fee. The frontage fee for all low-foot-traffic lots, double-low-foot-traffic lots, and residential lots which are not immediately adjacent to a sidewalk shall be \$0. For all other lots, the frontage fee shall be \$30 for each 55 feet of front feet or portion thereof.

- (c) Past work reduction. A lot's assessment under this section shall be reduced as set forth herein.

- [1] A lot is eligible for a reduction for the cost of past work for 10 years from the date the past work was substantially completed (reduction period). In each year of the reduction period for which an assessment, if any, is made pursuant to this section, the lot's past work reduction shall be an amount equal to 1/10 of the cost of past work. Should the allowable reduction for the cost of past work be greater than a lot's assessment under this section in any given year, the lot owner shall not be entitled to the difference, and the difference shall not apply to the assessment for any other year.
- [2] The lot owner must provide sufficient evidence to the Commissioner of Public Works or his or her designee of the nature and location of the past work performed, the cost of the past work, and the date the past work was substantially completed. Such evidence must be provided no later than May 1 of the year preceding the fiscal year for which the owner seeks a past work reduction; provided, however, that in the first fiscal year following the year of enactment of this section, such proof must be provided no later than the deadline, if any, established by the Public Works Board, and if no such deadline is established, such proof must be provided no later than February 1 of that fiscal year. If the request is approved by the Commissioner of Public Works or his or her designee, the past work reduction shall automatically recur in each remaining year of the reduction period. If the request is denied, a written basis for the determination under this subsection (Commissioner's determination) must be provided to the lot owner. Within 30 days of the Commissioner's determination the lot owner may appeal the determination of the Commissioner of Public Works to the Public Works Board at an open meeting thereafter. Any such appeal must be submitted in writing to the Public Works Board which must include a copy of the determination from which the lot owner appeals.
- [3] Certification of non-developable lots. The owner of a lot may file an application with the Code Enforcement Officer or his or her designee to have the lot certified as a non-developable lot. Such applications must be filed no later than the deadline for providing evidence for a past work reduction pursuant to Subsection C(2)(c)[2] above. Such certification shall be granted only to those lots not qualifying as sliver lots with a lot square footage less than the minimum lot size required for development by the City of Hudson Zoning Code for the zoning district in which the lot is located at the time of application. Once granted, the certification shall continue to be in effect for the lot, regardless of subsequent changes in ownership, until the end of the fiscal year during which the lot square footage increases for any reason to an amount in excess of the minimum lot size required for development; or the minimum lot size for development, as may be revised or amended from time to time, in the zoning district in which the lot is located, is reduced to an amount equal to or lesser than the lot square footage. The owner of a lot that has received a certification pursuant to this provision shall notify the Code



Enforcement Officer or his or her designee of any change in the lot square footage. Upon notification that there has been a change in lot square footage for a lot which previously received a certification pursuant to this provision, the Code Enforcement Officer shall review the change in lot square footage and determine if the lot continues to qualify for certification as a non-developable lot. If the Code Enforcement Officer determines that the lot no longer qualifies for certification under this provision, said certification shall be revoked and all applicable fees and assessments provided hereunder shall be reinstated.

- (d) Waiver. Qualifying property owners as defined in Subsection C(2)(d)(1) below are eligible to receive a waiver from a qualifying lot's as defined in Subsection C(2)(d)(2) below assessment under this section.

[1] "Qualifying property owner" shall mean the following classification of individuals:

[a] A veteran, the spouse of a veteran or the un-remarried surviving spouse of a veteran. As used herein, the term "veteran" shall have the same meaning as set forth in New York State Real Property Tax Law Section 458-a(e) and as "Cold War veteran" as defined in New York State Real Property Tax Law Section 458-b(a).

[b] An enrolled member of an incorporated volunteer fire company or fire department servicing the City of Hudson, including a) the spouse of an enrolled member of an incorporated volunteer fire company or fire department servicing the City of Hudson or b) the parent of an enrolled member of an incorporated volunteer fire company or fire department servicing the City of Hudson. For the purpose of this section, an enrolled member shall require a minimum of two years' service with the incorporated volunteer fire company or fire department to qualify for a waiver to a lot's assessment.

[2] Qualifying lot. Lots which qualify for a waiver under Subsection C(2)(d) shall be 1) the primary residence of the applicant, in the case of a qualifying property owner under Subsection C(2)(d)[1][b] the qualifying lot shall be the primary residence of the enrolled member, and 2) be used exclusively as a single-family residence. The provisions of this section shall apply to any lot held in trust solely for the benefit of a person or persons who would otherwise be eligible for a waiver pursuant to this section were such persons or persons the owner or owners of such lot.

[3] Application required. To be eligible for a waiver under Subsection C(2)(d) qualifying property owners must file an application for waiver along with all required supporting documentation with the Office of the City Assessor on or before March 1. Waivers under this section are valid for one year. Qualifying property owners must file an application for waiver each year the property owner seeks a waiver of the lot's assessment.

[4] Supporting documentation. The Public Works Board in consultation with the City Assessor's Office shall determine the documentation required to support applications for waivers under this section.

D. Appeals and reassessments.

- (1) No action or proceeding to set aside, vacate, cancel, or annul any assessment for a local improvement shall be maintained, except for total want of jurisdiction to levy and assess the same on the part of the officer, officers, board, or body authorized by law to make such levy or assessment or to order the improvement on account of which the levy or assessment was made.
- (2) No action or proceedings shall be maintained to modify or reduce any assessment for a local improvement, except for fraud or substantial error by reason of which the amount of such assessment is in substantial excess of the amount which should have been lawfully levied or assessed.
- (3) Any person or persons, jointly or severally, aggrieved by any determination of assessment for a local improvement pursuant to this section may have the decision reviewed by the Supreme Court of New York in the manner provided by Article 78 of the Civil Practice Law and Rules.
- (4) Whenever any assessments made under the provisions of this section shall be set aside or shall be decided by any court having jurisdiction thereof to have been improperly or illegally made or whenever it shall be ascertained that the proceedings under which said assessment has been made shall have been so far irregular and erroneous as to make the collection of such assessment illegal, then a reassessment shall be made with the same force and effect as if it had been an original assessment.

E. Public Works Board. There is hereby created in the City of Hudson a Public Works Board that shall be composed and vested with such powers as herein set forth.

- (1) The Board shall consist of five members:
  - (a) The Commissioner of the Department of Public Works;
  - (b) The City of Hudson ADA Coordinator;
  - (c) A member of the Common Council who shall be appointed by the President of the Common Council and who shall serve at the Council's pleasure.
  - (d) A member of the community appointed by the Common Council who shall serve at the Council's pleasure.
  - (e) The ~~Mayor~~City Manager shall appoint one member of the Board who shall serve at the ~~Mayor~~City Manager's pleasure.
- (2) Term. Board Members appointed pursuant to provisions in Subsection E(1)(c), (d) and (e) above shall be appointed to serve a one-year term.
- (3) Vacancy. If a vacancy shall occur other than by expiration of term, then the appointing

authority as set forth in Subsection E(1) herein shall appoint a new member who shall serve for the remainder of the unexpired term.

- (4) Chairperson. The Common Council shall appoint one member of the Public Works Board to serve as Chairperson. The Chairperson shall serve a one-year term subject to reappointment by the Common Council on an annual basis. In the absence of a Chairperson, the Public Works Board may designate a member to serve as Chairperson until such time as one is appointed by the Common Council. All meetings of the Public Works Board shall be held at the call of the Chairperson and at such other times as such Board may determine. Such Chairperson, or, in his or her absence, the Acting Chairperson, may administer oaths and compel the attendance of witnesses.
- (5) The Board is hereby empowered, subject to the direction and review of the Common Council, to:
  - (a) Prepare, recommend, and present to the Common Council a budget for the construction or repair of sidewalks as set forth in Subsection B herein.
  - (b) Review the sidewalk inventory of the City of Hudson and set a schedule of order of priority for repairs and construction which shall be reviewed on at least an annual basis.
  - (c) Establish rules of procedures relative to hearing of appeals permitted under Subsection C(2)(c) herein.
  - (d) Hear and decide appeals as set forth in Subsection C(2)(c) herein. In so deciding, the Board uphold the Commissioner's determination, reverse the Commissioner's determination, or modify the Commissioner's determination.
  - (e) Recommend to the Common Council a project manager to oversee the construction and repair of sidewalks governed by this article. Any such project manager shall be subject to appointment by the Common Council at a salary or compensation to be fixed by the Common Council.
  - (f) Report to the Common Council the status of construction and repairs performed pursuant to § C22-18.1 of the Charter.
- F. Duties of owner. Nothing herein shall modify or abolish the duty of the owner of lands abutting any street, highway, alley or other public place in the City to keep the sidewalks, approaches or street driveways adjoining such lands free and clear of and from snow, ice and all other obstructions, nor shall anything herein modify or abolish the liability of such owner for any injury or damage caused by reason of omission, failure or negligence to keep such sidewalk free from snow, ice or other obstructions as set forth in § C34-3 of the Charter.

**§ C22-18.1. Repair of sidewalks: notice; collection of costs.**

- A. The Commissioner of Public Works shall have power to require the owner or occupant of any lot or lots to make, lay, relay, repair, grade and regrade the sidewalk in front of, in the rear of or on the side of said lot or lots, and to curb and gutter adjoining the sidewalk, or to construct a culvert under the same, or to reset the curbstone, and relay the gutter and



reconstruct the culvert, all with such material as he may prescribe therefor, under the direction of and on a grade to be established by said Commissioner, within a time to be fixed by him, which time shall not be less than 30 days from the time of the service of the copy of the notice upon such owner, agent, occupant or person in possession. The Commissioner of Public Works shall cause to be served, at least 30 days before the expiration of the time so specified for such work to be done, upon the owners of the lands adjoining such sidewalks, curbstones, gutter or culvert, so to be made as aforesaid, a copy of such notice, with a notice that if the same is not done within the specified time by the owner of the adjoining land, it will be done by the Department of Public Works at the expense of such owner. It shall be the duty of the owner or owners of such property or properties to obtain a permit from the Department of Public Works prior to doing any work required by this section. Work started without such permit may be stopped by the Department of Public Works until such permit is obtained. Any person violating such a stop order and/or failing to obtain a permit shall be guilty of a violation punishable as follows: by imprisonment for a term not exceeding 15 days or by a fine not exceeding \$250, or by both such fine and imprisonment. The continuation of a violation shall constitute, for each day the offense is continued, a separate and distinct offense hereunder. The City Court shall have jurisdiction to try all such offenses.

- B. Such notice and all notices in this section mentioned may be served upon such owner or owners, whether he be a resident or nonresident, in any of the following ways, namely:
- (1) By delivering a copy thereof to the owner personally; or
  - (2) By delivering a copy thereof to some member of his family of a suitable age and discretion; or
  - (3) By delivering a copy thereof to any person of suitable age and discretion residing with him; or
  - (4) By delivering a copy thereof to his agent having charge of such property; or
  - (5) By delivering a copy thereof to any occupant of such property of suitable age and discretion; or
  - (6) By depositing a copy thereof in the post office at Hudson, New York, securely closed in an envelope with the postage prepaid thereon, directed to such owner at his last known place of residence; or
  - (7) By affixing a copy thereof upon a conspicuous part of the premises.
- C. An error in or the omission of the name of any owner or owners of the abutting property shall not vitiate or impair any proceeding or act under this section, provided service of such notice has been made in any of the ways hereinbefore authorized. The officer making such service shall, in his affidavit of service, specify the mode of service employed by him. The Commissioner of Public Works shall also, at least 20 days before the expiration of the time specified for such work to be done, cause a copy of such notice to be published at least once in the official paper or papers of said City. If there be two or more owners of any piece of property, service upon one of them shall be sufficient. Affidavits of the publication and service of such notice may be filed or recorded, or both, in the office of the Clerk of said City, and the affidavits, or the record thereof, or a certified copy of either, shall, in all courts

and places, actions and proceedings, be prima facie evidence of the facts therein stated.

- D. In case any such improvement, act or thing so required shall not be made, done or completed as required within the time specified, the Commissioner of Public Works shall have the power to make, do or complete or contract to complete the same at a cost not exceeding the actual cost of labor and material for such proposed improvement, to which may be added not to exceed 10% thereof to cover the cost of the service and publication of the notice, as provided by this section, and such other expense as the City may incur in making the proposed improvement.
- E. All City expenses in performing improvements, acts or things required to be made, done or completed by this section shall be a lien upon the property benefited by such improvements, acts or things, and the Commissioner may enforce its collection by appropriate remedies.
- F. Those provisions of this § C22-18.1 compelling owner construction or repair of sidewalks shall not apply to lots or parcels included in the City of Hudson Sidewalk Improvement District and subject to an assessment for work performed in that District pursuant to § C22-18 of the Charter; provided, however, that should a court of competent jurisdiction hold, or the City so concede, that § C22-18 of the Charter in its entirety is invalid or unconstitutional, or that any particular property within the Sidewalk Improvement District not be subject to Sidewalk Improvement District assessments pursuant to § C22-18 shall be subject to the provisions regarding sidewalk construction or repair set forth in this § C22-18.1. **[Added 3-28-2023 by L.L. No. 2-2023 ]**

#### **§ C22-19. Power to order removal of street obstructions.**

The Commissioner of Public Works shall have power and it shall be his duty to regulate the setting and location of telegraph, telephone and electric light and power poles, gasoline tanks and pumps, tie posts and horse blocks, and to remove them or any of them summarily if, in his judgment, they interfere with the safe and full use of the highway by the public, and in case the owner or owners, after reasonable notice, refuse to remove them or change their location. All City expenses incurred in performing such removals shall be a lien upon the property upon which such removals are made, and the Commissioner of Public Works may enforce its collection by appropriate remedies.

#### **§ C22-20. Regulation of storage tanks in public places.**

In addition to other powers conferred upon him by law, the Commissioner of Public Works of the City of Hudson is hereby empowered to prohibit or regulate, to restrict, locate or relocate the placing or maintenance of tanks, containers, pumps and similar appliances for the storage and distribution of gasoline or other motor fuel and to prohibit or regulate the placing or maintenance of air towers for the storage and distribution of compressed air, within the boundaries of any public highway or place in the City, or beneath the surface of any such public highway or place; to remove existing tanks, containers, air towers and appliances heretofore placed in any such public highway or place, or such as may be so placed pursuant to this Charter; and for the purposes of revenue or regulation, the Common Council may require license fees, bonds, permits or other consents for the maintenance and operation of all such tanks, containers, air towers, pumps and similar appliances as are or may be placed as aforesaid, and may adopt an ordinance, ordinances, local law or local laws carrying into effect the powers granted to the Commissioner of

Public Works by this or any other provision of law and may provide for the enforcement of such ordinance, ordinances, local law or local laws by prescribing penalties for violations thereof.

**§ C22-21. Power to erect and maintain signs and posts.**

The Commissioner of Public Works shall have power and it shall be his duty to erect and keep firmly in the ground all signs, posts, parking meter posts, stanchions, frames, fence posts and fences on the streets, sidewalks and alleys as may be required for the purpose of City use, and shall maintain and keep in proper repair and/or replace all street name signs as conditions warrant.

**§ C22-22. Power to control trees in public places.**

The Commissioner of Public Works shall also have power, and it shall be his duty, to regulate and control the planting and setting out of trees and shrubs in and upon the highways, streets, sidewalks and all other public places of the City, except cemetery lands, and to inspect and ascertain the condition of such trees and shrubs so planted. If, in his sole judgment, any such tree or shrub shall have become unsightly, detrimental to or destructive of any highway, street, sidewalk or public place, or shall interfere with, impede or prevent the safe or full use thereof by the public, the Commissioner shall notify the owner of the property abutting the place upon which such tree or shrub stands or stood to remove the same or the stump thereof, or otherwise prune such tree or shrub, within such period of time, not to exceed 30 days, from the date of such notice as the Commissioner shall prescribe. In the event that such owner shall fail, refuse or neglect so to do, the Commissioner shall have the power forthwith to cause such tree, shrub or stump to be pruned or removed and all City expenses incurred in performing such pruning or removal shall be a lien upon the property upon which such pruning is made, and the Commissioner of Public Works may enforce its collection by appropriate remedies. The trunk, trunks, shoots or stump of any tree or shrub directed to be removed under the provisions of this section or any other provision of law shall be severed at or below ground level or grade only and no part thereof shall be permitted to protrude above such level or grade. For the purposes of this section, any tree or shrub which overhangs any highway, street, sidewalk or public place in such a way as to impede or interfere with traffic or travel thereon or which obstructs any street lamp or traffic light or sign or interferes therewith shall be deemed to have been planted or set out in and upon such public ways and places.

**§ C22-23. Power to regulate water system.**

The Commissioner of Public Works shall have power, and it shall be his duty, to make proper rules and regulations for the use of the City water, and to provide for the protection and preservation of the waterworks and all property connected therewith, and to enact proper penalties, not exceeding \$250 for each offense, for the violation of any such rules or regulations. A summary of such rules and regulations shall be published once in the official paper and such publication shall be notice thereof to all persons. Such rules and regulations may be enforced and such penalties be collected with costs by said Commissioner in his name, in either the Supreme Court, the County Court of Columbia County or the City Court created by this Charter, and the observance of such rules and regulations may also be enforced by cutting off the use and supply of water from any person violating the use of them, or either of them.

**§ C22-24. Power over water rents and supply.**

Said Commissioner of Public Works may establish a scale of annual rents or fix the sum or sums of money to be paid by any person, firm or corporation within the limits of said City of Hudson that may be permitted by said Commissioner to use the City water. Said Commissioner shall report all such leases and all sums so fixed by monthly reports to the City Treasurer, who shall collect such rents and sums of money fixed or agreed upon for the use of said water. The Commissioner shall also have power and authority to establish a scale of annual rents or fix a sum or sums of money or consideration to be paid by any person, firm or corporation without the limits of said City that may be permitted by said Commissioner to use said water for any purpose, and said Commissioner is hereby empowered to permit the use of said water by such persons, firms or corporations as in his discretion may seem best in the interests of said City; provided, however, that no agreement or contract shall be entered into for the use of said water which shall extend for a period of greater than five years, but the City shall not in any event be liable for damages, or otherwise, to any such persons, firms or corporations for any damages resulting to any of them either from a diminution or failure of the amount of water supply or from any pollution or impurity of the same, or from any leakage or defect in the system of reservoirs, pipes and mains supplying said water. The Commissioner of Public Works shall at all times have the right as against any such person, firm or corporation, without liability on his part, to shut off the supply of water whenever and for so long a time as in his judgment may be necessary. Said Commissioner shall report all such leases and all sums so fixed by monthly reports to the City Treasurer, who shall collect such rents and sums of money fixed or agreed upon for the use of said water without the limits of said City.

**§ C22-25. Disposition of moneys received from sale of water.<sup>3</sup>**

- A. All moneys received from the sale<sup>3</sup> of water shall be used in paying the expense of maintaining the water system, and any surplus remaining shall be applied to the payment upon maturity of any outstanding water improvement bonds of the City. When all of such bonds shall have been paid and discharged, then such surplus shall be placed by the City Treasurer to the credit of a fund to be known as the "Water Rent Fund," which shall be used when required for the improvement, extension, enlargement, repair or replacement of the water supply system. Until such fund, or any part thereof, shall be required for any of the purposes herein stated, the City Treasurer shall invest the same in such securities as the savings banks of this state are by law permitted to invest in, and the income therefrom shall be added to and become a part of such fund. The purpose of this section, among other things, is to provide a perpetual fund for water supply purposes.
- B. The City Treasurer shall annually report to the Common Council, under oath, the amount standing to the credit of such sinking fund. The Common Council may at any time require the City Treasurer to furnish a bond, additional to that hereinbefore provided for, with sufficient sureties and in an amount to be approved by the Common Council, conditioned for the care, preservation and security of the Water Rent Fund, and of any securities purchased under the provisions of this section, and the City Treasurer shall at any time upon the request of the Mayor~~City Manager~~, City Judge, Commissioner of Public Works or members of the Common Council, or any of them, exhibit to them, or any of them, the securities held by him under the

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3. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

provisions of this section, and give them, or any of them, full opportunity to examine the same.

**§ C22-26. Regulation of transit facilities and leasing of buses. [Added 5-18-1976 by L.L. No. 5-1976 ]**

In addition to other powers conferred upon him by law, the Commissioner of Public Works is hereby empowered to regulate the routine operation and maintenance of the mass-transit facilities and to enter into leases for the rental of buses owned by the City at hourly rates as adopted by the Common Council.

ARTICLE XXIII  
Department of Cemeteries

**§ C23-1. Establishment of Department.**

There shall be in the City of Hudson a department known as the "Department of Cemeteries."

**§ C23-2. Appointment of subordinates; absence or disability of Commissioner.<sup>1</sup>**

The Commissioner of Public Works shall have the power to appoint a Superintendent of Cemeteries and such other subordinates as may be necessary to exercise the powers and discharge the duties conferred and imposed upon him by law. The appointment of the Superintendent and subordinates shall be for a probationary period pending passing of the civil service examination, and thereafter shall be permanent. In case of the absence or inability of the Commissioner or of a vacancy in the office of Commissioner, the Superintendent of Cemeteries shall discharge the duties of the Commissioner until the Commissioner returns, his disability ceases or the vacancy is filled.

**§ C23-3. Required undertaking by Commissioner and designees.**

The Commissioner and such other persons as the Commissioner shall designate, before entering upon the discharge of the duties of their respective offices, shall each execute and file with the City Clerk an official undertaking in such sum as may be specified elsewhere in this Charter.

**§ C23-4. Powers and duties of Commissioner.**

The Commissioner of Public Works may maintain in the cemetery grounds a suitable mortuary chapel and suitable buildings to house tools and implements, and shall defray the expense thereof from any funds subject to his draft except the proceeds of the sale of cemetery purchase bonds. He shall have exclusive control and management of laying out, altering, beautifying and improving cemetery ground belonging to said City, or which may be purchased or acquired by the City for such purposes, in such manner as the Commissioner may deem proper, and make rules and regulations for preserving and keeping in repair the buildings, fences and other property, as well as the avenues, roads and walks, and for preventing the destruction or mutilation of trees, shrubbery or any other property in or about the cemeteries of said City, which rules and regulations shall be enforced in the same manner as the ordinances of the Common Council. He shall have the power to fix the amount to be paid for the annual or perpetual care of cemetery lots.

**§ C23-5. Sale of cemetery lots; recording of sales.<sup>2</sup>**

The Commissioner of Public Works shall have the power to regulate the sale of cemetery lots and plots in any of the cemeteries of the City, and to fix the prices to be paid therefor. The Superintendent of Public Works, under the direction of the Commissioner of Public Works, shall

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1. Editor's Note: At a referendum held 11-5-1996, the electors of the City of Hudson voted to abolish the position of Commissioner of Cemeteries and to combine those duties with those of the Commissioner of Public Works. Therefore, former §§ C23-2, establishing the position of Commissioner of Cemeteries, C23-3, establishing the term of office of the Commissioner of Cemeteries, and C23-4, regarding the certification of the appointment of the Commissioner of Cemeteries by the Mayor, were deleted at time of adoption of Code (see Ch. 1, General Provisions, Art. I.)

2. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).



prepare accurate maps of all the cemetery lands and lots, plots, paths, walks and driveways, which maps shall be filed with the City Clerk in his office and preserved there, and be at all times open to public inspection. Each lot and plot shall be duly numbered, and such numbers shall be entered plainly upon the maps aforesaid. Every deed of such lot or plot shall be executed by the City Treasurer and countersigned by the Commissioner of Public Works and by the City Clerk. It shall be the duty of the City Clerk immediately upon the passage of this Charter to prepare a form of deed for the purpose aforesaid; and no other form of deed shall be used in the City for that purpose. Such deeds shall be consecutively numbered, and there shall be a corresponding number of blank deeds bound in book form and correspondingly numbered; and when any deed shall be executed as aforesaid it shall be the duty of the City Clerk to accurately copy the same, including the name of the grantee or grantees, an accurate description of the property and the lot numbered, upon a blank correspondingly numbered in said book, and the grantee shall thereupon, and before the delivery of said deed, pay to the Clerk the sum as established by the Common Council for making such copy. New books of blanks shall be furnished by the City Clerk from time to time whenever they shall become necessary, and the charge for the same shall be audited and payment thereof provided by the Common Council; such books shall be consecutively numbered and kept in the office of the City Clerk and be at all times open to inspection by the public. The price of such lot or plot shall be paid to and received by the City Treasurer and by no other person, and neither the Commissioner of Public Works nor the City Clerk shall countersign any deed executed by the City Treasurer unless the grantee therein or the person representing him shall before such countersigning exhibit to them a receipt for the consideration duly executed by the City Treasurer. No deed of any such land, lots or plots shall be valid unless executed by the City Treasurer and countersigned by the Commissioner of Public Works and the City Clerk, and the City Clerk shall cause to be printed upon the back of each deed a copy of this section. The City Clerk shall further provide books, which shall be preserved in his office, and in which may be recorded conveyances of any such lots or plots by the grantees thereof, and for recording the same he shall receive the fees provided by law for county clerks for similar services. The fees received by the Clerk under this section shall be held by him for his own proper use and benefit.

**§ C23-6. Disposition of moneys received from lot sales. [Amended 7-19-1983 by L.L. No. 5-1983 ; 5-19-1992 by L.L. No. 5-1992 ]**

All moneys hereinafter received by the City Treasurer from the sale of lots or plots from any of the cemeteries of the City shall, to the extent of 90% thereof, be placed by him to the credit of the Department of Cemeteries, to be used by it for laying, altering, beautifying, improving and preserving the cemeteries of the City. The remaining 10% of such moneys arising from the sale of cemetery lots or plots shall immediately, upon its receipt, be placed by the City Treasurer to the credit of a fund to be known as the "Cemetery Maintenance Fund," and the City Treasurer shall invest the same in such securities as the savings banks of this state are by law permitted to invest in. Such securities shall be purchased and held by the City Treasurer in the name of the City of Hudson and shall be its property, and the income shall be collected by him and immediately upon collection be placed by him to the credit of the Department of Cemeteries to be used by it for cemetery purposes. The City Treasurer shall annually report to the Common Council, under oath, the amounts standing to the credit of such maintenance fund or a detailed list of all securities purchased by him under this section. The City Treasurer shall have authority to sell all or any of such securities which shall be held by him in the same manner, and when any of the securities purchased under this section shall have been paid and discharged



in full, the City Treasurer may invest the proceeds in other similar securities. The purpose of this section, among other things, is to provide for a perpetual fund for cemetery purposes. The Common Council of the City of Hudson may at any time require the City Treasurer to furnish a bond, additional to that hereinbefore provided for and with sufficient sureties in an amount to be approved by the Common Council, conditioned for the care, preservation and security of the Cemetery Maintenance Fund and of all securities purchased under the provisions of this section. The City Treasurer shall at any time, upon the request of the ~~Mayor~~City Manager, Commissioner of Public Works or the Common Council, or any of its members, exhibit to them or any of them the securities purchased and held by him under the provisions of this section and give them or any of them full opportunity to examine the same.

**§ C23-7. Fees for opening and closing graves; free burials.**

The Commissioner shall collect such fees as he may prescribe for opening and closing graves, and pay over the same monthly to the City Treasurer. He shall set apart a suitable portion of the cemetery grounds for free burial, and shall when desired bury dead therein without charge, shall cause each grave therein to be properly marked and registered, and shall keep such portion of the grounds in a clean and healthful condition.

**§ C23-8. Other powers and duties of Commissioner.**

In addition to the powers and duties specifically enumerated herein, the Commissioner of Public Works shall have the same authority, powers and duties heretofore vested in and held by any previous commission or commissioner having powers of supervision over the Department of Cemeteries under this or any previous Charter or local law, except as otherwise may have been amended.

**§ C23-9. Commissioner to supervise departmental expenditures.**

The Commissioner of Public Works shall have the supervision of the expenditure of all moneys appropriated to the Department of Cemeteries.

**§ C23-10. Power of Commissioner over departmental meetings and reports.**

The Commissioner of Public Works shall have the authority to administer oaths, take evidence, affidavits and acknowledgments in all meetings and proceedings pertaining to the Department. He shall have the general supervision over the records of the Department and its officers and employees. He shall possess such other powers and perform such other duties as may be prescribed by law and all ordinances and local laws of the Common Council of the City of Hudson.

**§ C23-11. Required reports of Commissioner.**

It shall be the duty of the Commissioner of Public Works to meet with the ~~Mayor~~City Manager of the City of Hudson for the purpose of reporting to him the condition of the Department of Cemeteries and the conduct of his office on the second Tuesday of each month; provided, however, that in the event the second Tuesday of any month should fall upon a public holiday, he shall meet with the ~~Mayor~~City Manager on the first day thereafter.

ARTICLE XXIV  
Department of Youth

**§ C24-1. Establishment of Department.**

There shall be in the City of Hudson a department known as the "Department of Youth."

**§ C24-2. Appointment of Commissioner of Youth.**

There shall be appointed by the ~~Mayor~~City Manager a Commissioner of Youth, who shall be the head of the Department of Youth.

**§ C24-3. Term of office of Commissioner. [Amended 1-20-2004 by L.L. No. 1-2004 ; 5-16-2006 by L.L.No. 7-2006]**

The Commissioner of Youth shall hold office during the pleasure of the ~~Mayor~~City Manager.

**§ C24-4. Certification of appointment of Commissioner.**

The appointment of the Commissioner of Youth shall be evidenced by a certificate in writing signed by the ~~Mayor~~City Manager and filed forthwith in the office of the City Clerk.

**§ C24-5. Appointment of subordinates; absence or disability of Commissioner. [Amended 1-20-2004 by L.L. No. 1-2004 ; 5-16-2006 by L.L. No. 7-2006 ]**

The Commissioner of Youth shall appoint to hold office a Director of Youth and such other subordinates as may be necessary to exercise the powers and discharge the duties conferred and imposed upon him by law. The appointment of the Director and subordinates shall be for a probationary period pending passing of the civil service examination, and thereafter shall be permanent. In case of the absence or inability of the Commissioner or of a vacancy in the office of Commissioner, the Director of Youth shall discharge the duties of the office until the Commissioner returns, his disability ceases or the vacancy is filled.

**§ C24-6. Required undertaking by Commissioner and designees.**

The Commissioner and such other persons as the Commissioner shall designate, before entering upon the discharge of the duties of their respective offices, shall each execute and file with the City Clerk an official undertaking in such sum as may be specified elsewhere in this Charter.

**§ C24-7. Vacancy in office of Director of Youth. [Added 5-16-2006 by L.L. No. 7-2006 ]<sup>1</sup>**

Whenever a vacancy occurs in the office of the Director of Youth, the Commissioner of Youth shall appoint in his discretion a person deemed by him to be suitable and competent to fill the same, pursuant to law.

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1. Editor's Note: This section was previously repealed 1-20-2004 by L.L. No. 1-2004.

**§ C24-8. Powers and duties of Commissioner.**

The Commissioner of Youth is hereby invested with all the powers and duties now or hereafter to be prescribed and provided by the general statutes of the State of New York relating to youth agencies and assistance, so far as the same are applicable and not inconsistent with this Charter. He shall have power to establish, maintain and operate a bureau or agency thereof for the purpose of coordinating and supplementing the activities of public and private agencies devoted in whole or in part to the welfare and protection of youth within the City of Hudson, and to undertake and promote activities and establish, maintain and operate projects devoted in whole or in part to providing leisure-time activities for youth or assistance to children. He shall have the power to expend moneys for the purposes of establishing, maintaining and operating such bureau or agency, and may also receive and expend moneys from the state, the federal government or private individuals, corporations or associations for such purposes. He shall also be invested with all the powers and duties now or hereafter to be prescribed for recreation and provided by Article 13 of the General Municipal Law of the State of New York, and for those purposes have the power to expend moneys in accordance with law.

**§ C24-9. Power of Commissioner over departmental meetings and reports.**

The Commissioner of Youth shall have the authority to administer oaths, take evidence, affidavits and acknowledgments in all meetings and proceedings pertaining to the Department. He shall have the general supervision over the records of the Department and its officers and employees. He shall possess such other powers and perform such other duties as may be prescribed by law and all ordinances and local laws of the Common Council of the City of Hudson.

**§ C24-10. Required reports of Commissioner.**

It shall be the duty of the Commissioner of Youth to meet with the ~~Mayor~~City Manager of the City of Hudson for the purpose of reporting to him the condition of the Department of Youth and the conduct of his office, on the second Tuesday of each month; provided, however, that in the event that the second Tuesday of any month should fall upon a public holiday, he shall meet with the ~~Mayor~~City Manager on the first day thereafter.

ARTICLE XXV  
**City Planning Board**  
[Amended 1-18-2000 by L.L. No. 1-2000 ; 2-18-2014 by L.L. No. 1-2014 ]

**§ C25-1. Establishment of Board.**

There shall be in the City of Hudson a board known as the "City of Hudson Planning Board."

**§ C25-2. Members; appointment; terms of office; removal; filling of vacancies.**

There shall be appointed by the MayorCity Manager seven members, who together shall be the City of Hudson Planning Board, and, as nearly as possible, 1/3 of them shall be appointed for the term of one year, 1/3 for a term of two years and 1/3 for a term of three years; and at the expiration of such terms, the terms of office of their successors shall be three years, so that the term of office of 1/3 of such Board, as nearly as possible, shall expire each year. All appointments to fill vacancies shall be for the unexpired term. Not more than 1/3 of the members of said Board shall hold any other public office in the City of Hudson, and no person who is a member of the Common Council shall be eligible for membership on said Board. The MayorCity Manager shall have the power to remove, after public hearing, any member of the Board for cause. Any Board member may be removed for noncompliance with minimum requirements relating to meeting attendance and training as established by any applicable local or state law.

**§ C25-3. Certificate of appointment of members.**

The appointment of the members shall be evidenced by a certificate, in writing, signed by the MayorCity Manager and filed forthwith in the office of the City Clerk.

**§ C25-4. Appointment of Chairperson and staff; payment of expenses.**

The MayorCity Manager shall annually appoint a Chairperson from the members of the Board. It shall have the power and authority to employ experts, clerks and a Secretary, excepting employment of experts whose position and appointment are prescribed by the MayorCity Manager in this Charter, and to pay for such services and such other expenses as may be necessary and proper, not exceeding in all the appropriation that may be made by the Common Council for said Board.

**§ C25-5. Members serve without compensation.**

The members of the Board shall serve without compensation for their services as such members.

**§ C25-6. Training.**

Each member of the Planning Board shall complete four hours of training each year designed to enable such members to more effectively carry out their duties. Training received by a member in excess of four hours in any one year may be carried over by the member into succeeding years in order to meet the requirements of this section. Such training shall be approved by the Common Council. To be eligible for reappointment to the Planning Board, a member shall have completed such training. No decision of the Board shall be voided or declared invalid because of a failure by any member to comply with this section.

**§ C25-7. Certain matters to be referred to Board.**

- A. The following matters, or any one of them, shall be referred to the Board for report thereon by the Common Council, the ~~Mayer~~City Manager or other boards or public officers or departments of the City of Hudson, which is the final authority thereon before final action thereon by such authority: the adoption of any map or plan of the City, or part thereof, including drainage and sewer or water system plans or maps, and plans and maps for any public waterfront or marginal street, or public structure upon, in or in connection with such front or street, or for any dredging, filling or fixing of lines with relation to, said front; any change of any such maps or plans; the location of any public structure upon, in or in connection with, or fixing lines with relation to, said front; the location of any public building, bridge, statue or monument, highway, park, parkway, square, playground or recreation ground or public open place of the City.
- B. The Council may, by local law, provide to the Planning Board authority to approve, modify and approve, or disapprove plats showing lots, blocks or sites, with or without streets or highways in accordance with § 32 of the General City Law and, where applicable, § 239-n of the General Municipal Law; to approve, modify and approve, or disapprove site plans and special use permits in accordance with § 27(a) and (b) of the General City Law and, where applicable, § 239-m of the General Municipal Law; or report to the Council or other board on any matter or class of matters related to City zoning or land use planning for the purpose of providing for the future growth and development of the City and affording adequate facilities for the housing, transportation, distribution, comfort, convenience, safety, health and welfare of the citizens of Hudson. The Board shall have the full power and authority to make investigations, maps, reports, and recommendations in connection therewith relating to the planning and development of the City as it deems desirable, providing the total expenditures of said Board shall not exceed the appropriation provided therefor.

**§ C25-8. Requests for reports.**

The Common Council may, at any time, request the Board to report to the Council at a given time on any matter or class of matters related to City zoning or land use planning, but no action of the Council shall deprive the Board of its rights or relieve it of its duty to report at such time as it deems proper upon any matter at any time referred to it.

**§ C25-9. City maps.**

Such Planning Board may cause to be made a map or maps of the City, or any portion thereof, or of any land outside the limits of the City so near or so related thereto that in the opinion of the Board it should be so mapped. Such plans may show not only such matters as by law have been or may be referred to the Planning Board, but also any and all matters and things with relation to the plan of the City which to said Planning Board deem necessary and proper, including recommendations and changes suggested by it, and any report at any time made may include any of the above. The Board may obtain expert assistance in the making of any such maps or reports or in the investigations necessary and proper with relation thereto.

**§ C25-10. Layouts of streets and building lots to be approved.**

No plan, plot or description showing the layout of any highway or street upon private property, or of building lots in connection with or in relation to such highway or street, shall, within the limits of the City of Hudson, be received for record in the office of the Clerk of the County of Columbia until a copy of said plan, plot or description has been filed with the Board and it has certified, with relation thereto, its approval thereof. Such certificate shall be recorded as a part of the record of said original instrument containing said plan, plot or description. No such street or highway which has not received the approval of the Board shall be accepted by the City until the matter has been referred to the Board under the provisions of this article. But if any such street is plotted or laid out in accordance with the map of the City adopted according to law, then it shall not be necessary to file such copy or to obtain or record such certificate.

**§ C25-11. Rules and regulations.**

The Planning Board may recommend to the Common Council regulations relating to any subject matter over which the Board has jurisdiction under this article to govern its actions in carrying out the provisions of this article and Article 3 of the General City Law. Adoption of any such recommendations by the Council shall be by local law.

**§ C25-12. Required reports of Chairman of Board.**

The Chairman of the Board shall have the duty to meet with the ~~Mayor~~City Manager of the City of Hudson for the purpose of reporting to him the condition of the Board and the conduct of his or her office on the second Tuesday of each month; provided, however, that in the event the second Tuesday of the month should fall upon a public holiday, he or she shall meet with the ~~Mayor~~City Manager on the first day thereafter.

**§ C25-13. Voting requirements.**

Every motion or resolution of the Planning Board shall require for its adoption the affirmative vote of a majority of all the members of the Board. Where an action is the subject of a referral to the county planning agency, the voting provisions of §§ 239-m and n of the General Municipal Law shall apply as applicable.

**§ C25-14. Statutory authority.**

This article is enacted and the Hudson City Planning Board is created pursuant to the powers given by Article 3 of the General City Law.

ARTICLE XXVI  
**Commissioner of Purchases**

**§ C26-1. Establishment of office.**

There shall be in the City of Hudson an office known as the "Office of Commissioner of Purchases."

**§ C26-2. Appointment of Commissioner; term of office.**

There shall be appointed by the ~~Mayor~~City Manager a Commissioner of Purchases, who shall hold office during the pleasure of the ~~Mayor~~City Manager.

**§ C26-3. Certification of appointment of Commissioner.**

The appointment of the Commissioner of Purchases shall be evidenced by a certificate in writing signed by the ~~Mayor~~City Manager and filed forthwith in the office of the City Clerk.

**§ C26-4. Review of estimates pertaining to materials purchases.<sup>1</sup>**

It shall be the duty of the Commissioner of Purchases to receive and examine all departmental estimates pertaining to purchases of materials and supplies prior to the time when such estimates are to be forwarded to the Board of Estimate and Apportionment for inclusion in the following year's fiscal budget.

**§ C26-5. Coordination of departmental purchases; recommendations.**

It shall be the duty of the Commissioner of Purchases to coordinate all items of the same kind to be purchased by the various departments and make such recommendations as he shall, in his best judgment, deem proper for purchasing by the various departments as authorized by the budget as approved.

**§ C26-6. Required reports of Commissioner.**

It shall be the duty of the Commissioner of Purchases to meet with the ~~Mayor~~City Manager of the City of Hudson for the purpose of reporting to him the condition of the office of the Commissioner of Purchases and the conduct of his office on the second Tuesday of each month; provided, however, that in the event the second Tuesday of any month should fall upon a public holiday, he shall meet with the ~~Mayor~~City Manager on the first day thereafter.

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1. Editor's Note: Former § C26-4, Required undertaking of Commissioner, was deleted at time of adoption of Code (see Ch. 1, General Provisions, Art. I). See § C5-2A.



**ARTICLE XXVII  
Commissioner of Grants**

**§ C27-1. Establishment of office.**

There shall be in the City of Hudson an office known as the "Office of Commissioner of Grants."

**§ C27-2. Appointment of Commissioner; term of office.**

There shall be appointed by the ~~Mayor~~City Manager a Commissioner of Grants, who shall hold office during the pleasure of the ~~Mayor~~City Manager.

**§ C27-3. Certification of appointment of Commissioner.**

The appointment of the Commissioner of Grants shall be evidenced by a Certificate in writing signed by the ~~Mayor~~City Manager and filed forthwith in the office of the City Clerk.

**§ C27-4. Responsibility of Commissioner.<sup>1</sup>**

It shall be the responsibility of the Commissioner of Grants to familiarize himself with all current and proposed federal and state legislation granting funds to local government for various uses.

**§ C27-5. Duty to advise appropriate officials of funds available. [Amended 9-20-2022 by L.L. No. 6-2022 ]**

It shall be the duty of the Commissioner of Grants, upon receipt of such information, to acquaint the ~~Mayor~~City Manager, members of the Common Council and the Planning Board of such available federal and state funds and the conditions under which the City of Hudson could qualify.

**§ C27-6. Required reports of Commissioner.**

It shall be the duty of the Commissioner of Grants to meet with the ~~Mayor~~City Manager of the City of Hudson for the purpose of reporting to him the condition of the office of the Commissioner of Grants and the conduct of his office on the second Tuesday of each month; provided, however, that in the event the second Tuesday of any month should fall upon a public holiday, he shall meet with the ~~Mayor~~City Manager on the first day thereafter.

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1. Editor's Note: Former § C27-4, Required undertaking of Commissioner, was repealed 4-20-2004 by L.L. No. 3-2004. See § C5-2A.

ARTICLE XXVIIIA

**Department of Senior Services**

**[Added 1-17-1978 by L.L. No. 1-1978 ; amended 7-20-2021 by L.L. No. 4-2021 ]**

**§ C27A-1. Establishment of Department.**

There shall be in the City of Hudson a department known as the "Department of Senior Services."

**§ C27A-2. Appointment of Commissioner of Senior Services; term.**

There shall be appointed by the ~~Mayor~~City Manager a Commissioner of Senior Services who shall be the head of the Department of Senior Services who shall hold office during the pleasure of the ~~Mayor~~City Manager.

**§ C27A-3. Certification of appointment of Commissioner.**

The appointment of the Commissioner of Senior Services shall be evidenced by a certificate in writing signed by the ~~Mayor~~City Manager and filed forthwith in the office of the City Clerk.

**§ C27A-4. Appointment of subordinates; absence or disability of Commissioner.**

The Commissioner of Senior Services shall appoint to hold office a Director of Senior Services and such other subordinates as may be necessary to exercise the powers and discharge the duties conferred and imposed upon him or her by law. The appointment of the Director and subordinates shall be for a probationary period pending passing of the civil service examination, and thereafter shall be permanent. In case of the absence or inability of the Commissioner or of a vacancy in the office of Commissioner, the Director of Senior Services shall discharge the duties of the office until the Commissioner returns, the disability ceases or the vacancy is filled.

**§ C27A-5. Required undertaking by Commissioner and designees.**

The Commissioner and such other persons as the Commissioner shall designate, before entering upon the discharge of the duties of their respective offices, shall each execute and file with the City Clerk an official undertaking in such sum as may be specified elsewhere in this Charter.

**§ C27A-6. Vacancy in office of Director of Senior Services.**

Whenever a vacancy occurs in the office of Director of Senior Services, the Commissioner of Senior Services shall appoint in his or her discretion a person deemed by him or her to be suitable and competent to fill the same, pursuant to law.

**§ C27A-7. Powers and duties of Commissioner.**

The Commissioner of Senior Services is hereby invested with all the powers and duties now or hereafter prescribed and provided by the general statutes of the State of New York relating to senior service agencies and assistance, so far as the same are applicable and not inconsistent with this Charter. The Commissioner shall have power to establish, maintain and operate the Department for the purpose of coordinating and supplementing the activities of public and private agencies devoted in whole or in part to the welfare and protection of senior citizens within the City of Hudson, and to undertake and promote activities and establish, maintain and operate

projects devoted in whole or in part to providing education, recreation and support services for senior citizens. The Commissioner shall have the power to expend moneys for the purposes of establishing, maintaining and operating the Department, and may also receive and expend moneys from the state, federal government or private individuals, corporations or associations for such purposes. The Commissioner shall also be invested with all the powers and duties now or hereafter to be prescribed for senior services by the laws of the State of New York, and for those purposes have the power to expend moneys in accordance with law.

**§ C27A-8. Power of Commissioner over departmental meetings and reports.**

The Commissioner of Senior Services shall have the authority to administer oaths, take evidence, affidavits and acknowledgments in all meetings and proceedings pertaining to the Department. The Commissioner shall have the general supervision over the records of the Department and its officers and employees. The Commissioner shall possess such other powers and perform such other duties as may be prescribed by law and all ordinances and local laws of the Common Council of the City of Hudson.

**§ C27A-9. Required reports of Commissioner.**

It shall be the duty of the Commissioner of Senior Services to meet with the ~~Mayor~~City Manager for the purpose of reporting to him or her on the condition of the Department of Senior Services and the conduct of the Department on the second Tuesday of each month; provided, however, that in the event the second Tuesday of any month should fall upon a public holiday, the Commissioner shall meet with the ~~Mayor~~City Manager on the first day thereafter.

ARTICLE XXVIII  
**Harbor Master**  
**[Added 11-30-2011 by L.L. No. 8-2011 ]**

**§ C27B-1. Establishment of office.**

There shall be in the City of Hudson, as appointed by the MayorCity Manager, an officer known as the "City of Hudson Harbor Master."

**§ C27B-2. Appointment of Harbor Master; term of office.**

The MayorCity Manager may appoint a Harbor Master for the City of Hudson who shall hold office during the pleasure of the MayorCity Manager.

**§ C27B-3. Certification of appointment of Harbor Master.**

The appointment of the Harbor Master of the City of Hudson shall be evidenced by a certificate in writing signed by the MayorCity Manager and filed forthwith in the office of the City Clerk.

**§ C27B-4. Powers and duties of the Harbor Master.**

The Harbor Master shall collect fees in accordance with a fee schedule established by the Common Council, from vessels docking at any City-owned dock or marina space. The Harbor Master shall keep records of vessels docking at any City-owned dock or marina space and shall transmit all fees collected to the City Treasurer's office not more than 30 days after receipt. The Harbor Master shall, as necessary, direct vessel traffic within the jurisdictional limitations of the City in a manner which protects the public's health, safety and welfare.

**§ C27B-5. Required reports of Harbor Master.**

It shall be the duty of the Harbor Master to meet with the MayorCity Manager of the City of Hudson at least once annually to report on the condition of any City-owned dock or marina space and provide an accounting of the fees collected for the reporting year.

ARTICLE XXVIII  
Code Enforcement Officer  
[Added 12-16-1980 by L.L. No. 6-1980 <sup>1</sup>]

**§ C28-1. Establishment of office.**

There shall be in the City of Hudson an officer known as the "Code Enforcement Officer."

**§ C28-2. Appointment of Officer and salary.**

Such Officer shall be initially appointed by the ~~Mayor~~ City Manager at an annual salary to be established by the Common Council.

**§ C28-3. Powers and duties of Officer. [Amended 6-17-2008 by L.L. No. 4-2008 ]**

It shall be the duty of the Code Enforcement Officer to coordinate, implement and enforce the building, plumbing, electrical, housing, fire prevention and state environmental conservation contract codes as adopted by the Common Council of the City of Hudson and as same may be hereinafter amended, recodified or a new code adopted. It shall further be the duty of such Officer to inspect dwellings for compliance with the City's minimum standards for housing. Such duties and powers shall include but not be limited to the following:

- A. To supervise the work of the City Building Inspector and Plumbing Inspector, provided and imposed by law, local law, ordinance, rule or regulation;
- B. To receive, review, and approve or disapprove applications for building permits, certificates of occupancy, temporary certificates and operating permits, and the plans, specifications and construction documents submitted with such applications;
- C. Upon approval of such applications, to issue building permits, certificates of occupancy, temporary certificates and operating permits, and to include in building permits, certificates of occupancy, temporary certificates and operating permits such terms and conditions as the Code Enforcement Officer may determine to be appropriate;
- D. To conduct construction inspections, inspections to be made prior to the issuance of certificates of occupancy, temporary certificates and operating permits, firesafety and property maintenance inspections, inspections incidental to the investigation of complaints, and all other inspections required or permitted under any provision of the City Code or City Charter;
- E. To issue stop-work orders;
- F. To review and investigate complaints;
- G. To issue orders to remedy violations;
- H. To maintain records;

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1. Editor's Note: This local law superseded former Article XXVIII, Plumbing Inspector, added 1-17-1978 by L.L. No. 2-1978.

- I. To collect fees as set by the Common Council of this City;
- J. To pursue administrative enforcement actions and proceedings, including applications for search warrants;
- K. In consultation with this City's attorney, to pursue such legal actions and proceedings as may be necessary to enforce the Uniform Code, the Energy Code and the City Code, or to abate or correct conditions not in compliance with the Uniform Code, the Energy Code or the City Code, including injunctive relief;
- L. To make written monthly reports to the ~~Mayor~~City Manager;
- M. To serve on the Codes Review Subcommittee and to evaluate the applicability of the present codes and the need for revision or updating of existing codes.

**§ C28-4. Appointment for probationary period.**

The appointment of the Code Enforcement Officer shall be for a probationary period of six months pending passage of the necessary civil service examination.

**§ C28-5. Position to be under civil service.**

The position of Code Enforcement Officer shall be filled by the ~~Mayor~~City Manager from the civil service list.

**§ C28-6. Assistant Code Enforcement Officer. [Added 8-18-1998 by L.L. No. 9-1998 ]**

The ~~Mayor~~City Manager may appoint an Assistant Code Enforcement Officer to work not more than 20 hours per week at a rate of pay to be established by the Common Council; to work under the supervision of the Code Enforcement Officer; and to serve at the pleasure of the ~~Mayor~~City Manager.

ARTICLE XXIX  
**Building Inspector**  
[Added 1-15-1980 by L.L. No. 1-1980 ]

**§ C29-1. Establishment of office.**

There shall be in the City of Hudson an office known as the "Building Inspector."

**§ C29-2. Appointment of Inspector; salary.**

Such officer shall be initially appointed by the ~~Mayor~~City Manager at an annual salary to be established by the Common Council.

**§ C29-3. Powers and duties of Inspector.**

It shall be the duty of the Building Inspector to coordinate and implement the compliance with the Zoning Ordinance<sup>1</sup> and Housing Code and the Building Code heretofore adopted by the Common Council and particularly as follows:

- A. To make periodic inspections.
- B. To enforce the Building, Housing and Zoning Ordinances, keep records of violations, see that the violations are corrected and to take any and all necessary steps provided by law to insure compliance with such codes and ordinances.
- C. To maintain records of inspections, violations and notices issued and to make written monthly reports to the ~~Mayor~~City Manager.

**§ C29-4. Appointment for probationary period.**

The appointment of the Building Inspector shall be for a probationary period of six months, pending passing of the civil service examination.

**§ C29-5. Position to be under civil service; residency requirement.**

The position of the Building Inspector shall be a full-time position filled by the ~~Mayor~~City Manager from the civil service list. He shall be a resident of the City of Hudson.<sup>2</sup>

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1. Editor's Note: See Ch. 325, Zoning.

2. Editor's Note: Former Art. XXIXA, Director of Development and Compliance, added 2-17-1998 by L.L. No. 2-1998, which immediately followed this section, was repealed 3-20-2001 by L.L. No. 3-2001.



ARTICLE XXXI  
Terms of Employment of City Employees

**§ C31-1. Adoption of Public Employment Code. [Amended 5-31-2000 by L.L. No. 7-2000 ]**

The terms and conditions of employment of City employees other than police officers, as enacted by local law in the agreement current, at any particular time, between the City of Hudson and the City of Hudson Unit, Columbia County Chapter of the Civil Service Employees Association, Inc., or its successor organization, and the terms and conditions of employment of City employees of the Hudson Police Department, as enacted by local law in the agreement current, at any particular time, between the City of Hudson and Local 9300, Council 82, AFSCME, AFL-CIO, or its successor organization, are hereby adopted in their entirety as the Public Employment Code of the City of Hudson, New York.

**§ C31-2. Provisions of current agreement to be controlling.**

Insofar as the provisions of this article or the current agreement described in § C31-1 hereof are inconsistent with the provisions of this Charter or amendments thereto, or with the provisions of any local law, act, rule, ordinance or resolution of the City, the provisions of this article shall be controlling.

**§ C31-3. Sick leave, vacation leave and benefits for employees not covered by collective bargaining. [Added 5-19-1981 by L.L. No. 7-1981 ]**

- A. All permanently appointed employees of the City of Hudson not covered by a collective bargaining agreement shall be accorded the same sick leave, vacation leave and hospitalization benefits as set forth in the current agreement as adopted pursuant to § C31-1 as the Public Employment Code of the City of Hudson, New York.
- B. This section shall take effect retroactively as of May 1, 1970.

**§ C31-4. Additional benefits. [Added 2-16-2021 by L.L. No. 1-2021 ]**

Notwithstanding any other provision of this article, where, pursuant to Executive Law (Chapter 18, Article 2-B, § 24, of the Consolidated Laws of the State of New York), the ~~Mayer~~City Manager issues an Emergency Proclamation that results in the mandatory quarantine for precautionary isolation of a City employee, the ~~Mayer~~City Manager may provide for a period of paid leave during the mandatory quarantine or isolation period, if such employee is not otherwise able to carry out the functions and responsibilities of such job.

ARTICLE XXXII  
**Local Waterfront Revitalization Program Consistency Review Board**  
[Added 11-30-2011 by L.L. No. 7-2011 <sup>1</sup>]

**§ C32-1. Establishment of Review Board.**

There shall be in the City of Hudson a review board known as the "Local Waterfront Revitalization Program Consistency Review Board."

**§ C32-2. Members; terms of office; filling of vacancies.**

There shall be appointed by the ~~Mayor~~City Manager three members, who together shall be the Local Waterfront Revitalization Program (LWRP) Consistency Review Board, and one of them shall be appointed for a term of one year, one for a term of two years and one for a term of three years, and at the expiration of such terms, the terms of office of their successors shall be three years, so that the term of office of 1/3 of such Board shall expire each year. All appointments to fill vacancies shall be for the unexpired term. Not more than 1/3 of the members of said Board shall hold any other public office in the City of Hudson.

**§ C32-3. Certification of appointment of members.**

The appointment of the Board shall be evidenced by a certificate in writing signed by the ~~Mayor~~City Manager and filed forthwith in the office of the City Clerk.

**§ C32-4. Members to serve without compensation.**

The members of the Board shall serve without compensation for their services as such members.

**§ C32-5. Matters to be referred to Board.**

In accordance with the applicable provisions of Chapter 325 and the City of Hudson Local Waterfront Revitalization Program, all actions or direct actions subject to a coastal consistency review shall be referred to the Board by the appropriate agency of the City for a recommendation as to whether such action or direct action is consistent with the Local Waterfront Revitalization Program. Such Board shall also make such other recommendations as provided for in Chapter 325.

**§ C32-6. Statutory authority.**

This article is enacted pursuant to the powers given by the Waterfront Revitalization of Coastal Areas and Inland Waterways Act of the State of New York (Article 42 of the Executive Law).

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1. **Editor's Note:** This local law also provided for the redesignation of former Art. XXXII, Miscellaneous Provisions, consisting of

§§ C32-1 through C32-18, as Art. XXXIII, consisting of §§ C33-1 through C33-18.

ARTICLE XXXIV  
Miscellaneous Provisions

**§ C34-1. Presentation of claims against City.**

All claims against the City for damages for injuries to persons or property, claimed to have been caused or sustained by defects, want of repair or obstructions from snow or ice or other causes in the highways, streets, sidewalks or crosswalks of the City, or because of negligence of the City as to the highways, streets, sidewalks or crosswalks of the City, shall be presented to the Common Council, in writing, within one month after said injury is received. Such writing shall describe the time, place, cause and extent of the injury so far as then practicable, and shall be verified by the oath of the claimant. The omission to present said claim, as aforesaid, within one month shall be a bar to any claim or action therefor against the City. The filing of such claim in writing with the City Clerk shall be deemed a presentation thereof to the Common Council, for the purpose of avoiding the limitation as to the time within which to present such claim as provided by this section; provided, however, in case the physical or mental condition of a person injured is such as to prevent his giving such notice within one month, then the notice shall be given within 10 days after such disability shall cease.

**§ C34-2. Prior notification of defects.**

The City of Hudson shall not be liable for any damage or injury sustained by any person in consequence of any highway, street, sidewalk or crosswalk in said City being out of repair, unsafe, dangerous or obstructed by snow, ice or otherwise, or in any way or manner, unless written notice of the defective, unsafe, dangerous or obstructed condition of any such highway, street, sidewalk or crosswalk shall have been given to the ~~Mayer~~City Manager, the City Clerk or to the Superintendent of Public Works thereof at least 24 hours previous to the happening of any such damage or injury.

**§ C34-3. Duties and liability of owners as to sidewalks.**

It shall in all cases be the duty of the owner of every lot or piece of land in said City to keep his sidewalks adjoining his lot or piece of land in good repair, and to remove and clean away all snow and ice and other obstructions from such sidewalk. Such owner and each of them shall be liable for any injury or damage by reason of omission, failure or negligence to make, maintain or repair such sidewalk, or to remove snow, ice or other obstructions therefrom, or for a violation or nonobservance of the ordinances or local laws relating to making, maintaining and repairing sidewalks and the removal of snow, ice and other obstructions from sidewalks.

**§ C34-4. Debt, how incurred; claims payments to be authorized.**

No person shall have power to make any purchase or contract any debt on behalf of the City, except as herein provided. No account, claim or demand of any kind shall be audited, allowed or paid by the Common Council or by any board or commission unless the same was duly authorized or ratified by it.

**§ C34-5. Appeals from judgments against City.**

If judgment in any action or special proceeding shall be rendered against the City by any court or

judicial officer, an appeal therefrom may be taken to the proper court in the same manner and with the same effect as though the City were a natural person, except that no undertaking on appeal shall be necessary to be executed by or on behalf of the City.

**§ C34-6. Judges, jurors and witnesses not disqualified by residence.**

No person shall be disqualified from acting as judge, juror, witness or justice, by reason of being an inhabitant or freeholder in the City of Hudson, in any action or proceeding in which the City or any of its officers, boards or commissions is a party or interested.

**§ C34-7. Ordinances and local laws continued in force.**

All ordinances and local laws heretofore passed and now in force shall continue in force until the same are repealed or modified, in accordance with the provisions of this Charter.

**§ C34-8. Claims for extra services.**

The Common Council shall not, in any case, give or appropriate by resolution or otherwise, except as in this Charter provided, any sum or amount to any member thereof or of any board or commission, or to any officer of the City whose salary is fixed by the Charter or local laws, ordinances or resolution of the Common Council, for services rendered in the discharge of official duties. All claims for extra services shall be made and presented and audited as other claims against the City.

**§ C34-9. Officers not to be interested in contracts.**

No member of the Common Council or member of any commission or other City official created under this Charter shall be interested, directly or indirectly, in any work done or supplies furnished, or contract made, in pursuance of any action of the Common Council or any board or commission or officer of the City.

**§ C34-10. Fiscal year. [Amended 3-18-1997 by L.L. No. 3-1997 ; 7-15-1997 by L.L. No. 5-1997 ]**

The fiscal year, under the provisions of this Charter, shall commence on the first day of January in each and every year, commencing January 1, 1999.

**§ C34-11. Increases in compensation during fiscal year.**

- A. The power of the Common Council and of the several departments of the City of Hudson to fix the compensation of any office or position is hereby extended to include the power to increase during any fiscal year the compensation of any officer or person paid out of the treasury of the City of Hudson. Such increased compensation may be made after such salary or compensation shall have been fixed and provided for in the budget of the City for the fiscal year. The provisions of this section shall supersede § 25 of the General City Law, as amended, supplemented and in effect.
- B. Before any such increased compensation shall be paid to any person receiving compensation from the City treasury as provided for in Subsection A of this section, an application in

writing, signed by the ~~Mayor~~City Manager, commissioner or officer in charge of or directing the work performed by the person or persons applying, stating the amount of increase, shall be presented to the Board of Estimate and Apportionment for consideration. If approved by a majority of the Board of Estimate and Apportionment, said application shall be presented to the Common Council for final approval at its next regular meeting and, if approved by the Common Council, shall become effective on the first day of the month next following.

- C. This section shall not apply to the yearly increment of police officers, which increase shall have been provided for in the fiscal budget.

**§ C34-12. Meetings of boards, commissions and public bodies. [Amended 7-19-2022 by L.L. No. 5-2022 ]**

- A. Boards and commissions to hold regular monthly meetings. Each board and commission created or continued under the provisions of this Charter shall hold regular meetings at least once in each month. The time of such meetings shall be fixed by each board or commission by resolution and a copy of such resolution shall be filed in the office of the City Clerk.
- B. Authorization of meetings by videoconferencing. All public bodies, boards, and committees of the City of Hudson are authorized to use videoconferencing technology to conduct their meetings in accordance with the provisions of Section 103-a of the NY Public Officers Law, subject to the following conditions:
- (1) A minimum number of members of the public body sufficient to fulfill the public body's quorum requirement must be present in the same physical location where the public can attend;
  - (2) All members of the public body shall be physically present at any meeting of the public body unless a member is unable to be physically present due to extraordinary circumstances, including, but not limited to: disability; illness; quarantine order; the death of an immediate family member where such term is defined to include a spouse, parent, sibling, child, domestic partner, or individual for whom the member is the designated guardian; caregiving responsibilities for an immediate family member, or any other significant or unexpected factor that may preclude physical attendance.
  - (3) A member who wishes to participate in a meeting by videoconference must provide advance notice and justification for their absence to the extent possible to the appointed leadership of the public body. For purposes of the Common Council, such notice shall be provided to the Council President, or in the Council President's absence, to the Deputy Council President. In the case of a public committee, the Planning Board or the Zoning Board of Appeals, notice shall be provided to the Chair or his/her designee when the Chair is unavailable.
  - (4) The leadership of a public body may require any member requesting to participate in a meeting by videoconference to provide documentation, to the extent possible, supporting such request and may publicly confirm that such documentation was received without publicly stating the contents of such documentation.
  - (5) Except in the case of executive sessions, the public body shall ensure that members who

are participating remotely can be heard, seen, and identified at all times when the meeting is being conducted.

- (6) The minutes of meetings involving videoconferencing shall state which members, if any, participated by videoconference, and shall be available to the public.
  - (7) If videoconferencing is being used to conduct a meeting, the public notice for the meeting shall inform the public that videoconferencing will be used, where the public can view and/or participate in such meeting, where required documents and records will be posted or available, and identify the physical location for the meeting where the public can attend.
  - (8) If videoconferencing is used to conduct a meeting, the public body shall provide the opportunity for members of the public to view such meeting via video, and to participate in proceedings via videoconference in real time where public comment or participation is authorized and shall ensure that videoconferencing authorizes the same public participation as in-person participation.
  - (9) Any and all videoconferencing technology used for public meetings shall be made accessible to members of the body and the public with disabilities in accordance with the Americans with Disabilities Act of 1990, as amended.
  - (10) Nothing herein shall prohibit the Common Council or any other board or body of the City of Hudson from holding meetings entirely by videoconference, with no in-person requirement, during a state of emergency declared by the Governor of New York pursuant to Executive Law § 28, by the Columbia County Executive, or the City, if such public body determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the public body to hold an in-person meeting.
- C. The written procedures set forth in Subsection B of this section governing member attendance by videoconference at meetings of public bodies, together with any supplemental, but not contrary, written procedures that public bodies may adopt on the subject of videoconferencing, shall be conspicuously posted on the City's website.

**§ C34-13. Publication of expenditures required.**

Once each month each board and commission shall deliver, in writing to the City Clerk, a summary of all claims and demands presented to said board or commission on account of services rendered for or supplies delivered to it during the month last past, and the City Clerk shall forthwith cause said summary so presented to him in each month to be published once in the official newspaper, and no such claim or demand shall be paid by any board or commission until said publication shall have been had.

**§ C34-14. Returning of jurors.**

The several wards of the City shall be considered towns for the purpose of the return and summoning of jurors; and the supervisors elected in the respective wards shall execute the duties relating thereto, and duplicates of the returns of jurors made by them shall be filed in the office of the City Clerk.

**§ C34-15. Repeal of existing charter and applicable legislation.**

This Charter shall be a substitute for and take the place of the present charter of the City, and each and all of the provisions of the present charter, and all local laws relating to all or any of the matters in this Charter provided for, and all acts or local laws or parts of acts or local laws inconsistent with this Charter are hereby repealed.



**§ C34-16. Effect of repeal; saving clause.**

The repeal of an act or local law, or any part of it, by the provisions of this Charter, shall not affect or impair the title or interest of the City to or in any property heretofore acquired by the City and owned by it, or any bonded or other indebtedness of the City of Hudson, at the time of the taking effect of this Charter, or any right accrued or acquired under or by virtue of the law so repealed; nor shall this Charter be so construed as to affect in any way any action or proceeding pending at the date of its passage in any court or before any judicial officer in this state. Where any contract has been entered into by the City prior to the taking effect of this Charter, or any bond or undertaking has been given to or in favor of the City, such contract, bond or undertaking shall not in any manner be impaired but shall continue in full force, and if any such contract, bond or undertaking contains provisions that the same may be enforced by some officer, commission or department therein named and by the provisions of this Charter such office, commission or department is abolished, the powers conferred and the duties imposed with reference to the same upon the officer, commissioner or department which has been abolished shall thereafter be exercised and discharged by the officer, commission or department upon whom, or upon which, is conferred or imposed like powers, functions or duties under this Charter.

**§ C34-17. Severability.**

If any provision or provisions of this Charter are held to be invalid, ineffective, unconstitutional in whole or in part or inapplicable to any person or situation, it is the purpose and intent of this Charter that such determination shall not affect the validity, force and effect of any other provision or provisions thereof.

**§ C34-18. Effective date.**

This Charter shall take effect on the first day of June 1921.

**SECTION 6. SEVERABILITY**

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined to its operation in said clause, sentence, paragraph, section or part of this Local Law.

**SECTION 7. CONFLICTING LOCAL LAWS**

All Local Laws or parts of Local Laws inconsistent herewith are hereby repealed to the extent of such inconsistency.

**SECTION 8. Effective Date**

This local law shall take effect on January 1, 2026.

Introduced \_\_\_\_\_

Seconded \_\_\_\_\_

Approved \_\_\_\_\_

By \_\_\_\_\_

KAMAL JOHNSON, Mayor

(2) Severability of Petition. If any provisions of this petition shall be adjudged by any Court of competent jurisdiction to be invalid or ineffective, in whole or in part, or inapplicable to any person or situation, such holding shall not affect, impair or invalidate the remainder of this petition, and all other provisions thereof shall



nevertheless be separately and fully effective, and shall be applicable to all other persons or situations.