

CALENDAR
for
REGULAR MEETING OF THE COUNCIL
of the
CITY OF LONG BEACH
held
AUGUST 6, 2024

1. Resolution Authorizing the City Manager to Purchase Miscellaneous Plumbing Supplies and Materials on an “As Needed Basis” from the Lowest Responsible Bidders.
2. Resolution Authorizing the City Manager to Purchase Various Chemicals on an “As Needed Basis” for the Water Purification Plant from the Lowest Responsible Bidders.
3. Resolution Authorizing Settlement of Certiorari Proceedings.
4. Resolution Establishing Base Proportions in Accordance with Provisions of Article 19 of the Real Property Tax Law.
5. Resolution Authorizing the City Manager to Enter into an Agreement for the Operation of the Pro Shop at the City’s Ice Arena.
6. Resolution Authorizing the City Manager to Enter into a Contract for the Reconstruction of Heron Street, North of East Pine Street, with the Lowest Responsible Bidder.
7. Resolution Authorizing Publication for Hearing of a Local Law Correcting Local Law V/24: Amending the Charter of the City of Long Beach Re: City Officers; Their General Powers and Duties.
8. Resolution Authorizing Publication for Hearing of an Amendatory Bond Ordinance of the City of Long Beach, New York, Amending and Restating Bond Ordinance Adopted April 4, 2023.
9. Resolution Authorizing Publication for Hearing of an Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Building Code and Appendix A Zoning.
10. Resolution Authorizing Publication for Hearing of a Local Law Amending the Charter of the City of Long Beach Re: Apportionment of City Assessment and City Taxes.
11. Approval of Minutes of Prior Meeting of July 16, 2024.

August 6, 2024

Item No. 1
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Purchase
Miscellaneous Plumbing Supplies and Materials on an
“As Needed Basis” from the Lowest Responsible Bidders.

WHEREAS, after due advertising therefore, bids were received in the Office of the City Purchasing on Thursday, July 18, 2024 at 11:00 a.m. for the purchase of miscellaneous plumbing supplies and materials for use throughout the City, on an as needed basis, as per specifications on file in the Office of the City Purchasing Agent; and

WHEREAS, due to the numerous amounts of items within the bid specifications, three vendors were the lowest responsible bidders on different items: Ferguson Waterworks, 200 Atlantic Avenue, New Hyde Park, New York 11040, T-Mina Supply Inc., 17 Expressway Drive North, Medford, New York 11763 and Core & Main LP, 1536 Southern Boulevard, Suite 2, Bronx, New York 10460, for a period of one year with the option to extend for two additional one year periods, with no increase in pricing;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the City Manager be and is hereby authorized to purchase miscellaneous plumbing supplies and materials for use throughout the City on an as needed basis from Ferguson Waterworks, 200 Atlantic Avenue, New Hyde Park, New York 11040, T-Mina Supply Inc., 17 Expressway Drive North, Medford, New York 11763, and Core & Main LP, 1536 Southern Boulevard, Suite 2, Bronx, New York 10460 for a period of one year with the option to extend for two additional one year periods, with no increase in pricing. Funds are available in Accounts F8340.54410 (Water Transmission-Supplies & Materials), G8540.54410 (Sewer Maintenance-Supplies & Materials) and A1620.54410 (Municipal Building-Supplies & Materials).

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Item No. 2
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Purchase
Various Chemicals on an “As Needed Basis” for the
Water Purification Plant from the Lowest Responsible Bidders.

WHEREAS, after due advertising therefore, bids were received in the Office of
the City Purchasing Agent on Thursday, July 25, 2024 at 11:00 a.m. for the purchase of various
chemicals on an “as needed basis” for the Water Purification Plant and the following named
firms were the lowest responsible bidders in each instance;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the
City Manager be and is hereby authorized to purchase from the following lowest responsible
bidders in accordance with specifications on file in the Office of the City Purchasing Agent, on
an “as needed” basis as follows, for a period of one (1) year:

- Item 1. Aluminum Sulfate Liquid – Chemtrade Chemicals, 90 East Halsey Road,
Parsippany, NJ 07054, at a bid price of \$1.4823 per gallon; and
- Item 2. Hydrated Lime Bulk – Graymont (PA), Inc., 375 Graymont Road, Bellefonte, PA
16823 at a bid price of \$311.35 per ton.

Funds are available in Account No. F8330.54416 (Water Purification – Chemicals).

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Item No. 3
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Settlement of Certiorari Proceedings.

WHEREAS, Park Avenue Extended Care LLC, represented by Forchelli Deegan Terrana, LLP, 333 Earle Ovington Blvd, Suite 1010, Uniondale, New York 11553, has commenced an action in the Supreme Court of New York, Nassau County against the City of Long Beach to compel a reduction in the assessed valuation of the property known as Section 59, Block 69, Lot(s) 31-45 and Section 59, Block 68, Lots 43-45 on the Land and Tax Map of the County of Nassau, and also known as 425 National Blvd, Long Beach, New York for the fiscal years of 2018/19 through 2024/25; and

WHEREAS, the Tax Assessor and Corporation Counsel for the City of Long Beach have reviewed petitioner's legal papers, the income and expenses for the subject property and after extensive negotiation has agreed to settle the certiorari proceedings for a refund of \$400,000, to be made in lump sum, in two installments of \$200,000, with the first installment being paid in fiscal year 2024/25 and the second installment being paid in fiscal year 2025/26, and a reduction of the assessed valuation from \$800,000 to \$600,000 on condition that no grievance and/or petition be filed for the tax years 2025/26, 2026/27 and 2027/28 and all taxes are paid current and to date; and

WHEREAS, the Board of Assessors of the City of Long Beach has determined that the settlement, without further litigation, is in the best interests of the City of Long Beach;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the Corporation Counsel be and he hereby is authorized and directed to enter into a stipulation with Park Avenue Extended Care LLC settling the certiorari proceedings covering fiscal years 2018/19 through 2024/25 for a refund of \$400,000.00, to be made in lump sum, with the first installment being paid in fiscal year 2024/25 and the second installment being paid in fiscal year 2025/26, and a reduction of the assessed valuation from \$800,000 to \$600,000 on condition that no grievance and/or petition be filed for the tax years 2025/26, 2026/27 and 2027/28. Funds are available in Account No. A1930.54403 (Judgments and Claims) for fiscal year 2024/25 and funds will be available in a future year budget.

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Item No. 4
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Establishing Base Proportions in Accordance
with Provisions of Article 19 of the Real Property Tax Law.

WHEREAS, on October 16, 1990, the City of Long Beach amended Article 6 of Chapter 635 of the Laws of 1922, by adding at the end of said Section 103 a new subsection, which was numbered subsection 5, and which reads as follows:

“5. The provisions of Real Property Tax Law, Section 1903 concerning homestead base proportions, are hereby adopted.”

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach that the Homestead Base Proportions shall be as follows:

Homestead Base Proportion - 0.7365133051

Non-Homestead Base Proportion - 0.2634866949

Said base proportions shall apply to taxes levied on the 2024/2025 final assessment roll and to taxes levied on subsequent rolls until the Local Law adopting base proportions is amended or repealed.

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Item No. 5
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Enter into an
Agreement for the Operation of the Pro Shop at the City's
Ice Arena.

WHEREAS, after due advertising therefore, one proposal was received in the
Office of the City Purchasing Agent on Friday, June 28, 2024 at 11:00 a.m. for the operation of
the Pro Shop at the City's Ice Arena for a period of two (2) years; and

WHEREAS, Thomas Scala, 41 Soloff Blvd, Inwood, New York 11096 was the
sole responsible proposer submitting a quotation to pay an annual rental fee of \$3,000.00 to the
City for the opportunity to operate the Pro Shop;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the
City Manager be and is hereby authorized to enter into an agreement with Thomas Scala, 41
Soloff Blvd, Inwood, New York 11096 for the operation of the Pro Shop at the City's Ice Arena,
paying an annual rental fee of \$3,000.00 to the City for a period of two (2) years.

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Item No. 6
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Enter into a Contract
for the Reconstruction of Heron Street, North of East Pine Street,
with the Lowest Responsible Bidder.

WHEREAS, after due advertisement therefore, six (6) bids were received in the Office of the Commissioner of Public Works on July 25, 2024 for the reconstruction of Heron Street, north of East Pine Street, to include the replacement of sidewalks, driveway aprons and curbs, upgrading of the existing water and sewer systems, installation of new asphalt composite roadway, landscaping and installation of new street lighting, in accordance with plans and specifications on file in the Department of Public Works; and

WHEREAS, Thomas Novelli Contracting, Inc., 41 Sarah Drive, Farmingdale, New York 11735 was the lowest responsible bidder at a cost of \$1,687,775.00;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the City Manager be and is hereby authorized to enter into a contract with Thomas Novelli Contracting, Inc., 41 Sarah Drive, Farmingdale, New York 11735 for the reconstruction of Heron Street, between north of East Pine Street, at a cost of \$1,687,775.00. Funds in the amount of \$460.67 are available in Account No. H3015.52277; funds in the amount of \$118,233.19 are available in Account No. H3018.52277; funds in the amount of \$5,418.36 are available in Account No. H3023.52222; funds in the amount of \$59,384.77 are available in Account No. A3021.52358; funds in the amount of \$6,378.01 are available in Account No. H3017.52341; funds in the amount of \$731.78 are available in Account No. H1022.52249; funds in the amount of \$155,451.50 are available in Account No. H1023.52249; funds in the amount of \$291,703.11 are available H1018.52343; and funds in the amount of \$2,083.76 are available in Account No. H1021.53093. \$1,047,929.85 will be available pursuant to the borrowing set forth in the 2024/2025 Capital Projects Fund budget, of which \$447,500.00 will become a liability of the Water Fund and \$600,425.85 will become a liability of the General Fund.

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Item No. 7
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Publication for Hearing of a Local Law
Correcting Local Law V/24: Amending the Charter of the City
of Long Beach Re: City Officers; Their General Powers and Duties.

WHEREAS, there has been presented to this Council the following proposed
Local Law:

“A LOCAL LAW

CORRECTING LOCAL LAW V/24:
AMENDING THE CHARTER OF THE CITY OF LONG
RE: CITY OFFICERS; THEIR GENERAL POWERS AND DUTIES.”

(See Local Law Attached)

NOW, THEREFORE, be it

RESOLVED, that a public hearing shall be had before this Council at City Hall, 1
West Chester Street, Long Beach, New York, concerning the aforesaid Local Law, on August
20, 2024 at 7:00 p.m.; and be it further

RESOLVED, that the City Clerk be and hereby is authorized and directed to
cause a notice of said hearing to be published in the official newspaper of the City of Long
Beach, containing the title of such proposed Local Law and an explanatory statement thereof.

CITY OF LONG BEACH

CHAPTER VI

LAWS OF 2024

A LOCAL LAW

CORRECTING LOCAL LAW V/24:
AMENDING THE CHARTER OF THE CITY OF LONG
BEACH RE: CITY OFFICERS; THEIR GENERAL POWERS AND DUTIES.

BE IT ENACTED, by the City Council of the City of Long Beach, New York as follows:

Sec. 2. Article 3, Section 27 of the Charter of the City of Long Beach, New York as set forth in Chapter 635 of the Laws of 1922, as heretofore amended, shall be and the same is hereby amended to read as follows:

“Sec. 27. City comptroller.

The office of city comptroller is hereby created as an appointive office in the City of Long Beach. The city comptroller shall be the chief fiscal officer of the city.

1. *Duties:* It shall be the duty of the city comptroller:

...

- e. **To prepare and submit to the council monthly statements of the financial condition of the city, annual reports to the state comptroller and such other reports as may be required by the city manager or the council. In order that such reports may be promptly prepared and submitted it shall be the duty of all officials and employees to keep all records current and to submit to the city comptroller all statements, bank balances, bank reconciliations and summaries kept by them daily, weekly or monthly, as required by him/her to properly prepare his/her reports.**
- f. **To act as treasurer, with all powers, duties, functions and responsibilities of the treasurer of the city, effective August 1, 2024. Any and all references to the city treasurer in the Charter and Code of Ordinances of the City of Long Beach shall be construed to mean the City Comptroller acting as treasurer of the city on and after August 1, 2024.**
- g. **To perform such other duties pertaining to the financial records of the city as may be directed by the council, the city manager or by any law or by any fiscal officer of the state authorized so to do by law.**

...

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Sec. 3. This Local Law shall take effect immediately upon being filed in the Office of the New York Secretary of State.

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Item No. 8
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Publication for Hearing of an Amendatory Bond Ordinance of the City of Long Beach, New York, Amending and Restating Bond Ordinance Adopted April 4, 2023 Which Amended and Restated a Bond Ordinance Adopted May 17, 2022, Authorizing Financing for the Costs of the Construction and Reconstruction of Improvements to the City's Long Beach Water Pollution Control Plant and South Shore Reclamation Facility, Stating the Estimated Total Cost Thereof is \$169,252,981, Appropriating Said Amount Therefor, Authorizing the Issuance of Not to Exceed \$165,759,695 Bonds of Said City to Finance Said Appropriation, and Further Authorizing Any Amounts Received from the United States of America and/or the State of New York to be Expended Towards the Cost of Such Project, or Redemption of Any Notes and Bonds Issued Therefor or to be Budgeted as an Offset to the Taxes for Payment of the Principal of and Interest on Said Bonds and Any Notes Issued in Anticipation Thereof.

WHEREAS, there has been presented to this Council the following proposed Bond Ordinance:

“AMENDATORY BOND ORDINANCE OF THE CITY OF LONG BEACH, NEW YORK, AMENDING AN AMENDED AND RESTATED BOND ORDINANCE ADOPTED APRIL 4, 2023 WHICH AMENDED AND RESTATED A BOND ORDINANCE ADOPTED MAY 17, 2022, AUTHORIZING FINANCING FOR THE COSTS OF THE CONSTRUCTION AND RECONSTRUCTION OF IMPROVEMENTS TO THE CITY'S LONG BEACH WATER POLLUTION CONTROL PLANT AND SOUTH SHORE RECLAMATION FACILITY, STATING THE ESTIMATED TOTAL COST THEREOF IS \$169,252,981, APPROPRIATING SAID AMOUNT THEREFOR, AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$165,759,695 BONDS OF SAID CITY TO FINANCE SAID APPROPRIATION, AND FURTHER. AUTHORIZING ANY AMOUNTS RECEIVED FROM THE UNITED STATES OF AMERICA AND/OR THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SUCH PROJECT, OR REDEMPTION OF ANY NOTES AND BONDS ISSUED THEREFOR OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS AND ANY NOTES ISSUED IN ANTICIPATION THEREOF.”

(See Proposed Ordinance)

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York, that the City Clerk shall cause to be published in the official newspaper of the City of Long Beach, the title and the summary form of said Ordinance; and be it further

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RESOLVED, that said Ordinance shall be on the calendar for public hearing at a meeting of the City Council to be held at City Hall, 1 West Chester Street, in the City of Long Beach, New York, on August 20, 2024 at 7:00 p.m. on that day.

AMENDATORY BOND ORDINANCE OF THE CITY OF LONG BEACH, NEW YORK, AMENDING AN AMENDED AND RESTATED BOND ORDINANCE ADOPTED APRIL 4, 2023 WHICH AMENDED AND RESTATED A BOND ORDINANCE ADOPTED MAY 17, 2022, AUTHORIZING FINANCING FOR THE COSTS OF THE CONSTRUCTION AND RECONSTRUCTION OF IMPROVEMENTS TO THE CITY'S LONG BEACH WATER POLLUTION CONTROL PLANT AND SOUTH SHORE RECLAMATION FACILITY, STATING THE ESTIMATED TOTAL COST THEREOF IS \$169,252,981, APPROPRIATING SAID AMOUNT THEREFOR, AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$165,759,695 BONDS OF SAID CITY TO FINANCE SAID APPROPRIATION, AND FURTHER, AUTHORIZING ANY AMOUNTS RECEIVED FROM THE UNITED STATES OF AMERICA AND/OR THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SUCH PROJECT, OR REDEMPTION OF ANY NOTES AND BONDS ISSUED THEREFOR OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS AND ANY NOTES ISSUED IN ANTICIPATION THEREOF.

WHEREAS, the City of Long Beach (the "City") owns and operates the Long Beach Water Pollution Control Plant (the "LBWPCP") and the County of Nassau (the "County") owns and operates the South Shore Water Reclamation Facility (the "SSWRF", and together with the LBWPCP, "Facilities"); and

WHEREAS, on October 29, 2012, Superstorm Sandy did substantial damage to the Facilities and their collection systems, and as such, the Facilities require major construction and reconstruction improvements (the "Project"); and

WHEREAS, to address the financing and implementation of such improvements, on July 25, 2019, the City and the County entered into an Intermunicipal Agreement in order to further describe the Project, the City's financing thereof and the transfer of the Project to the County upon its completion; and

WHEREAS, the City has received certain grants to finance a portion of the Project from the United States of America and the State of New York, including, but not limited to, monies from the Federal Emergency Management Agency ("FEMA") and the New York Office of Resilient Homes and Communities (formerly the Governor's Office of Storm Recovery ("GOSR")); and

WHEREAS, to finance a portion of the Project in anticipation of such grants, the City has utilized the New York State Environmental Facilities Corporation by issuing bonds and/or bond anticipation notes through its State Revolving Fund Program; and

WHEREAS, in the Amended and Restated Bond Ordinance, adopted on April 4, 2023 (the "Amended and Restated Bond Ordinance"), authorizing the financing of the Project, the ordinance provided that any bonds and/or bond anticipation notes approved thereunder shall only be issued upon the receipt by the City of certain assurances, subject to the City's satisfaction, that FEMA or GOSR grants will be paid to the City to reimburse any bonds or bond anticipation notes issued in connection with the Project; and

WHEREAS, the City has now learned that a portion of the costs of the Project, in the amount of \$5,000,000, will not be paid by FEMA or GOSR and, as a result, the City will need to finance such portion of the costs of the Project through the issuance of bonds or bond anticipation notes which will not be subject to reimbursement by FEMA or GOSR;

NOW THEREFORE,

BE IT ENACTED BY THE COUNCIL OF THE CITY OF LONG BEACH, NASSAU COUNTY, NEW YORK, (by the favorable vote of not less than two-thirds of all the members of said Council) TO AMEND THE AMENDED AND RESTATED BOND ORDINANCE IN ITS ENTIRETY, TO READ AS FOLLOWS:

Section 1. Section 1 of the Amended and Restated Bond Ordinance is hereby amended to read as follows:

“The City is hereby authorized to finance the cost of the Project, as further described in the documents between the City, FEMA and GOSR, the EFC documents and as set forth in the IMA The total estimated maximum cost of said Project, including preliminary costs and costs incidental thereto and to the financing thereof, is \$169,252,981 and said amount is hereby appropriated therefor. The plan of financing includes (i) the issuance of not to exceed \$165,759,695 bonds of the City (including \$5,000,000 in bonds or bond anticipation notes which will not reimbursed by FEMA or GOSR grants) to finance said appropriation and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and any notes issued in anticipation thereof and the interest thereon as the same shall become due and payable, subject to the conditions set forth above, (ii) certain United States of America and State of New York grants, including but not limited to FEMA and GOSR funds, and (iii) any other sources as further provided for in the IMA. Any amounts received by the City from the United States of America and/or the State of New York are hereby authorized to be expended towards the cost of the Project or the redemption of any notes and bonds issued therefor, or to be budgeted as an offset to the taxes for the repayment of the principal of and interest on said notes and bonds.”

Section 2. Sections 2 through 9, inclusive, of the Amended and Restated Bond Ordinance are hereby ratified, approved and confirmed as not being affected by this Amendatory Bond Ordinance, but otherwise as amended, and as being in full force and effect from and after April 4, 2023, the terms of which are incorporated herein by reference and made applicable hereto except as aforesaid.

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Item No. 9
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Publication for Hearing of an
Ordinance to Amend the Code of Ordinances of the City
of Long Beach Re: Building Code and Appendix A
Zoning.

WHEREAS, there has been presented to this Council the following proposed
Ordinance:

“ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE
CITY OF LONG BEACH RE: BUILDING CODE AND APPENDIX A
ZONING.”

(See Ordinance Attached)

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York, that the
City Clerk shall cause to be published in the official newspaper of the City of Long Beach the
title, and a summary or the full text of said Ordinance; and be it further

RESOLVED, that said Ordinance shall be on the calendar for public hearing at a
meeting of the City Council to be held at City Hall, 1 West Chester Street, Long Beach, New
York, on August 20, 2024 at 7:00 p.m. on that day.

ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF LONG BEACH RE: BUILDING CODE
AND APPENDIX A ZONING.

Sec.1. Chapter 7, Article I, Section 7-1 of the Code of Ordinances of the City of Long Beach as heretofore amended, shall be and the same is hereby amended to read as follows; and Appendix A Zoning, Section 9-104, as heretofore amended, shall be and the same is hereby amended to read as follows; and Appendix A Zoning, Section 9-106.1, as heretofore amended, shall be and the same is hereby amended to read as follows; and Appendix A Zoning, as heretofore amended, shall be and the same is hereby amended to add a new Section 9-106.6, to read as follows:

“Sec. 7-1. Definitions.

...

Toilet room: An enclosed space containing a minimum of one (1) water closet and one (1) lavatory; it may also contain additional plumbing fixtures serving similar purposes. See the definition of "bathroom."

***Transient rental property:* Shall mean any building or structure or part thereof, including but not limited to a dwelling unit or portion thereof, a detached garage, dock, shed, pool, off-street parking, cabana, athletic or recreational court, or other outdoor accessory structure or yard area occupied or used by persons other than the owner, a family member of the owner or invited guests of the owner and for which rent or other consideration is received by the owner, directly or indirectly, in exchange for occupation or use for a period of less than twenty-eight (28) days. Transient rental properties shall not include properties exclusively used for nonresidential commercial purposes, or any legally operating hotel as defined in Section 14-223 of the Code of Ordinances of the City of Long Beach.**

Unoccupied hazard: Shall mean any building or structure or part thereof situated within one (1) or more residential zoning districts, or within one thousand (1,000) feet of any residential zoning work district, which remains unoccupied for a period of more than six (6) months with its doors, windows or other openings broken, removed, boarded or sealed up, or any building under construction upon which little or no construction work has been performed for a period of more than six (6) months.

...

Sec. 9-104. Definitions.

(a) In addition to the definitions set forth in the state building construction code, the following terms shall, for the purposes of this appendix, have the meanings ascribed to them as follows:

...

Toilet room: An enclosed space containing a minimum of one (1) water closet and one (1) lavatory; it may also contain additional plumbing fixtures serving similar purposes. See the definition of "bathroom."

***Transient rental property:* Shall mean any building, structure, premises or part thereof, including but not limited to a dwelling unit or portion thereof, a detached garage,**

dock, shed, pool, off-street parking, cabana, athletic or recreational court, or other outdoor accessory structure or yard area occupied or used by persons other than the owner, a family member of the owner or invited guests of the owner and for which rent or other consideration is received by the owner, directly or indirectly, in exchange for occupation or use for a period of less than twenty-eight (28) days. Transient rental properties shall not include properties exclusively used for nonresidential commercial purposes, or any legally operating hotel as defined in Section 14-223 of the Code of Ordinances of the City of Long Beach.

Unoccupied hazard: Shall mean any building or structure or part thereof situated within one (1) or more residential zoning districts, or within one thousand (1,000) feet of any residential zoning work district, which remains unoccupied for a period of more than six (6) months with its doors, windows or other openings broken, removed, boarded or sealed up, or any building under construction upon which little or no construction work has been performed for a period of more than six (6) months.

...

Sec. 9-106.1. General provisions for all districts.

The following regulations shall apply to all districts:

...

- (9) No transient rental property shall be permitted, except for legally operating hotels as defined in Section 14-223 of the Code of Ordinances of the City of Long Beach.**

...

Sec. 9-106.6. Transient Rental Properties.

- (a) The City Council of the City of Long Beach finds that the effects of transient rental properties, other than hotels, in the City of Long Beach, pose a threat to the health, safety, and well-being of the residents of the City of Long Beach.**
- (b) No dwelling unit, whether single-family, multi-dwelling or mixed residential use, shall be used or occupied as a transient rental property.**
- (c) Every individual day of rental is considered a separate offense for the purposes of this section.**
- (d) (1) The presence of the following shall create a presumption that a dwelling unit is being used as a transient rental property:**
 - (a) The dwelling unit, or any room therein, or any part thereof, is offered for lease on a short-term rental website or any online medium, for a period of less than twenty-eight (28) days.**
 - (b) The dwelling is offered for lease in any other medium for a period of less than twenty-eight (28) days.**

- (2) The foregoing presumption may be rebutted by evidence presented that the dwelling unit is not a transient rental property.**
- (e) The print, electronic, or internet advertisement of a transient rental property is prohibited.**
- (f) (1) Any person, association, firm or corporation that violates this section, and/or any property found in violation of this section, shall be guilty of a violation punishable as follows:**

 - (a) upon conviction of a first offense, by a fine of not more than two thousand five hundred dollars (\$2,500.00), or by imprisonment for a period not to exceed fifteen (15) days, or both;**
 - (b) upon conviction of a second offense, committed within seven years of the first offense, by a fine of not less than two thousand five hundred dollars (\$2,500.00) and not more than seven thousand five hundred dollars (\$7,500.00), or by imprisonment for a period not to exceed fifteen (15) days, or both;**
 - (c) upon conviction of a third offense, committed within seven years of a second offense, by a fine of not less than seven thousand five hundred dollars (\$7,500.00) and not more than fifteen thousand dollars (\$15,000.00), or by imprisonment for a period not to exceed fifteen (15) days, or both;**
 - (d) upon conviction of a fourth or subsequent offense, committed within seven years of a third offense, by a fine of not less than fifteen thousand dollars (\$15,000.00) and not more than thirty thousand dollars (\$30,000.00), or by imprisonment for a period not to exceed fifteen (15) days, or both.”**

Sec. 2. This Ordinance shall take effect immediately.

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Item No. 10
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Publication for Hearing of a Local Law
Amending the Charter of the City of Long Beach Re: Apportionment
of City Assessment and City Taxes.

WHEREAS, there has been presented to this Council the following proposed
Local Law:

“A LOCAL LAW

AMENDING THE CHARTER OF THE CITY
OF LONG BEACH RE: APPORTIONMENT OF CITY ASSESSMENT
AND CITY TAXES.”

(See Local Law Attached)

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York, that the
City Clerk shall cause to be published in the official newspaper of the City of Long Beach the
title, and a summary or the full text of said Ordinance; and be it further

RESOLVED, that said Ordinance shall be on the calendar for public hearing at a
meeting of the City Council to be held at City Hall, 1 West Chester Street, Long Beach, New
York, on August 20, 2024 at 7:00 p.m. on that day.

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Item No. 10
Resolution No.

Introductory No. 384
Introduced by:

CITY OF LONG BEACH

CHAPTER VII

LAWS OF 2024

A LOCAL LAW

AMENDING THE CHARTER OF THE CITY
OF LONG BEACH RE: APPORTIONMENT OF CITY ASSESSMENT
AND CITY TAXES.

BE IT ENACTED, by the City Council of the City of Long Beach, New York as follows:

Section 1. Article 6, Section 104-h of the Charter of the City of Long Beach, New York as set forth in Chapter 635 of the Laws of 1922, as heretofore amended, shall be and the same is hereby added to Article 6 to read as follows:

“Sec. 104-h. Apportionment of City Assessment and City Taxes.

Apportionments of assessment and taxes shall be done in conformance with §932 of the Real Property Tax Law.”

Sec. 2. This Local Law shall take effect immediately upon being filed in the Office of the New York Secretary of State.