**PROPOSED NEW LOCAL LAWS**

**Introductory Local Law No. 01 of 2022**

A Local Law to Amend Chapter 30 of the Village Code

Be it Enacted by the Board of Trustees of the Village of New York Mills:

Authority

This Local Law is enacted pursuant to the Authority granted pursuant to Article 10 of the Municipal Home Rule Law.

Amendment to Chapter 30 of the Code of the Village of New York Mills

Chapter 30 ("Procurement Policy") is hereby amended by adding the following section:

# § 30-8 Additional Provisions.

# Section 3 business participation in procurement and contracting: For federally funded projects or activities subject to Section 3 of 24 CFR Part 135 of the Housing and Urban Development Act of 1968, as amended, the Village will, to the greatest extent feasible, facilitate participation of Section 3 residents and Section 3 businesses in the procurement of goods and services pursuant to its Section 3 Participation Plan. Solicitation may be undertaken via advertisements in local publications encouraging Section 3 participation, or direct outreach by letter or email to identified Section 3 businesses or individuals included on the Department of Housing and Urban Development’s Section 3 Businesses Registry. The Village’s established purchase/ contracting thresholds will apply. The Village will keep documentation of Section 3 solicitation in its records and any response(s) thereto.

# Minority-Owned and Women-Owned Business Enterprise (M/WBE) business participation in procurement and contracting: In an effort to affirmatively increase procurement and contracting opportunities for minority- and women-owned business enterprises, the Village of New York Mills, when required by funding participants, will solicit MBEs and/or WBEs as part of its procurement process, when appropriate. Solicitation may be undertaken via advertisements in minority publications or direct outreach by letter or email to identified state-certified M/WBEs, or by working with a clearinghouse such as the Syracuse Minority Business Development Center. The Villages’s established purchase/contracting thresholds will apply. For purposes of the above, the M/WBE must be certified by Empire State Development (ESD) through the Division of Minority and Women Business Development (DMWBD). The Villagewill keep documentation of M/WBE solicitation in its records and any responses thereto.

Effect

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

**Introductory Local Law # 2 – 2022**

"Establishing a Fair Housing Policy"

Section I. Declaration of policy.

It is the policy of the Village of New York Mills to provide, within constitutional limitations, for fair housing throughout the Village. It is the policy of the Village that no person shall discriminate against any individual in the sale, rental, advertising, financing, provision of brokerage services or appraisal of housing within the Village of New York Mills in accord with Title VIII of the United States Code and the Human Rights Law of the State of New York, as amended.

Section II. Definitions.

As used herein, the following terms shall have the meanings indicated:

DISCRIMINATORY HOUSING PRACTICE - An act that is unlawful under this chapter.

DWELLING - Any building, structure, or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one or more families and any vacant land which is offered for sale or lease for the construction or location thereon of any such building, structure or portion thereof.

FAMILY - Includes a single individual.

PERSON - Includes one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, receivers, and fiduciaries.

TO RENT - Includes to lease, to sublease, to let and otherwise to grant for a consideration the right to occupy premises not owned by the occupant.

Section III. Prohibited acts.

A. It shall be unlawful to refuse to sell or rent after the making of a bona fide offer or to refuse to negotiate for the sale or rental of or otherwise make unavailable or deny a dwelling within the Village of Oriskany Falls to any person because of race, color, religion, sex, sexual orientation, handicap, familial status or national origin.

B. It shall be unlawful to discriminate against any person in the terms, conditions or privileges of sale or rental of a dwelling in the Village of New York Mills, or in the provision of services or facilities in connection therewith, because of race, color, religion, sex, sexual orientation, handicap, familial status or national origin.

C. It shall be unlawful to make, print or publish or cause to be made, printed or published any notice, statement or advertisement, with respect to the sale or rental of a dwelling within the Village of New York Mills, which indicates any preference, limitation or discrimination based on race, color, religion, sex, sexual orientation, handicapped, familial status or national origin or an intention to make any such preference, limitation or discrimination.

D. It shall be unlawful to represent to any person because of race, color, religion, sex, sexual orientation, handicap, familial status or national origin that any dwelling within the Village of New York Mills is not available for inspection, sale or rental when such dwelling is in fact so available.

E. It shall be unlawful, for profit, to induce or attempt to induce any person to sell or rent any dwelling within the Village of New York Mills by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, religion, sex, sexual orientation, handicap, familial status or national origin.

Section IV. Discrimination prohibited in residential real estate related transactions.

A. It shall be unlawful for any person or other entity whose business includes engaging in residential real estate related transactions within the Village of New York Mills to discriminate against any person in making available such a transaction, or in the terms or conditions of such a transaction, because of race, color, religion, sex, sexual orientation, handicap, familial status or national origin.

B. As used in this section, the term "residential real estate related transaction" means any of the following:

(1) The making or purchasing of loans or providing other financial assistance for purchasing, constructing, improving, repairing or maintaining a dwelling.

(2) The making or purchasing of loans or providing other financial assistance secured by residential real estate.

(3) The selling, brokering or appraising of residential real property.

C. Nothing in this section prohibits a person engaged in the business of furnishing appraisals of real property to take into consideration factors other than race, color, religion, national origin, sex, sexual orientation, handicap or familial status.

Section V. Brokerage services.

It shall be unlawful to deny any person access to a membership or participation in any multiple listing service, real estate brokers organization or other service, organization or facility relating to the business of selling or renting dwellings within the Village of New York Mills, or to discriminate against such person in the terms or conditions of such access, membership or participation, on account of race, color, religion, sex, sexual orientation, handicap, familial status or national origin.

Section VI. Exemptions.

Nothing in this chapter shall prohibit a religious organization, association or society or any nonprofit institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association or society from limiting the sale, rental or occupancy of dwellings which it owns or operates within the Village of New York Mills for other than a commercial purpose to persons of the same religion, or from giving preference to such persons, unless membership in such religion is restricted on account of race, color or national origin. Nor shall anything in this chapter prohibit a private club not in fact open to the public, which as an incident to its primary purpose or purposes provides lodgings which it owns or operates within the Village of New York Mills for other than a commercial purpose, from limiting the rental or occupancy of such lodgings to its members or from giving preference to its members.

Section VII. Fair Housing Officer.

There shall be appointed by the mayor, subject to approval of the Village Board of Trustees, a Fair Housing Officer for the Village of New York Mills. The duties of the Fair Housing Officer shall be:

A. To become knowledgeable in the fair housing provisions of federal, state and local laws.

B. To conduct an analysis of barriers to equal housing opportunity (as per 24 CFR 570.904[c]).

C. To develop a strategy to overcome any barriers.

D. To review the local policy for impact on housing choice.

E. To compile fair housing information and make it available to interested persons.

F. To make provision for the dissemination of information regarding fair housing to the residents of the Village from time to time as such material becomes available.

G. To receive all complaints from residents of the Village of New York Mills with respect to any alleged discrimination on the basis of race, color, religion, sex, sexual orientation, handicap, familial status or national origin in the sale, rental, advertising, financing, provision of brokerage services or appraisal of housing within the Village.

H. Upon receipt of such complaints, to make appropriate referrals of such complaints to the New York State Division of Human Rights, the New York State Attorney General's Office and the United States Department of Housing and Urban Development.

I. To maintain a record of actions taken pursuant to this plan.

Section VIII. Penalties for offenses.

A. Violations of this chapter shall be reported in person or in writing to the Village's Fair Housing Officer within a year of the alleged discriminatory housing practice.

B. Where sufficient cause exists to believe that the terms of this chapter have been violated, the Village Attorney shall institute a suit in Village Court against the alleged violator within 120 days following the issuance of the charge.

C. Where a person has been found, after a trial on the merits, in violation of this chapter, a fine shall be imposed on such person not to exceed $500 for a first offense, $1,000 for a second offense and $1,500 for a third offense. The minimum fine shall be $100. Each and every separate violation of this chapter shall be deemed an offense for the purposes of imposing the appropriate fine.

Section IX. Severability; Suppression of inconsistent provisions.

If any part of this chapter or its application to any person or circumstances is adjudged by a court to be invalid or ineffectual, such judgment shall not affect the remainder of the chapter or its application to any other person or circumstance. This chapter shall supersede all laws inconsistent with it to the extent of such inconsistency, but in all other respects shall be deemed supplemental to such laws.

Section X. When Effective.