

LOCAL LAW “I” FOR 2023

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK ESTABLISHING CHAPTER 225 OF THE ALBANY COUNTY CODE SETTING FORTH REQUIREMENTS FOR RESETTLEMENT DISCLOSURE IN ALBANY COUNTY

Introduced: 7/10/23

By Burgdorf, Collins, Drake, Grimm, Lockart, Mauriello, Perlee, Smith,
Tunny, Whalen:

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF ALBANY AS
FOLLOWS:

Section 1. Chapter Creation.

Chapter 225, Article I, **Resettlement Disclosure**, is hereby created.

Section 2. § 225-1 – Title.

This article shall be known as the “Albany County Resettlement Disclosure Law.”

Section 3. § 225-2 – Legislative Purpose and Intent.

This legislation is to ensure that when a hotel, motel, owner of a multiple dwelling, or shelter is planning to contract for the purpose of providing housing or accommodations for homeless persons, migrants, or asylum seekers, the duly-elected local and school officials representing Albany County residents are offered the opportunity [to be informed about the proposed housing.] of time to plan for the health, safety, and welfare of the new arrivals as well as Albany County residents.

Section 4. § 225-3 – Definitions.

Agent – Any individual or organization contracted by or otherwise engaged with a foreign municipality and/or acting on their behalf.

Foreign Municipality – Any municipality other than the County of Albany.

[Migrant Emergency Order – Any Emergency Order issued by the County Executive of the County of Albany pertaining to migrant placement issued on or after May 23rd, 2023.]

Venue – Any hotel, motel, multiple dwelling, or shelter in Albany County contacted for the purposes of contracting with or otherwise engaging in business with any foreign municipality for the purpose of providing housing or accommodations for homeless persons, migrants, or asylum seekers.

Section 5. § 225-4 - Notice of Contract or Engagement to Involved Representatives.

[A.] Within [12] 24 hours of [receipt] execution of a contract offer or any other type of [offer] agreement to engage in business for the purposes of housing homeless persons, migrants, or asylum seekers by a foreign municipality or their agent, [and prior to execution or any other engagement,] venues in Albany County shall provide to the following representatives [a copy of the correspondence] relevant information including number of rooms to be rented, the period of time said rooms shall be rented, maximum number of persons intended to be served, number of children with respective ages, intended lengths of stay and[/or notice of] contract (with financial information redacted) from said foreign municipality or their agent along with any other available information regarding the homeless persons, migrants, or asylum seekers:

1) The Chairperson of the Albany County Legislature, who shall disseminate such notice to the Albany to the Majority Leader and Minority Leader of the Albany County Legislature as well as the [The] Albany County Legislator who represents the legislative district which contains the venue; and

2) [The Albany County Legislator who represents any legislative district adjoining the district which contains the venue;] The Albany County Executive; and

3) Each City, Town, or Village Mayor or Supervisor who represents the municipality which contains the venue; and

4) The school district superintendent for the school district in which the venue is located. [Each City, Town, or Village Council or Board member who represents the municipality which contains the venue; and

5) Each New York State Senate and Assembly Representative who represents the municipality which contains the venue; and

6) The principal of any elementary, middle, or high school within 1,500 feet of the address of the venue.

B. All notifications pursuant to this Section shall be sent via electronic mail prior to full execution of any contract or any other engagement.]

Section 6. § 225-5 – Violations.

[Any violations of this section by an owner of a venue shall place that owner in non-compliance with any Migrant Emergency Order and shall be subject to any penalty or remedy process provided therein.] Any venue owner or manager who violates the provisions of this article shall be subject to an initial civil penalty of \$500 per violation per day and a penalty of \$1,000 per each subsequent violation per day.

Section 7. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm, corporation or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder of the

Local Law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of the Local Law or in its application to the person, individual, firm, corporation or circumstance directly involved in the controversy in which such judgment or order may be rendered.

Section 8. Effective Date.

This local law shall take effect immediately after its filing with the Secretary of State.