

**BOARD OF TRUSTEES  
VILLAGE OF WARWICK  
MARCH 18, 2024, 6:00 P.M.  
WORK SESSION**

**LOCATION:  
VILLAGE HALL  
77 MAIN STREET, WARWICK, NY**

**Call to Order  
Pledge of Allegiance  
Roll Call**

**Discussion**

1. Draft Short-Term Rental Code.
2. Draft Code of Ethics.

**Executive Session, if applicable.**

**Adjournment**

**VILLAGE OF WARWICK  
LOCAL LAW NO. \_\_ OF THE YEAR 2023**

A local law to amend the Village Code by enacting Chapter 115 entitled "Short Term Rental Property ~~Owner Occupied~~"

Section 1. Purpose:

The purpose of this Local Law is to promote the public health, safety and welfare by establishing a municipal registration and permit requirement for all short-term rental units within the boundaries of the Village of Warwick and by enacting regulations for the administration of and enforcement of the Village's permitting requirement.

Section 2. Amendment of Code:

The Village Code of the Village of Warwick is hereby amended to enact Chapter 115 entitled "Short-Term Rental Property" which shall read as follows:

**§ 115-1      Purpose.**

Short term rentals of residential property are a potential source of income to property owners and can provide additional housing for visitors to the area, thereby promoting tourism and strengthening the local economy. However, if unregulated, short-term rentals may have detrimental impacts on nearby properties and the neighborhoods in which they are situated as a result of increased traffic, noise, trash, and similar impacts. Moreover, it is in the overall public interest to require that properties offered for public rental are safely maintained and adequately insured. Therefore, the Village Board of the Village of Warwick hereby establishes the registration and licensing requirements and regulations set forth in this Chapter for the purpose of regulating short term rentals of residential property to ensure safe, responsible and harmonious operation of such uses.

**§ 115-2      Definitions.**

As used in this Chapter, the following terms shall have the meanings indicated:

**Bedroom**

One-person bedroom shall have a minimum of 70 square feet. A two-person bedroom shall have minimum of 100 sq. feet: a three-person bedroom shall have a minimum of 150 sq. feet: and 50 sq. feet for each additional occupant. Bedroom shall be not less than 7 feet in any plan dimension. Shall have a compliant window to exterior as a second means of egress. Shall have access to sanitary facilities providing a sink, toilet, potable running water, shower/tub and kitchen access. Living space shall adhere to the current Property Maintenance Code of New York State.

### **Building Inspector**

The Building Inspector of the Village of Warwick or such person as appointed by the Village Board to enforce Code 53 Unsafe Buildings, and this article.

### **Housing or Dwelling Unit-**

Any single residential living space which is capable of housing one separate household, whether a detached single-family structure or building or part of a multi household structure or building but not including a hotel, motel or bed and breakfast establishment.

### **Immediate Family**

The immediate family of the owner of a housing unit consists of the owner's spouse, children, parents, grandparents or grandchildren.

### **Owner**

Any owner of a residence who offers housing in a residence to persons, other than immediate family, in exchange for a fee or compensation, whether monetary or otherwise.

### **Residence**

Any single residential living space which is capable of housing one separate household, whether a detached single-family structure or building or part of a multi-household structure or building.

### **Registered Resident Agent "Agent"**

A representative of the property owner who resides within 15 miles of the Village.

### **Short Term Rental Permit**

A permit issued by the Village of Warwick stating that the referenced structure or unit conforms to the standards of chapter 49-11, Fire Safety and Property Maintenance Inspections, and other applicable sections of Village Code and that occupancy of that structure or unit is permitted for residential use. Any special circumstances or conditions under which occupancy is permitted may be specified on that permit.

### **Short Term Rental Property**

Any residence in which overnight accommodations are offered in exchange for a fee or compensation, whether monetary or otherwise, for a period of less than thirty (30) days, including, but not limited to, rentals provided by such companies

as Air B&B and VBRO. Month to month tenancies are not considered short term rental properties.

### **Substandard**

Any deficiency in a residence that does not meet the standards of the New York State Uniform Fire Prevention and Building Code and the State Energy Conservation Construction Code and applicable sections of Village Code. Substandard conditions shall also include failure to maintain a single-station smoke-detecting alarm device and carbon-monoxide-detector device, or devices, in accordance with New York State standards.

### **~~Owner-occupied~~**

~~As used in this Chapter the term "owner-occupied" shall mean a residence in which the record owner maintains as his or her domicile, and which he or she occupies as his or her own residence not less than six months in the calendar year. In the case of property in the Central Business Zone, the owner or agent shall reside within 15 miles of the property.~~

### **§ 115-3 Regulation of Short Term Rentals**

- (1.) Only single-family dwellings, duplexes, and dwelling units accessory thereto may be used for short term rentals
- (2.) Short-Term Rentals allowed in all zones in the Village except in Continuing Care Retirement Community (CCRC) and Multiple Residence-Senior Citizen (MR-SC)
- (3.) Commencing ninety (90) days after the effective date of this Chapter, any person offering short-term rentals within the Village of Warwick shall be required to first register and obtain a permit for short-term rental of the residence under this Chapter.
- (4.) HOA policies in Village developments supersede STR Village policy.

### **§ 115-4 Registration of Property for Short Term Rentals.**

Registration of **Short-Term Rental Registration Application** shall be completed by the owner or agent submitting to the Village Building Department a registration form, as approved by the Building Inspector, stating that the owner is seeking a short-term rental permit and providing, at a minimum, the following information:

- (i) Name, mailing address, telephone number, e-mail address, of the owner and agent.
- (ii) The street address, of the short-term rental property;
- (iii) The number of rental units in each building;
- (iv) The number of conventional bedrooms in the residence.
- (v) The proposed maximum overnight and daytime occupancy limits of the residence;
- (vi) The types and placement of any fire-protection systems located each building;
- (vii) The number and location of all exits;
- (viii) A floor plan indicating the placement and size of each bedroom, exit and fire-protection system.
- (ix) A certificate of liability insurance for the property with policy limits in an amount of no less than \$1,000,000 with rental endorsement on policy. ~~Owner signs indemnification and hold harmless agreement (umbrella policy and Airbnb are not acceptable.~~
- (x) Copy of Certificate of Occupancy for original building OR letter stating dwelling was built prior to 1973.
- (xi) Acknowledgment of review and responsible for compliance with the Code of the Village of Warwick.
- ~~(xii) — a notarized statement that the STR property is owner occupied and the STR property is the owner's primary residence or is owner of a building in the Central Business Zone and lives within 15 miles of the Village.~~
- (xiii) The completed form must be notarized

**§ 115-5 Grant of Permits for Short Term Rental Property.**

- (1.) Upon submittal of complete application for short term rentals, the owner

or agent shall contact the Building Inspector to schedule an inspection of the short-term rental property for the purpose of issuance of a short-term rental permit.

- (2.) Upon payment of such inspection and permit fees as the Village Board shall prescribe in the Village's schedule of fee, the Building Inspector shall conduct an inspection of the short-term rental property to determine whether it is substandard and to verify that the residence and the maximum overnight and daytime occupancy limits proposed by the owner are acceptable under the New York State Uniform Fire Prevention and Building Code.
- (3.) Upon completion of an inspection of the short-term rental property and ascertaining that the residence is not substandard, the Building Inspector shall issue a short-term rental permit to the owner or agent.
- (4.) Permits shall be on a form approved by the Building Inspector and shall, at a minimum:
  - (i) State the address, section, block and lot of the short-term rental property;
  - (ii) List the name of the owner and agent.
  - (iii) State the number of bedrooms and in the residence and identify any other approved sleeping quarters;
  - (iv) List the maximum permitted overnight and daytime occupancy limits; and
  - (v) State the date of issuance and the date of expiration.

**§ 115-6 Duration and Terms of Short-Term Rental Permits.**

- (1.) All Short-Term Rental Permits shall expire two years after the date of issuance, unless sooner revoked.
- (2.) The following shall be mandatory terms of every Short-Term Rental Permit:
  - (i) No illegal conduct shall be carried on the short-term rental property by the landlord, agent, or short-term rental tenants, their guests or invitees.

- (ii) The short-term rental tenants and their guests or invitees shall not block or otherwise impede ingress or egress over the street on which the short-term rental property is located and/or to or from any driveways of other property on the said street.
  - (iii) Trash, refuse and recycling, and the bins or containers therefore, shall not be left stored within the public view, except that covered bins or containers may be left curb side for the purpose of scheduled collection in compliance with Village Code Section 75-1
  - (iv) No exterior lighting of the residence shall be permitted from midnight to six o'clock a.m., except for such lighting of driveways or walkways as may be necessary for safe ingress and egress of persons entering or exiting the short-term rental property,
  - (v) The short-term rental tenants and their guests or invitees shall not engage in any conduct which violates the Village's noise ordinance or which would otherwise constitute disorderly conduct or creation of a public nuisance.
  - (vi) In the event that short term rental tenants plan on using the residence as the site of a party or event involving more than ten (10) guests or invitees, the owner shall require that the tenants disclose such intent as a condition of the rental and shall require the tenants to undertake measures and limitations to prevent unreasonable disturbance of neighboring property owners, such as limiting the hours of outdoor music and assuring adequate parking for guests and any catering or delivery vehicles.
  - (vii) Prominently display at all times the contact names and phone numbers, along with a list issued by the Village, of emergency services, information relating to garbage, recycling, available parking, winter parking and noise or
- (3.) In the event that there is any change in the information provided by the owner or agent in the registration application, the owner shall advise the Village Building Department in writing of such change no later than forty-eight (48) hours after such occurrence. Failure to advise the Village Building Department of a change in the information provided by the Landlord in his registration application may be grounds for suspension or revocation of the Short-Term Rental Permit.
- (4.) A Short-Term Rental Permit may not be transferred or assigned to any person or used by any other person other than the owner to whom it was issued.

**§ 115-7      Denial of Short-Term Rental Permits.**

- (1.) In the event that the Building Inspector determines that a residence is substandard, he shall issue a written denial of the short-term rental permit to the owner or agent listing all of the substandard conditions identified in the inspection.
  
- (2.) If an application for a short-term rental permit is denied, an owner may re-apply for the permit after correcting such substandard conditions as have been found. Upon such re-application, the owner or agent must arrange for an additional inspection by the Building Inspector. The owner must pay an additional inspection fee, as specified in the Village's Schedule of Fees, for each inspection.

**§ 115-8      Renewal of Short-Term Rental Permits.**

- (1.) Applications to renew existing short-term rental permits shall be submitted on forms approved by the Village Building Department 90 days prior to the expiration date of the existing license and must be accompanied by the renewal fee set by the Village Board in the Village's Schedule of Fees.
  
- (2.) Upon receipt of an application for renewal and the prescribed fee, the Building Inspector shall schedule and conduct an inspection of the short-term-rental property using the same criteria as upon an inspection for grant of a permit. Renewal shall be granted if the short-term rental property is not substandard.
  
- (3.) Upon grant of renewal, the Building Inspector shall issue a new Short-Term Rental Permit which shall expire two years after the date of issuance unless revoked earlier.

**§ 115-9      Suspension or revocation of Short-Term Rental Permits.**

- (1.) It is the responsibility of the owner or agent to comply with all terms and provisions of this Chapter and to ensure that the short-term rental tenants, their guests and invitees to comply with this Chapter and the terms and conditions of the short-term rental permit. Any failure of short-term rental tenants, their guests and invitees to comply with this Chapter and the terms and conditions of a short-term rental permit shall be attributed to the failure of the owner and his agent to discharge the responsibility to ensure such compliance.

- (2.) Upon receipt of a complaint or upon his initiative, the Building Inspector may investigate any property for failure to comply with the terms of this Chapter.
- (3.) If, upon investigation, the Building Inspector determines that a violation of this Chapter and/or the terms and conditions of the short-term rental permit has occurred on property for which a short-term rental permit has been issued, he shall issue a written notice of the violation to the owner and agent and shall provide a copy of the same to the Village Board.
- (4.) Upon receipt of such notice, the Village Board shall set a date at which the owner shall be heard in regard to the Building Inspector's findings of a violation. Notice of such hearing date shall be mailed to the owner, by certified mail return receipt requested at the address provided in the registration for the short-term rental property.
- (6.) If it is determined by the Building Inspector that the owner has falsified or otherwise failed to provide accurate information on his registration application, the application shall be referred to the Village Board.

~~§ 115-10 — No presumption of compliance.~~

~~The issuance of a Short Term Rental Permit shall not constitute a finding by the Village that the Short Term Rental Property complies with the New York State Uniform Fire Prevention and Building Code and/or the State Energy Conservation Construction Code for any purpose other than issuance of a short-term rental permit.~~

**§ 115-11      Appeals.**

- A. If the Building Inspector denies an application for short-term rental, denies an application for renewal of a permit for short-term rental, or revokes a permit for a short-term rental, it shall be done in writing, reciting the grounds for denial or revocation.
- B. An applicant may appeal from such denial or revocation by filing a written request for a hearing before the Village Board of Trustees. Such request shall be filed with the Village Clerk.
- C. Upon receipt of such request, the Village Clerk shall schedule same for the next regularly scheduled Village Board meeting, affording the applicant at least five days written notice of the place, date and time of the hearing, and publish notice of same.

- D. At the hearing, the applicant shall be afforded reasonable opportunity to be heard. The applicant shall bear the burden of proof by preponderance of credible evidence to show that the determination of the Building Inspector was arbitrary or capricious or in excess of his authority. The decision of the Village Board of Trustees shall be final and conclusive. The tenant will be allowed to occupy the property until the appeal is heard and the finding is issued.

**§ 115-12      Fees for permits.**

The Village Board shall set such application, review, inspection and renewal fees as it may find appropriate for short-term rental permits by resolution and such fees shall be listed in the Village's Schedule of Fees

**§ 115-13      Penalties for offenses.**

- (1.) Any person who violates any provision of this Chapter, whether the owner or tenant, shall be guilty of an offense. Each day that the violation continues shall be deemed a separate violation.
- (2.) Conviction of violation of the provisions of this Chapter shall be punished by a fine of not more than \$1,000 per violation or by imprisonment for not more than 15 days, or both.
- (3.) The penalties for violation of this Chapter shall be in addition to any penalties imposed for violation of other provisions of the Village Code and the New York State Uniform Fire Prevention and Building Code, the State Energy Conservation Construction Code.
- (4.) The imposition of penalties herein prescribed shall not preclude the Village or any person from instituting appropriate legal action or proceeding to prevent unlawful occupancy of property in violation of this Chapter, including, without limitation, civil actions for injunctive relief to immediately terminate any existing short-term rental occupancy of buildings, land or premises.
- (5.) If, after affording such an opportunity to be heard, the Village Board confirms the existence of the violation of this Chapter, the Village Board shall suspend or revoke the short-term rental permit. For any number of violations less than two within a period of six (6) months, the permit may be suspended for a period of up to six (6) months from the date of the suspension. For two or more violations within a one-year period, the short-term rental permit may be suspended or revoked and, if revoked, no short-term rental permit will be available for the short-term rental property for a period of up to two (2) years from the date of revocation unless landlord and agent cease to have any right, title or interest in the short-term rental property.

Section 3. Severability:

If any part or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law or the application thereof to other persons or circumstances, and the Village Board of the Village of Warwick hereby declares that it would have passed this local law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 4. Effective Date:

This Local Law shall become effective upon filing with the Secretary of State of the State of New York subsequent to having been duly adopted by the Village Board.

VILLAGE OF WARWICK  
LOCAL LAW NO. \_\_ OF THE YEAR 2024

A local law amending the Village Code of the Village of Warwick by repealing Chapter 9 “Ethics, Code of”, and re-enacting the same with revised provisions.

SECTION 1. PURPOSE

The purpose of this Local Law is to promote the public health, safety and welfare by amending the Village Code to revise the provisions to the Village Code of Ethics.

SECTION 2. MUNICIPAL HOME RULE LAW:

This law is adopted pursuant to the provisions of the Municipal Home Rule Law § 10(1)(ii)(a)(1) which grants local governments the authority to enact local laws regarding the public health, safety and welfare. To the extent the provisions of this Local Law are in conflict with State law, the Village Board hereby asserts its intention to supersede same pursuant to the Municipal Home Rule.

SECTION 3. AMENDMENT OF VILLAGE CODE:

The Village Code of the Village of Warwick is hereby amended to repeal Chapter 9, “Ethics, Code of”, and to re-enact in its place a new Chapter 9 entitled “Ethics, Code of” which shall read as follows:

**"Ethics, Code of**

**Article I**

**General Provisions**

§ 9-1 Purpose

Standards and rules of ethical conduct for public officers and employees should be clearly set forth to guide public officers and employees in performance of their duties and must be observed if public confidence is to be maintained in local government. It is the purpose of this chapter to promulgate standards and rules of ethical conduct for the officers and employees of the Village of Warwick.

§ 9-2 Applicability

This Code of Ethics applies to the elected officials, **candidates for elected Village position**, officers and employees of the Village of Warwick and shall supersede any prior municipal Code of Ethics. The provisions of the Code of Ethics shall apply in addition to all applicable state and local laws

relating to conflicts of interest and ethics, including, but not limited to, Article 18 of the General Municipal Law, and all rules, regulations, policies and procedures of the Village of Warwick.

#### § 9-3 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

#### VILLAGE

The Village of Warwick as a municipal corporation.

#### VILLAGE EMPLOYEE

Any Village of Warwick officer, employee, or elected official, and members of the Village Planning Board and Zoning Board of Appeals, whether paid or unpaid, and whether serving in a full-time or a part-time capacity.

#### CANDIDATE FOR ELECTED VILLAGE POSITION

Any person upon filing the Certificate of Acceptance by Candidate for an elected Village position.

#### CHILDREN

As used in this chapter the term Children shall include all biological offspring, adopted persons, and step-children of oneself and one's spouse or partner.

#### CONTRACTS

All contracts, written or oral, including any claim, account or demand against or agreement with the Village, express or implied.

#### CONFIDENTIAL INFORMATION

Any information that is not subject to disclosure under the Freedom of Information Law including, without limitation, any discussions held in executive or closed sessions.

#### PERSONAL INTEREST

For the purpose of this chapter, an officer, elected official, or employee of the Village whether paid or unpaid shall be deemed to have a direct interest in the affairs of:

- a. His or her spouse, children and dependents; or
- b. A corporation, business, or association in which the officer, elected official, or employee has an ownership interest of five percent (5%) or more;
- c. A partnership in which the officer, elected official, or employee is a partner;  
or
- d. A limited liability entity (such as an LLC) in which the officer, elected official, or employee is a member; of
- e. Any business entity, whether for profit or non-profit, of which the officer, elected official, or employee is a board member, officer or director.

#### FAMILY RELATIONSHIP

As used in this chapter the term Family Relationship means a spouse, parent, step-parent, sibling, step sibling, sibling's spouse, child, step-child, uncle, aunt, nephew, niece, first cousin, or household member of a Village employee, and individuals having any of these relationships to the spouse of a Village employee.

### **Article II** Code of Ethics

#### § 9-4 Standards of conduct.

Every Village employee of the Village of Warwick shall be subject to and abide by the following standards of conduct:

- A. All elected officials of the Village of Warwick, are required to annually file a disclosure statement, in writing, with the Village Clerk, disclosing their business positions, investments, real estate holdings and interests in contracts potentially involving the Village. Such disclosure shall be limited to interests which could present potential conflicts of interests in execution of the elected official's duties, as provided upon the standard disclosure form approved by the Village Board. **Candidates for Elected Village Positions are required to file the standard disclosure form with the Village Clerk as noted above on the same day they file their Certificate of Acceptance by Candidate with the Village Clerk.**
- B. Employment. No Village employee shall accept other employment which will impair his/her independence of judgement in the exercise of his official duties.
- C. Conflict of interest. No Village employee, whether paid or unpaid, shall engage in any business or transaction or shall have a financial or other

personal interest, direct or indirect, which is incompatible with the proper discharge of his official duties or which would impair his/her independence of judgment or action in the performance of official duties. Personal, as distinguished from financial, interest includes an interest arising from family relationships or close business or political association. No Village employee shall invest or hold any investment directly or indirectly in any financial, business, commercial or other private transaction which creates a conflict with his official duties

D. Representing private interests before Village agencies or courts. Except for self-representation, no Village employee whose salary is paid in whole or in part by the Village shall appear before any agency of the Village. He/she shall not represent private interests in any action or proceeding against the Village in any litigation to which the Village is a party, nor shall he receive any compensation or retainer that may be contingent upon a specific action by a Village agency.

E. Contracts with Village. Except as permitted under New York State General Municipal Law § 801 and 802, Village employees may not enter into contracts with the Village or have an interest in any business entity contracting with the Village.

F. Gifts. No Village officer or employee shall directly or indirectly, solicit any gift, or accept or receive any gift having an aggregate value of seventy-five dollars or more in any twelve month consecutive period from the same individual or entity nor shall he/she accept or solicit any gift or financial benefit under circumstances in which it could reasonably be inferred that the gift was intended to influence such Village officer or employee in the performance of his/her official duties or was intended to be a reward for any official action on his/her part. Provided, however, that this section shall not apply to legally obtained campaign contributions or in-kind services.

G. Confidential information. No Village employee shall disclose confidential information acquired by him/her in the course of his official duties or use such information to further his personal interest. He/she shall not disclose, without proper authorization from the Village Board, any confidential information concerning the affairs of the Village of Warwick. Any inquiring person shall be directed to the public records of the Village. Records of all Village departments not stated to be public records shall be considered confidential.

H. Use of municipal position for personal or private gain. No municipal officer or employee shall use his or her municipal position or official powers and to secure a financial or material benefit for himself or herself, a relative or any private organization in which he or she is deemed to have an interest. No Village employee shall use or attempt to use his/her official position to secure unwarranted privileges or exemptions for himself or others.

I. Improper influence. A Village employee shall not by his/her conduct give reasonable basis for the impression that any person can improperly influence him/her or unduly enjoy his/her favor in the performance of his/her official duties or that he/she is affected by the kinship, rank, position or influence of any party or person.

J. Future employment. A Village employee shall not, after termination of service or employment with the municipality, appear before any board, commission, or agency of the Village in relation to any case, proceeding or application in which he/she personally participated during the period of his/her service or employment, or which was under his/her active consideration in perpetuity.

K. Disclosure of interest in legislation. To the extent that he knows thereof, a member of the Village Board and any Village employee, whether paid or unpaid, who participates in the discussion or gives official opinion to the Village Board on any legislation before the Village Board, shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he/she has in such legislation.

L. Private employment. No Village employee shall engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of his official duties. The following regulations concern the office or department stated:

(1.) Office of Building Inspector. The Building Inspector Board shall not engage within the Village in the real estate, insurance, building contracting or building material business during their employment. This shall not prevent the Building Inspector who has a real estate license or an insurance license in effect at the time he/she acquired his position from continuing such license in effect.

(2.) Office of Assessor. The Assessor, or any employee thereof shall not use the records and information of his/her department for any private use whatever.

M. Seeking appointments. No person shall, either directly or indirectly, pay, render, or give any money, service or other valuable thing to any person for or on account of or in connection with any test, appointment, promotion, reduction or removal in which he is concerned. Seeking an appointment in such a way shall disqualify the individual engaging in such activity from appointment to the position at issue for the current or upcoming term thereof as applicable to the violation.

N. Equal Treatment of the public. An officer, elected official, or employee of the Village of Warwick shall treat all members of the public, whether a person, corporation or other organization, with equal consideration and without special advantage in carrying out his or her official duties.

O. Respectful Treatment of the public. In the course of performing his or her official duties, an officer, elected official, or employee of the Village of Warwick shall treat all members of the public, whether a person, corporation or other organization, with respect and courtesy under the prevailing circumstances,

§ 9-5 Penalties for offenses.

In addition to any penalty contained in any other provision of law, any such Village employee who shall knowingly and intentionally violate any of the provisions of this chapter may be fined, suspended, or removed from office or employment in the manner provided by law.

### Article III **Board of Ethics**

§ 9-6 Establishment.

A. There is hereby established a Board of Ethics consisting of five members to be appointed by the mayor and approved by the Village Board of Trustees, including designation of the Chairman.

B. Members of the Board of Ethics must reside in the Village of Warwick and shall serve without compensation and at the pleasure of the Village Board.

- C. Appointments to the Board of Ethics shall be made at the annual reorganization Village Board Meeting. [Term length? Stagger?]
- D. Vacancies shall be filled by appointment by the Mayor and approval by the Village Board of Trustees.
- E. The Board of Ethics shall have the following duties:
- (1.) To render advisory opinions to the Mayor, the Village Trustees, and Village Department Heads on written request of the same. The opinions of the Board of Ethics shall be advisory and confidential, and in no event shall the identity of the Village employees be disclosed except to authorized persons and agencies. Such opinions shall be on the advice of the Village Attorney.
  - (2.) Upon written request of the Village Board, to conduct investigations and recommend appropriate sanctions for alleged violations of this Chapter.
  - (3.) Upon request of the Village Board, to make recommendations to such Village Board as to any amendments of this chapter; and
  - (4.) To review the annual disclosure statements required by this Chapter and report to the Village Board regarding the submission of such statements.

§ 9-7 Rules and regulations; records of proceedings.

Such Board of Ethics shall promulgate its own rules and regulations as to its form and procedures and shall maintain appropriate records of its opinions and proceedings.

## Article IV **Administration**

§ 9-8 Distribution of copies.

Upon the adoption of this chapter, the Village Mayor shall cause a copy thereof to be distributed to every Village employee. Failure to distribute any such copy or failure of any Village employee to receive such copy shall have no effect on the duty of compliance with this code nor the enforcement of provisions hereof. The Village Mayor shall further cause a copy of this chapter to be kept posted conspicuously in each public building under the jurisdiction of the Village. Failure to so post this chapter shall have no effect on the duty of compliance herewith nor the enforcement of provisions hereof.

## § 9-9 Appropriations.

The Village Board may appropriate moneys from the general Village funds for the maintenance of and for personnel services to the Board of Ethics established hereunder, but such Board of Ethics may not commit the expenditure of Village moneys except within the appropriations provided herein.

## 9-10. Cooperation with Board of Ethics.

All employees of the Village of Warwick shall furnish to the Board of Ethics such data, information and statements as may in the opinion of the Board be necessary for the proper exercise of its function, powers and duties as set for in the General Municipal Law or in this chapter."

## SECTION 4. SEVERABILITY

If any clause, sentence, paragraph, word, section or part of this local law shall be judged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section or part thereof directly involved in the controversy in which judgment shall have been rendered.

## SECTION 5. EFFECTIVE DATE

This local law will take effect immediately upon filing in the Office of the Secretary of State in Albany.

RESOLUTION INTRODUCING A PROPOSED LOCAL LAW  
TO REVISE THE VILLAGE’S CODE OF ETHICS

WHEREAS, the Village Board of the Village of Warwick has before it a local law entitled: “A local law amending the Village Code of the Village of Warwick by repealing Chapter 9 ‘Ethics, Code of’, and re-enacting the same with revised provisions”; and

WHEREAS, in order to enact the said local law it is necessary to formally introduce it and to hold a public hearing on it,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the movant of this resolution does hereby introduce the proposed local law, and
2. That a public hearing on the proposed local law be set for April \_\_\_\_, 2024 at 7:30 o'clock p.m. and that due notice of the same is directed to be given by publication and posting.

\_\_\_\_\_ presented the foregoing resolution which was seconded by \_\_\_\_\_,

The vote on the foregoing resolution was as follows:

Barry Cheney, Trustee, voting	_____
Carly Foster, Trustee, voting	_____
Thomas McKnight, Trustee, voting	_____
Mary Collura, Trustee, voting	_____
Michael Newhard, Mayor, voting	_____