

# Housing Work-Groups' Questions

## DEMOGRAPHICS

- Total number of single-family homes, double two-family homes and multi-family units in the city.

See attached. When this map was created the county had not updated its parcel map to reflect the construction of the Housing Visions complex on Silver Ave.

- Total number of transient rental-baseball rental permits issues in city

Short term rental permits are valid for 6 months. Over the last year there have been 52 permits issued for short term rental.

- Total number of student housing, if available

We do not track any specific demographic of housing. We have a list of properties owned by student rental companies. These properties may or may not be occupied by students.

- Properties either in foreclosure and/or having back taxes

Otsego County oversees the collection of taxes. We do not track foreclosure proceedings nor are we notified if a property is facing foreclosure.

- Number of vacant lots and size of lots, location etc.

<https://experience.arcgis.com/experience/a62fa60f7b1e4725a6c1c983ab25a3d4/>

- A list of the houses that OFD has marked with an X as too unsafe to enter

Approximately 5

## CODE / BPS

- Is there a procedure in place for home buyers to be given basic code information, i.e. snow shoveling, leaf raking, grass mowing, etc.? If not, would the CEO see this as a useful tool?

No. We currently do not have a mechanism to provide new home buyers with this information because we typically are not provided with real estate transfers.

There can be up to a 6-month delay from sale until the parcel owner is updated.

The entire City code is available in a searchable format on the City website.

- Does the department have enough staff to scout code enforcement violations, or does it depend on residents to report them?

Past political administrations determined that the ordinance portion of the code should be entirely complaint based as a way to reduce personnel cost to the city.

The City cut the ordinance inspector full time position as well as one full time code inspector. The office currently has two dedicated inspectors to address all functions (inspections, complaints, permit review, walk in office coverage).

- Is there a code regarding removing mowed grass, sand, or any substances other than snow/ice from sidewalks? Low-hanging branches over sidewalks? (In other words, sidewalk obstructions)

Yes. Typically, this code is used to remove obstructions or unsafe conditions.

Leaves, grass and sand are problematic because these conditions may occur during the day (wind blows leaves from trees) or are arbitrary (how many grass clippings are too many). Trees owned by the City or NYSEG are trimmed by DPW/City contractor or the utility company. Privately owned trees may be trimmed by the City following a notice of violation. This cost is 125 dollars minimum. This is done through the Code Enforcement Office.

- Who deals with items mistakenly left for trash pickup, i.e. used furniture, blocking sidewalks?

Any discarded items left on the sidewalk, on lawns or obstructing a right of way may be removed by the City at a minimum cost of 125 dollars to the property owner. This is done through the Code Enforcement Office.

- What is the difference between "student housing" and a house where several college students happen to live? What is the reality of the "3 unrelated people" rule?

Student housing by definition does not exist. There are rental properties where students live. There is no difference under the law between a rental with 3 students and a rental with 3 non-students. Enforcing the 3 unrelated people rule is very difficult. Without having access to leases, it is hard to prove residency vs overnight guests. (boyfriends/girlfriends/houseguests) There are many properties throughout the City that are legally existing and non-conforming, which allow for more than 3 unrelated individuals. When we are able to prove through a lease that a property is over occupied the Code Enforcement Office issues a violation.

- Are there any code violations that are more common in some wards than others?

Center City has the highest concentration of rentals and the highest average density in the City. High density and the concentration of rental units in the Center City neighborhood result in an increased number of complaints and violations compared to other areas of the City. These complaints are typically related to parking/garbage/over occupancy. Outside of Center City there are more complaints related to NYS Property Maintenance Code violations located at owner occupied homes. It should be noted that the largest code offenders in the City are owner-occupied single-family homes located outside of Center City.

- How many complaints are filed for code violations?

The office receives hundreds of complaints. Many of these complaints are resolved through an email or a phone call to the property owner.

- Is the fine waived, if the problem is resolved?

The Code Enforcement Office does not have the authority to waive or assign fines, this process is done through the City Court. The City Court may determine if a violation is resolved to dismiss a ticket with no fine or further action. The Code Enforcement Office issues administrative fees which are not waived if a violation is corrected. The property owner does have the opportunity to appeal any fee issued by the Code Office to a citizen appeals board (Board of Public Service).

- Do the fines accrue if they are not paid?

Note above. Fines are entirely administered by the City Court and although they technically may accrue it is at the Court's discretion to assign these fines. Fees associated with some code violations, and assigned by the Code Enforcement Office, do accrue at a daily rate. These fees are connected to compliance with the City's rental ordinance.

- How are the fines ultimately collected?

The City Court oversees fines related to tickets issued by the Code Office. Any code fine from the court would be similar to a fine associated with a traffic ticket. Fees issued by the Code Enforcement Office are invoiced to the property owner. If the property owner fails to pay, or appeal, the fee is levied on the property owner's taxes and collected as part of their tax bill to the county.

- What kind of provisions are there for property owners who do not have sufficient income to maintain their property?

There are no exceptions in the NYS Uniform Code or the City of Oneonta Municipal Code related to income. There may be grant funding available to low income property owners to maintain their homes. This funding is typically issued on a case by case basis as part of a grant application.

- In relation to severely neglected homes: when and how can local govts seize the property if taxes are current - or can they ever? (Zombie homes)

Zombie Properties must meet a specific definition which is set by NYS. Many severely neglected homes in Oneonta are not Zombie Properties. There is a process known as RPA Article 19-A which allows local governments to take possession of abandoned property.

- We know there are codes about shoveling sidewalks, and parking on your lawn.
  - Are there other codes which refer to the appearance of the property?  
NYS Property Maintenance Code has exterior maintenance requirements.
  - Codes for mowing lawns?  
Both NYS and the City of Oneonta require lawns be less than 10 inches.
  - Codes for picking up trash?  
The City of Oneonta requires garbage be removed within 48 hours of notification, complaint or observation by the Code Office.
  - Codes for maintaining appearance of the house?

NYS Property Maintenance Code has exterior maintenance requirements.

- Many student rentals do not provide off street parking. Is there an ordinance that requires off street parking?
  - Is it ever enforced, and by whom?

Many of the existing rental housing predates the parking requirements of the 2013 zoning ordinance or was converted under former versions of the zoning code. Parking requirements are triggered by changes in occupancy (single family to two family etc). A legally existing property/use, unless it undergoes a change in occupancy or use, is not required to provide new parking. Additionally, a single-family home only requires 2 parking spaces and a two-family home requires 3 spaces. This means a legal two-family home with three parking spaces and six cars (6 people, each with one car) meets the zoning code requirement. Zoning is enforced by the Code Enforcement Office.

- Does the city partner with outside entities (Job Corps, Habitat for Humanity, etc) that could help the community?

The City is open to any collaboration with outside entities seeking to make Oneonta a better place to live. Any collaboration is subject to purchasing policies, funding eligibility and limitations on City staff levels.