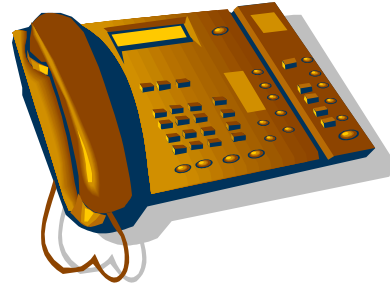


Recently, with the support of Mayor Gerald D. Jennings, the City of Albany Common Council passed legislation which ensures that property owners are held responsible for activities being conducted at their premises.

When it has been determined that a property is a “public nuisance” to the neighborhood, through a series of complaints and arrests by the City of Albany, the landlord may be subject to fines not exceeding \$5,000 and/or the loss of the use of the property for up to one year.



*More Questions—
please call the
Division of Building
& Codes*



Division of Building & Codes

Department of Public Safety
Public Safety Building
165 Henry Johnson Blvd.—1st Floor
Albany, NY 12210

Phone: (518) 434-5995

Fax: (518) 434-6015



**Division of
Building & Codes**

Nuisance Abatement Ordinance



City of Albany

Gerald D. Jennings
Mayor

John C. Nielsen
Public Safety Commissioner

*An informational brochure for
building owners and citizens
of the City of Albany*



This brochure is intended to answer commonly asked questions about this new ordinance. Copies of the complete ordinance are available by request at the Division of Building & Codes office.

Q: What deems a property a “public nuisance” and what are the consequences?

A: A property is deemed a “public nuisance” through a series of complaints and arrests. The landlord may be subject to fines up to \$5,000 and/or loss of the use of the property for up to one year.

Q: If my property is deemed a “public nuisance” what can I do?

A: The first step is to request a hearing with the Commissioner of Public Safety immediately after being notified of your points. There may be steps that may be taken to avoid further enforcement action.

Q: How many points may be accumulated before fines and/or loss of the use of the property are imposed?

A: If a property accumulates twelve

(12) or more points within six (6) months or eighteen (18) points or more within twelve (12) months fines and/or loss of the use of the property may result.

Q: What are the violations and how many points are assigned for each offense?

A: Following is the schedule of violations and points:

Six points for each

- Controlled Substance Offenses (Article 220 of the Penal Law)
- Marihuana Offenses (Article 221 of the Penal Law)
- Gambling Offenses (Article 225 of the Penal Law)
- Prostitution Offenses (Article 230 of the Penal Law)
- Criminal Possession of Stolen Possession (Sections 165.40, 165.45, 165.50, 165.52 and/or 165.54 of the Penal Law)
- Alcoholic Beverage Control Law (Sections 65 or 82)
- Firearms and other Dangerous Weap-

ons (Article 265 of the Penal Law)

- Unlawfully Dealing with a Child (Article 260.20 and 260.21 of the Penal Law)
- Sexual Performance by a Child (Article 263 of the Penal Law)

Four points for each

- Vehicle and Traffic Law (Sections 415-a of the Vehicle and Traffic Law)
- Falsifying Business Records (Section 175.10 of the Penal Law)
- Forgery of and Illegal Possession of a Vehicle Identification Number (Sections 170.65 and 170.70 of the Penal Law)
- Possession, use, sale or offer for sale, of any alcoholic beverage (Article 18 of the Tax Law)
- Illegal Possession of any cigarette or tobacco products (Article 20 of the Tax Law)
- Criminal Diversion of Prescription Medications and Prescriptions (Article 178 of the Penal Law)
- Food Stamp Program Fraud (Section 147 of the Social Services Law)
- Operating a business outside of Zoning approvals (Chapter 375 of the City Code)

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