EXHIBIT 24

NY CLS Gen Mun § 980

Current through 2026 released Chapters 1-312.

New York Consolidated Laws Service > General Municipal Law (Arts. 1 — 20) > Article 19-A Business Improvement Districts (§§ 980 — 980-q)

§ 980. Definitions

As used in this article:

(a) "Average full valuation of taxable real property" means the valuation obtained by taking the assessed valuation of taxable real property in the district as it appears upon the last completed and four preceding assessment rolls of the municipality and dividing each by the applicable state equalization rate as determined by the commissioner of taxation and finance pursuant to article twelve of the real property tax law for each of the assessment rolls and dividing the sum of the quotients thus obtained by five.

(b) "District" means a business improvement district established pursuant to this article.

(c) "District charge" means a levy imposed on behalf of the district as provided in the district plan.

(d) "District management association" means the association established pursuant to *section nine hundred eighty-m* of this article.

(e) "District plan" or "plan" means a proposal as defined in *section nine hundred eighty-a* of this article.

(f) "Legislative body" means the local legislative body empowered to adopt and amend local laws or ordinances.

(g) "Municipality" means a city, town or village within the state of New York.

(h) "Owner" means owner of record.

(i) "Tenant" means an occupant pursuant to a lease of commercial space or a dwelling unit, other than an owner.

History

Add, L 1989, ch 282, § 3, eff Sept 5, 1989; amd, *L 1990, ch 562, § 11*, eff Sept 1, 1990; *L 1994, ch 385, § 37*, eff Jan 1, 1995; *L 2010, ch 56, § 1* (Part W), eff June 22, 2010.

Annotations

Notes

Editor's Notes:

Laws 1994, ch 385, §§ 70 **and 71,** eff Jan 1, 1995, provide as follows:

§ 70. The provisions of this act shall supersede any inconsistent provision of law to the contrary.

§ 980-c. Local legislative powers

Upon establishment of a district pursuant to the provisions of this article, the legislative body shall have authority to exercise the following powers with respect to such district, subject to the provisions of this article to:

(a) provide for district improvements located on or within municipally or district owned or leased property which will restore or promote business activity in the district:

(1) construction and installation of landscaping, planting, and park areas;

(2) construction of lighting and heating facilities;

(3) construction of physically aesthetic and decorative safety fixtures, equipment and facilities;

(4) construction of improvements to enhance security of persons and property within the district;

(5) construction of pedestrian overpasses and underpasses and connections between buildings;

(6) closing, opening, widening or narrowing of existing streets;

(7) construction of ramps, sidewalks, plazas, and pedestrian malls;

(8) rehabilitation or removal of existing structures as required;

(9) removal and relocation of utilities and vaults as required;

(10) construction of parking lot and parking garage facilities; and

(11) construction of fixtures, equipment, facilities and appurtenances as may enhance the movement, convenience and enjoyment of the public and be of economic benefit to surrounding properties such as: bus stop shelters; benches and street furniture; booths, kiosks, display cases, and exhibits; signs; receptacles; canopies; pedestrian shelters and fountains.

(b) provide for the operation and maintenance of any district improvement;

(c) provide for additional maintenance or other additional services required for the enjoyment and protection of the public and the promotion and enhancement of the district whether or not in conjunction with improvements authorized by this section, including:

(1) enhanced sanitation services;

(2) services promoting and advertising activities within the district;

(3) marketing education for businesses within the district;

(4) decorations and lighting for seasonal and holiday purposes; and

(5) services to enhance the security of persons and property within the district.

(d) enter into contracts to provide for the construction of accessibility improvements adjacent to public areas by businesses within the district which will increase access from public areas to such businesses for persons with disabilities and the general public and assist businesses in meeting requirements for

removal of architectural barriers in existing facilities, pursuant to the Americans with disabilities act of 1990, as amended (P.L. 101-336).

History

Add, L 1989, ch 282, § 3, eff Sept 5, 1989; amd, *L 1997, ch 300, § 2*, eff Jan 1, 1998.

Annotations

Notes

Editor's Notes:

Laws 1997, ch 300, § 1**,** eff Jan 1, 1998, provides as follows:

Section 1. Legislative intent. The legislature hereby finds and declares that the removal of architectural barriers to existing businesses is in the public interest and fulfills a public purpose by allowing for the equal use and enjoyment of such businesses by persons with disabilities. By promoting compliance with federal requirements for barrier removal, the legislature finds that significant benefits will accrue to persons with disabilities and the general public.

Notes to Decisions

1. Generally

Member of village board of trustees must avoid circumstances which compromise his or her ability to make decisions solely in public interest; thus, member of village's board of trustees, who owns property within business improvement district of village, has substantial, direct personal interest in outcome of board of trustees' vote on business improvement district's annual budget, recusal from participating in board of trustees' deliberations and voting on business improvement district's annual budget is appropriate course of action. *2002 NY Ops Atty Gen 2002-9* (Informal), *2002 N.Y. Op. (Inf.) Att'y Gen. 1028, 2002 N.Y. AG LEXIS 5*.

Research References & Practice Aids

Federal Aspects:

The Americans with Disabilities Act of 1990, cited in statutory text, appears generally as *42 USCS §§ 12101* et seq.

Jurisprudences:

27 NY Jur 2d Counties, Towns, and Municipal Corporations §§ 1444, 1445, 1452, 1453, 1456.

56 Am Jur 2d Municipal Corp., Counties, Other Political Subdivisions §§ 13, 26–28, 68, 199.

Annotations:

What constitutes requisite majority of members of municipal council voting on issue. *43 ALR2d 698*.