

COMMON COUNCIL OF THE CITY OF ALBANY
SUPPORT LEGISLATION
OCTOBER 3, 2022

ORDINANCES

22.101.22 **AN ORDINANCE AMENDING CHAPTER 359 (VEHICLES AND TRAFFIC) OF THE CODE OF THE CITY OF ALBANY DEFINING MOTORIZED SCOOTERS TO INCLUDE DEVICES WITHOUT HANDLEBARS**

RESOLUTIONS

90.101.22R **A RESOLUTION OF THE COMMON COUNCIL APPROVING AND ENDORSING THE APPLICATION OF THE CITY OF ALBANY TO EMPIRE STATE DEVELOPMENT CORPORATION UNDER ROUND 6 OF THE RESTORE NY COMMUNITIES INITIATIVE MUNICIPAL GRANT PROGRAM FOR FUNDING TO ASSIST THE CENTRAL WAREHOUSE PROJECT LOCATED AT 143 MONTGOMERY STREET IN THE CITY OF ALBANY**

Council Member Farrell introduced the following:

ORDINANCE 22.101.22

AN ORDINANCE AMENDING CHAPTER 359 (VEHICLES AND TRAFFIC) OF THE CODE OF THE CITY OF ALBANY DEFINING MOTORIZED SCOOTERS TO INCLUDE DEVICES WITHOUT HANDLEBARS

The City of Albany, in Common Council convened, does hereby ordain and enact:

Section 1. Subsection A of Section 359-7 (Motorized scooters) of Article I (Bicycles and All Motor Vehicles) of Part II of the Code of the City of Albany is hereby amended to read as follows:

- A. Definition of “motorized scooter.” For purposes of this section, the term “motorized scooter” shall mean any wheeled device ~~that has handlebars~~ that is designed to be stood or sat upon by the operator, is powered by an electric motor or by a gasoline motor that is capable of propelling the device without human power, is less than 24 inches in height and is not capable of being registered with the New York State Department of Motor Vehicles. For the purposes of this section, the term “motorized scooter” shall not include wheelchairs or other mobility aids designed for use by disabled persons, electric- or gas-powered devices not capable of exceeding 15 miles per hour or “electric personal assistive mobility devices” defined as self-balancing, two-non-tandem-wheeled devices designed to transport one person by means of an electric propulsion system.

Section 2. This ordinance shall take effect immediately.

**APPROVED AS TO FORM THIS
23RD DAY OF SEPTEMBER, 2022**

Corporation Counsel

To: Danielle Gillespie, City Clerk
From: Jake Eisland, J.D., Research Counsel
Re: Common Council Legislation
Supporting Memorandum
Date: September 20, 2022
Sponsor: Council Member Farrell

ORDINANCE 22.101.22

TITLE

AN ORDINANCE AMENDING CHAPTER 359 (VEHICLES AND TRAFFIC) OF THE CODE OF THE CITY OF ALBANY DEFINING MOTORIZED SCOOTERS TO INCLUDE DEVICES WITHOUT HANDLEBARS

GENERAL PURPOSE OF LEGISLATION

The purpose of this legislation is to change the definition of “motorized scooter” to include devices without handlebars.

NECESSITY FOR LEGISLATION AND CHANGES TO EXISTING LAW

In 2005, Albany enacted Ordinance No. 39.122.04, defining the term “motorized scooter” and restricting their use on public streets and roadways. One factor defining these “motorized scooters” was having handlebars. Since then, the increased popularity of devices such as electric unicycles has created a loophole where laws applying to most motorized devices do not apply if they do not have handlebars. This ordinance will close this loophole and make our streets safer.

FISCAL IMPACT(S)

None.

Council Member Kimbrough introduced the following:

Resolution Number 90.101.22R

A RESOLUTION OF THE COMMON COUNCIL APPROVING AND ENDORSING THE APPLICATION OF THE CITY OF ALBANY TO EMPIRE STATE DEVELOPMENT CORPORATION UNDER ROUND 6 OF THE RESTORE NY COMMUNITIES INITIATIVE MUNICIPAL GRANT PROGRAM FOR FUNDING TO ASSIST THE CENTRAL WAREHOUSE PROJECT LOCATED AT 143 MONTGOMERY STREET IN THE CITY OF ALBANY

WHEREAS, vacant and underutilized properties are a persistent barrier to neighborhood revitalization and economic vitality; and

WHEREAS, 143 Montgomery Street, often referred to as the Central Warehouse, is a vacant commercial property; and

WHEREAS, the City of Albany is requesting financial aid from the State of New York under the Restore NY Communities Initiative to assist in funding for the Central Warehouse project located at 143 Montgomery Street in the City of Albany; and

WHEREAS, the Project Applicants are a committed partner in community revitalization, seeking to rehabilitate a blighted structure, and are committed to providing development assistance to this project; and

WHEREAS, the project will assist in the rehabilitation of this blighted property, serving as a catalyst in the revitalization of the neighborhood and, by extension, the downtown Albany area; and

WHEREAS, the City of Albany is seeking to apply to the Empire State Development Corporation for funding under Round 6 of the Restore NY Communities Initiative Municipal Grant Program; and

WHEREAS, the grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located; and

WHEREAS, the proposed project is consistent with the City of Albany's local revitalization plans as it supports and advances the goals of the adopted Albany 2030 comprehensive plan, the citywide economic development strategy and applicable neighborhood revitalization plans; and

WHEREAS, the financing, per the Restore NY guidelines, is appropriate for the project; and

WHEREAS, the proposed project facilitates effective and efficient use of existing and future public resources, so as to promote economic development and preservation of community resources; and

WHEREAS, the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create, and sustain employment opportunities where applicable;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany does hereby approve and endorse the application of the City of Albany to Empire State Development Corporation under Round 6 of the Restore NY Communities Initiative Municipal Grant Program for funding to assist the Central Warehouse project at 143 Montgomery Street in the City of Albany.

To: Danielle Gillespie, City Clerk

From: Brett Williams, Esq., Senior Assistant Corporation Counsel

Re: Common Council Legislation
Supporting Memorandum

Date: September 22, 2022

Sponsor: Council Member Kimbrough

RESOLUTION 90.101.22R

TITLE

A RESOLUTION OF THE COMMON COUNCIL APPROVING AND ENDORSING THE APPLICATION OF THE CITY OF ALBANY TO EMPIRE STATE DEVELOPMENT CORPORATION UNDER ROUND 6 OF THE RESTORE NY COMMUNITIES INITIATIVE MUNICIPAL GRANT PROGRAM FOR FUNDING TO ASSIST THE CENTRAL WAREHOUSE PROJECT LOCATED AT 143 MONTGOMERY STREET IN THE CITY OF ALBANY

GENERAL PURPOSE OF LEGISLATION

The City is applying for grant funding related to its Central Warehouse project, located at and around 143 Montgomery Street, which will help revitalize this blighted, vacant commercial property and serve as a catalyst for the revitalization of the neighborhood and, by extension, downtown and the City as a whole.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

The Restore NY Communities Initiative Municipal Grant Program requires the municipality's application to be accompanied by a resolution from the municipality's governing body approving and endorsing the application.

FISCAL IMPACT

None.

EXPLANATION OF DEADLINE OR REQUESTED TIMEFRAME FOR PASSAGE

The City's application is due October 11, 2022. Since the October 3, 2022 Council meeting is the only regularly-scheduled full Council meeting that will be held before that deadline, passage is requested for the 3rd.