

# Renter's Handbook for Tivoli Residents



[www.tivoliny.com](http://www.tivoliny.com)

**2016 Edition**

Dear New Tivoli Resident,

Hello and welcome to the Village!

**You've rented an apartment in Tivoli and this document was crafted just for you.** The pages that follow contain a number of things you should know about living in this wonderful community. Read this, digest its contents, refer to it when you have a question about your apartment or the Village, and **it will aid you in making the most of your time in Tivoli.**



When is **garbage** pick-up? What about recycling? How does the **security deposit** on my apartment work? When and where are the **Village Board meetings**? What are the specifics of the **Nuisance Gathering and Noise laws**? Who clears the snow on sidewalks? How do things work in the Village of Tivoli?

This packet includes information about tenant's rights, leases and landlords, the Village's Government and services, local laws on noise, parties, and parking, and the amenities and festivals to be found in **YOUR community!**

That's right! Where ever you have come from, and whatever reasons brought you to the Village of Tivoli, **you live here now, and that makes you a TIVOLIAN!** Whether you came here for work or study, this little Village will prove a fabulous place to live if you **know a little bit about its people and history**, and understand its laws and regulations.

Tivoli was established as a port on the Hudson River in 1795 and incorporated as a Village in 1872. **In Tivoli's 1.8 square miles are 1,100 residents of various backgrounds, ages, and professions.** There are artists and laborers, students and professors, doctors, chefs, musicians, farmers and firefighters. There are grandparents and grandchildren. **We have families who have lived here for generations right next to families who have just moved in.** There are people who enjoy this Village for two or three years before work or study takes them onward and elsewhere. We have people who proudly walk the same streets, and enjoy the same Village they have loved for 30, 40, and 50 years!

All these residents, young and old, owners and renters, love Tivoli for the same reasons. **Tivoli has character. Tivoli is authentic. Tivoli is charming. Tivoli is fun.** Because the Village occupies a small geographical area, and because we are a community of neighbors who love the same place for the same reasons, the residents of Tivoli understand that **we have obligations to each other.** We help each other and we respect each other. That is the heart of what makes living here so gratifying.

A lot of places talk about “community.” A lot of places yearn for the kind of **authentic social engagement which residents of Tivoli have enjoyed for decades.** On a walk to the river or a visit to the post office you will encounter your friends, neighbors, or perhaps strike up a conversation with a fellow resident you've yet to meet. With every encounter, the colorful social fabric of this community is maintained and strengthened. You are now a part of that cloth. Enjoy your time here. Become part of this community. **Help us to ensure the unique character that is the Village of Tivoli!**

Best Wishes,

Mayor Joel Griffith

## Your Apartment

---

As a resident of Tivoli and New York State, there are a few key points to keep in mind about moving into and living in your apartment as well as maintaining a positive and healthy relationship with your landlord.

### Moving in

#### **Preexisting conditions and Security Deposits:**

When you are looking at a place to live in Tivoli, it is important to walk through the house with the landlord and establish the pre-existing conditions. Again, before you move into the living space, it is important to walk through and take photographs of any damage to avoid discrepancies. It is good practice to alert your landlord if you find damages to maintain a positive relationship. This is extremely important to ensuring that your security deposit is given back if no damage is done. Under New York State law, the security deposit can be used by the landlord for unpaid rent or any reasonable costs of repair beyond normal wear and tear. However, if there is not damage, the landlord returns the security deposit whether the tenant asks for it or not.

For more information, look at page 8 of the [New York Tenant Rights Guide](https://www.ag.ny.gov/sites/default/files/pdfs/publications/Tenants_Rights.pdf)  
[https://www.ag.ny.gov/sites/default/files/pdfs/publications/Tenants\\_Rights.pdf](https://www.ag.ny.gov/sites/default/files/pdfs/publications/Tenants_Rights.pdf)

#### **Leases:**

Most houses and apartments in Tivoli are managed by using leases. A lease is a “is a contract between a landlord and a tenant, containing the terms and conditions of the rental.” It is encouraged to talk to review the [New York State Standard Lease](http://rentalleaseagreement.org/ny/new-york-standard-residential-lease-agreement-templates-pdf-word/) before meeting to sign a lease and seeing if there are any differences between the two documents.  
(<http://rentalleaseagreement.org/ny/new-york-standard-residential-lease-agreement-templates-pdf-word/>).

It is recommended to use the New York State Standard Lease.

#### **Heating Costs:**

Houses use dramatically different amounts of heat based on their age and level of insulation. In response, before moving in the landlord must provide for free, if asked, a complete report of the heating and cooling bills from the past two years.

### Living

#### **Habitability:**

The basis for what constitutes a place being livable and up to par is the concept of habitability. According to page 17 of the New York Tenant Rights Guide, tenants have a right to a “livable, safe, and sanitary apartment, a right that is implied in every written or oral residential lease.” Landlords are required to maintain the property up to livable standards. A couple of common components include: hot water, heat, no mice or other vermin, no mold,

no broken kitchen or bathroom appliances, and fire safety devices. This list is not exhaustive. There is a checklist online of what constitutes habitability at:

<http://nycourts.gov/courts/nyc/housing/pdfs/warrantyofhabitability.pdf>

If you feel that your house is not habitable and there is an urgent need that your landlord isn't responding to such as lack of heat, you can contact the Town of Red Hook Building Inspector Steve Cole at [scole@redhook.org](mailto:scole@redhook.org) or (845)758-4623.

### **Heating:**

Although heating is covered under habitability, it is an extremely common issue and deserves a special mention. The landlord must provide heat from October 1st till May 31st. If it is colder than 55°F outside, the house must be heated to 65°F and if it is colder than 40°F outside between 10pm and 6am, the house must be heated to 55°F. Hot water must be able to reach at least 110°F

### **Right to Privacy:**

According to page 25 of the New York State Tenant Rights Guide, "Tenants have the right to privacy within their apartments. A landlord, however, may enter a tenant's apartment with *reasonable prior notice*, and at a reasonable time, with the *tenant's consent*, either to provide routine or agreed upon repairs or services, or in accordance with the lease."

Failure to notify the tenants and obtain their consent is illegal.

## **Moving Out**

### **Security Deposits:**

Before moving out, the tenant should inspect and thoroughly clean the house. There should be no trash or damage beyond normal wear and tear. It is good practice to go through the apartment with the landlord to look at the condition together and then ask for the security deposit back. As previously stated, the landlord must give the security deposit back without asking if no problems are found but asking doesn't hurt.

### **Garbage:**

When moving out of Tivoli, it is essential to make sure that you leave the house and the curb in front of the house in a clean manner. One must follow the trash guidelines that are laid out in detail in the next section.

## Your Village

---

### **Property Upkeep:**

The Village of Tivoli has a lot of historic architecture and charming buildings. It is also a densely built Village where residents are living side by side. We all owe it to our neighbors to keep up our properties. It's a fact that our little Village is cute and even beautiful. Let's keep it that way.

For these reasons, Tivoli has rules about property maintenance. The Village Code requires that residents keep their properties clear of trash, tall grass, rubbish, and garbage. Front yards, driveways and porches should be free of garbage, old furniture, abandoned vehicles or other unsightly items. Violations of these standards can result in a visit from the code enforcement officer, tickets, and fines.

Two of the important issues related to property maintenance in Tivoli are garbage service and snow removal.

### **Garbage Pick-up:**

Garbage and recycling pick-up by the Village is on Tuesday morning beginning at 7:00AM. Tivoli garbage tags can be purchased for \$4.00 per tag at the Village Clerk's office, and must be attached to each bag of garbage, or they will not be picked up. Tivoli uses this "pay-as-you-throw" system to incentivize waste reduction by residents. The less trash you produce, the less you pay. It's better for the environment and our community!

Recycling is picked up by the Village at no charge. Clean glass, plastic, and metal containers must be placed in a box, barrel, can, etc. Newspapers, magazines, and cardboard must be tied together.

No garbage or recyclables are to be placed curbside before 7:00 PM on Monday and no containers left curbside after 7:00 PM Tuesday. In other words, don't leave your garbage/recycling containers on the street all week.

Even if your residence uses a private hauler rather than Village collection you are still responsible for removing your receptacles from the curb/street. They should only be out there on collection day.

### **Snow Removal:**

Each residence is responsible for keeping the sidewalk in front of that address cleared of snow.

- Sidewalks must be cleared of snow within 24 hours of a snowfall (after snowfall ends).
- Snow cannot be thrown or left in a public right-of-way (streets, sidewalks, etc.)
- Fines may be levied or sidewalk cleared by the Village at resident's expense (\$100/hr.)

## **Parking:**

Parking in Tivoli can be a little tricky, especially if your rental doesn't have enough driveway space for your vehicle. It is important to familiarize oneself with Tivoli's parking regulations to avoid tickets, and worse, towing!

Between April and November, use commonsense and follow all parking signs and yellow curb markings, don't block the fire hydrants.

**From November 15 to April 1, the Village of Tivoli enforces a parking ordinance: no overnight parking between the hours of 1:00 AM and 6:00 AM on any Village Street.** This is to allow for snow-clearing but is in effect whether there is snow or not! \$35 tickets are issued to violators of this ordinance.

Fortunately, the Village offers off-street parking permits available from the clerk's office for \$25 per year. Vehicles with these permits can park in any of 4 municipal lots during the months of the parking ordinance. The lots are the Masonic lot on North Rd., the Municipal lots on Broadway by Village Hall and Pan'zur Restaurant, and the Schoolhouse lot on Pine St.

## **Abandoned Vehicles and Scofflaw:**

Any vehicle left unattended for more than 72 hours on any public property, street, or municipal lot is considered abandoned and can be towed at the owner's expense.

A vehicle with 3 or more outstanding or unpaid parking tickets parked on any public street or parking lot can be towed at the discretion of the Mayor or a member of the law enforcement agency with jurisdiction in the Village. The Village may arrange for the storage of any such vehicle at the owner's expense and the release of the vehicle requires the payment of all outstanding violations, parking fines, towing, storage and administrative charges.

## **If you feel your vehicle has been towed, please contact:**

Dutchess County sheriff's Office	(845) 486-3800
H & N Towing	(845) 758-5279

## Parties & Related Issues

If your planning a party, there are some VERY important local laws to consider so your gathering is fun, successful, respectful of your neighbors, and doesn't result in a visit from the police, tickets, fines, or problems with your landlord. The following laws are rigorously enforced within Tivoli:

### Noise Law:

Tivoli's noise law is easy and common sensical: **between the hours of 10:00 PM and 7:00 AM unreasonable or excessive noise is prohibited.** What is unreasonable? If your neighbor next door can hear the conversation or music coming from your apartment, its too loud. If other residents down the street can hear sound from your residence, its too loud. Tivoli is a small Village where sound and noise effects everyone in the vicinity. Every Tivolian deserves the conditions for a good night's rest. Many people choose to live in Tivoli because it is a peaceful and quiet place. Residents have to go to work and children have to go to school. You might need to work on an important paper due tomorrow.

### Nuisance Gathering Law:

In a nutshell: our little residential Village is not a suitable place for wild and noisy parties. The Nuisance Gathering Law has stiff fines and violations that can involve both the landlord and tenants.

What defines a nuisance gathering? Any gathering where any attendee of that gathering is in violation of one or more of the following 13 illegal acts is a "nuisance gathering" and subject to the penalties of this law.

Disorderly Conduct, Violation of the Noise Law, Urination/Defecation, Trespassing, Exposure/Lewdness, Unlawful Possession of Alcohol, Damage or destruction of property, Unlawful Possession of a Controlled Substance, Underage Drinking, Furnishing of alcohol to a minor, Unlawful pedestrian or vehicular traffic, Unlawful disposal of litter or refuse, Obstruction of Traffic on Public streets/sidewalks or impeding the ability to render emergency services

The full details of this law can be found at  
<http://ecode360.com/search/TI1599?query=nuisance+gathering>

### Open Container Law:

Like many communities, Tivoli does not allow open containers of alcohol in any public place. Any violation of this ordinance can result in a fine.

### Social Host Law:

Dutchess County has a strict Social Host Law aimed at preventing underage drinking. It is unlawful for any person over the age of 18 who owns, rents, or otherwise controls a residence or dwelling to knowingly allow the consumption of alcohol by any minor on such premises.

## Village Government, Services, Local Amenities, and Festivals

---

You are a resident of Tivoli and as such you have a government that represents you. The Village Website is [www.tivoliny.org](http://www.tivoliny.org). Tivoli is a Village under New York State Law and is governed by a Village Board of Trustees.

Mayor Joel Griffith (845) 757-3371  
Trustee Susan Ezrati  
Trustee Christopher Murphy

Deputy Mayor Emily Majer  
Trustee Jeanann Schneider

Village Board Meetings:  
Village Board Workshops:

3<sup>rd</sup> Wednesday of the month, 7:00 PM  
3<sup>rd</sup> Wednesday of the month, 6:00 PM  
2<sup>nd</sup> Wednesday of the month, 7:00 PM

All meetings are held at the Historic Watts dePeyster Hall (86 Broadway) **and are open to the public**. All meetings are aired on PANDA Channel 23 and available on PANDA's website and all minutes are posted to [www.tivoliny.org](http://www.tivoliny.org).

### Other Useful Contacts:

Village Clerk's Office	(845) 757-2021
Village Justice Court	(845) 757-3219
Department of Public Works (for water/sewer concerns)	(845) 206-5252
Zoning/Building/Code Enforcement	(845) 758-4623
Tivoli Fire Department	(845) 757-4445
Dutchess County sheriff's Office	(845) 486-3800
Fire, Rescue, or Police Emergency:	911

Tivoli has a fabulous Library located in Village Hall at 86 Broadway.

Tivoli Free Library (845) 757-3771

Tivoli has a great Memorial Park on Pine St. with a basketball court, baseball field, half-pipe, pavilion and other amenities. The park closes at dark.

Tivoli is north of the 600 acre Tivoli Bays Wildlife Refuge managed by the NYSDEC. A wonderful place for kayaking, hiking, mountain biking, birdwatching, etc.

### Tivoli has a fabulous, fun calendar of annual events and festivals, check them out!

Tivoli's Got Talent! Talent Show	March
Children's Egg Hunt	April
Village Yard Sale Day	July
Tivoli Community Day	August
Tivoli Street Painting Festival	September or October
Children's/Teens' Halloween Party	October
Tivoli Winterfest	December