

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one.)

of Victor

Local Law No. 4 of the year 2024

A local law to amend Chapter 184 Subdivision of Land
(Insert Title)

Be it enacted by the Town Board of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of Victor

as follows:

LOCAL LAW TO AMEND CHAPTER 184 SUBDIVISION OF LAND

BE IT ENACTED, by the Town Board of the Town of Victor, Ontario County, State of New York, as follows:

Section I. Authorization

This local law is adopted pursuant to the authority granted to the Town of Victor at Municipal Home Rule Law Section 10.

Section II. Title and Purpose

This law shall be known as and may be cited as Local Law No. 4-2024. Prior to hiring a Construction Inspector, the Town of Victor contracted with the Town engineer for this service. Moving forward the Town will collect the 4% construction inspection fee separate from the Letter of Credit. In 2023 the Town of Victor Design and Construction Standards were modified to include the new policy for the 4% construction inspection fee. At this time the Planning and Building Department would like to amend Chapter 184 of the Victor Town Code to also reflect the new policy for the 4% construction inspection fee.

Section III. Legislative Finding

The Town Board of the Town of Victor finds and hereby determines to amend Chapter 184 of the Victor Town Code to reflect the new policy for the 4% construction inspection fee.

Section IV. Amendment.

Chapter 184 at Section 184-14C (9)(d) and 184-16 (B)(6) shall be amended as follows:

§ 184-14 **Final plat review.**

C. (9) (d) Inspections. All improvements covered under a performance surety must be inspected during construction. Costs of the required inspections may be estimated by the engineer for the Town and shall be born by the developer and will be based on the initial value of the surety.

- [1] The inspection procedure is designed to determine compliance with the approved plats.
- [2] For inspection purposes, the contractor will notify the Town when construction will be undertaken on proposed improvements. Reasonable notice is required. Normally, 24 hours' notice is considered to be reasonable.
- [3] Inspections are the responsibility of the engineer for the Town, Town Staff, or a designee of the Planning Board. Subcontracting of inspections on behalf of the engineer for the Town may be done only with the prior approval of the Town Board. Should the inspector find improvements are not being installed in compliance with approved plats, the Town shall immediately be notified. The Town will take all necessary and proper steps to rectify the situation.

§ 184-16 **Required improvements.**

B. (6) Inspection. The installation of improvements shall be subject to inspection at all stages by representatives of the Town of Victor. For this purpose, free access shall be afforded and requested information shall be promptly submitted. The cost of such inspections shall be approved by the engineer for the Town and Developer shall provide a separate construction and administration inspection fee directly to the Town, in the amount of 4% of the value of the "construction cost plus contingencies". Developer to provide 50% of the total value prior to pre-construction meeting, 25% at the time of the first building permit application, and 25% at the time of surety close-out.

Section V. Validity and Severability

Should any word, section, clause, paragraph, sentence, part or provision of this local law be declared invalid by a Court of competent jurisdiction, such determination shall not affect the validity of any other part hereof.

Section VI. Repeal, Amendment and Supersession of Other Laws

All other ordinances or local laws of the Town of Victor which are in conflict with the provisions of this local law are hereby superseded or repealed to the extent necessary to give this local law force and effect during its effective period.

Section VII. Effective Date

This local law, after its adoption by the Town Board of the Town of Victor, shall take effect immediately upon its filing with the Office of the Secretary of State of the State of New York.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 4 of 2024 of the (County)(City)(Town)(Village) of Victor was duly passed by the Town Board on February 26, 2024, in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ and was deemed duly adopted (Elective Chief Executive Officer*) on _____ 20 _____, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20 _____ (Elective Chief Executive Officer*) Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20 _____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20 _____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20 _____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 ____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 ____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph , 1 above.

Karen C. Bodine

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 3/1/24

(Seal)