

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 Adams

FILED
STATE RECORDS
JUL 22 2022

DEPARTMENT OF STATE

Local Law No. 7 of the year 2022

A local law Amended to prohibit Alcohol beverages to be consumed on any public land within the
(Insert Title)
Village of Adams.

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

County City Town Village
(Select one.)

of Adams

as follows:

SEE ATTACHED

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(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. 7 of 2022 of the (County)(City)(Town)(Village) of Village of Adams was duly passed by the Board of Trustees on July 18 2022, in accordance with the applicable provisions of law.
(Name of Legislative Body)

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 _____ above.


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

Date: 7/19/22

(Seal)

Local Law Filing

Village of Adams
Local Law No. 7 of the year 2022

A Local Law to Amend Chapter 56 of the Code of the Village of Adams

Be it enacted by the Village Board of the Village of Adams that Chapter 56 of the Village Code shall read as following:

Article 1. - Statement of Authority. The Board of Trustees of the Village of Adams, pursuant to the authority granted Article 4 of the Village Law and Sections 10 and 20 of the Municipal Home Rule Law hereby enact as follows:

Article 2 - Statement of Findings and Purpose. It is the intent of the Village of Adams to promote the general health, safety, and welfare of the residents and inhabitants of the Village of Adams by enacting this chapter, since it is the finding of the Board of Trustees that the consumption of alcoholic beverages and/or the possession of open containers of alcoholic beverages by person(s) on certain public lands, except under controlled conditions, is determined to the health, safety, and welfare of the residents of the Village of Adams in that such consumption and/or possession contributes to the development of unsanitary conditions and the creation of nuisances, including but not limited to littering and raucous or other disorderly behavior. It is further the intent of the Board of Trustees that this chapter is not considered as a traffic regulation insofar as it relates to motor vehicles or the operation thereof which are covered by the Vehicle and Traffic Law of the State of New York.

Article 3 — Enactment. The Board of Trustees of the Village of Adams hereby enacts as follows:

Section 1. - Definitions

- A. **Alcoholic Beverage** - Includes alcohol, spirits, liquor, wine, champagne, beer, hard cider, and every liquid or solid, patented or not, containing alcohol, spirits, wine or beer, champagne, and capable of being consumed by a human being.
- B. **Container** - Any bottle, can, glass or other receptacle suitable for or used to hold any liquid.
- C. **Public Lands** - Any highway, street, sidewalk, park or playground.
- D. **Village** - All the territory within the boundaries of the Village of Adams.

Section 3. - Prohibited Acts

- A. Consume any alcoholic beverage on any public land within the Village of Adams.
- B. Have in his/her possession any open container which contains any alcoholic beverage on any public lands within the Village of Adams.
- C. Have in his/her possession any alcoholic beverage for the purpose of consumption on public lands within the Village of Adams.

Section 4. - Exclusions

- A. The foregoing prohibitions shall not apply in the event of a fair, picnic or other community gathering for which special permission has been granted by the Village of Adams Board of Trustees.
- B. The foregoing prohibitions shall not apply to the transportation of an unsealed, but not open, container across public lands of the Village, from one point to another, with no intent to consume the contents of such open container while upon public lands.
- C. This shall apply to all person(s) on public lands in the Village of Adams, except as provided in Section 4 B above, and shall not apply to any person drinking an alcoholic beverage while operating or riding in a motor vehicle upon a public highway within the Village as that is a violation of SS. 1227 of the Vehicle and Traffic Law of the State of New York.

Section 5. - Enforcement – Any person who commits an offense against any provision of this Local Law shall, upon conviction, be guilty of a violation pursuant to the Penal Law of the State of New York, punishable by a fine not exceeding \$250.00 or by imprisonment not exceeding 15 days, or by both fine and imprisonment.

Section 6. Miscellaneous Provisions

Article 4 - Severability. If any clause, sentence, paragraph, section or article of this law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or article thereof directly involved in the controversy in which such judgment shall have been rendered.

Article 5 — Effective Date. This Local Law shall take effect upon filing with the Department of State as required by the provisions of the Municipal Home Rule Law.

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