

STATE OF NEW YORK
DEPARTMENT OF STATE
ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001
[HTTPS://DOS.NY.GOV](https://dos.ny.gov)

KATHY HOCHUL
GOVERNOR
ROBERT J. RODRIGUEZ
SECRETARY OF STATE

January 3, 2024

Office of Richard G. Hardler
50 Broadway
PO Box 427
Amityville, NY 11701

RE: Village of Bellerose, Local Law 4 2023, filed on 12/27/2023

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, www.dos.ny.gov.

Sincerely,
State Records and Law Bureau
(518) 473-2492



**Department
of State**

LAW OFFICES OF
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December 19, 2023

NYS Department of State
Division of Corporations, State Records
and Uniform Commercial Code
1 Commerce Plaza, 99 Washington Avenue
Albany, New York 12231

Re: Inc. Village of Bellerose
Adoption of Local Law #4 of Year 2023

Dear Sir/Madam:

I am the Village Attorney for the Inc. Village of Bellerose. Enclosed please find an original and two counterparts of the subject local law, which was duly certified by the Village Clerk.

Kindly file the Local Law and return proof of filing to me in the self-addressed stamped return envelope provided for your convenience.

Thank you.

Sincerely,



Richard G. Handler

RGH:jeg
Enclosures

cc: Charles P. Puglisi, Village Clerk/Treasurer (Via Email)
Board of Trustees (Via Email)

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 Bellerose

Local Law No. 4 of the year 20 23

A local law to amend Chapter 184 of the Code of Bellerose - Streets and Sidewalks, by establishing
(Insert Title)
a new Section 184-11: Implementing Procedures for Handling Prior Written Notices of
Defects in Village-Owned Streets and Sidewalks.

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

County City Town Village
(Select one.)

of Bellerose

as follows:

See, Local Law # 4 of Year 2023 attached hereto and incorporated herein.

(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. 4 of 2023 of the (County)(City)(Town)(Village) of Bellerose was duly passed by the Board of Trustees on December 18 2023, 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 *(Elective Chief Executive Officer*)* 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.

Charles P. Anglin

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

(Seal)

Date: December 18, 2023

INCORPORATED VILLAGE OF BELLEROSE: LOCAL LAW # 4 OF YEAR 2023

A local law to amend Chapter 184 of the Code of Bellerose – Streets and Sidewalks, by establishing a new Section 184-11: Implementing Procedures for Handling Prior Written Notices of Defects in Village-Owned Streets and Sidewalks.

BE IT ENACTED by the Board of Trustees of the Inc. Village of Bellerose as follows:

Section 1: Short Title.

This local law shall be known and may be cited as the “Prior Written Notice of Defects Law.”

Section 2: §184.1A. Purpose and Findings.

The purpose of this law is to establish a comprehensive system for receiving, logging, inspecting, and addressing defects on Village-owned streets, highways, bridges, culverts, sidewalks, and crosswalks.

Section 3: §184.1B. Definitions.

“Defect” refers to any condition that poses a significant safety risk or obstruction on streets, highways, bridges, culverts, sidewalks, and crosswalks.

“Designated Individual” refers to the Commissioner of Public Works or designee.

“Village Clerk” refers to the Clerk of the Village or equivalent position.

Section 4: §184.1C. Procedures for Written Notice.

1. Receipt of Written Notice: All prior written notices of defects shall be submitted to the Village Clerk
2. Logging: The Village Clerk shall log each notice in a “Notice of Defect Log,” which shall be indexed by location, description of the defect, date of receipt, and the name and address of the notifier.
3. Transmission of Notice: A copy of each written notice shall be forwarded by the Village Clerk to the Designated Individual for inspection and necessary action.

Section 5: §184.1D. Actions by Designated Individual.

1. Site Inspection: The Designated Individual shall inspect the site of the reported defect within five (5) business days.
2. Report: The Designated Individual shall report the result of the inspection, using written documentation and, where possible, photographs.
3. Remediation: The Designated Individual shall provide a plan on how and when the defect will be repaired or declare that no defect exists.