

STATE OF NEW YORK
DEPARTMENT OF STATE

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KATHY HOCHUL
GOVERNOR

ROBERT J. RODRIGUEZ
SECRETARY OF STATE

October 31, 2023

Village of Carthage
120 South Mechanic Street
Carthage, New York 13619

RE: Village of Carthage, Local Law 4 and 5 2023, filed on 10/25/2023

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

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 Carthage _____

Local Law No. 5 of the year 2023

A local law Make corrections to Traffic Violations Bureau Law
(Insert Title)

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

County City Town Village
(Select one:)

of Carthage _____ 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. 5 of 2023 of the (County)(City)(Town)(Village) of Carthage was duly passed by the Village Board on October 16 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 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: October 19, 2023

(Seal)

VILLAGE OF CARTHAGE, LOCAL LAW NO. 5 OF 2023

Section 1. Title. This local law shall be entitled the “Local Law to Make Corrections to the Traffic Violations Bureau Law of the Village of Carthage, New York”.

Section 2. Authority. This local law is enacted pursuant to § 371 of the General Municipal Law. The purpose of this local law is to protect the public health, welfare and safety of Village residents by correcting the prior Chapter 23 of the Village Code pertaining to the Traffic Violation Bureau by correctly placing the Bureau’s jurisdiction under the Village Court rather than under the Jurisdiction of the Village Police Department.

Section 3. Enactment. Chapter 23 of the Village Code is hereby amended in its entirety to state as follows:

CHAPTER 23 TRAFFIC VIOLATION BUREAU LAW

§ 23-1 Authorization to establish.

For improving the administration of justice in the Village of Carthage in the disposition of offenses in relation to traffic violations, the Village Court thereof is hereby authorized to establish a Traffic Violation Bureau. Any other prior Traffic Violation Bureau so established in the Village is hereby dissolved, and any prior authorization is hereby revoked.

§ 23-2 Village Court to have charge.

The Traffic Violation Bureau shall be in the charge of the Village Court and such persons as he or she may designate.

§ 23-3 Powers and duties.

The Traffic Violation Bureau shall dispose of violations of traffic laws, local laws or rules and regulations involving parking of automobiles for which fixed fines are established by permitting a person charged with an offense, within the limitations herein stated, to answer, within a specified time, at the Traffic Violation Bureau, either in person or by written power of attorney, by paying a prescribed fine and, in writing, by waiving a hearing in court; or by pleading guilty to the charge and authorizing the person in charge of the Bureau to make such a plea and to pay such a fine in court.

§ 23-4 Satisfaction of violation; receipt.

Acceptance of the prescribed fine and power of attorney by the Bureau shall be deemed a complete satisfaction for the violation, and the violator shall be given a receipt which so states.

§ 23-5 Action upon failure to answer summons.

If a person charged with a traffic violation does not answer as hereinbefore prescribed within 48 hours after the service of the summons upon him, the Bureau shall cause an appearance ticket to be issued directing that person to appear before the court to answer for such summons.

§ 23-6 Appearance in court by multiple offenders.

Any person who, within the preceding 12 months, has been guilty of a number of parking violations in excess of such maximum number as may be designated by the court, or of three or more violations other than parking

- C. Change in use of land, buildings or structures through the establishment of a new use, or through the expansion or enlargement of an existing use;
- D. The resumption of any use which has been discontinued for a period of 12 months or longer;
- E. Establishment or change in dimensions of a parking area for nonresidential or multifamily residential uses;
- F. Placement of a sign as regulated in §§ 146-6B, 146-7B, 146-8B, and 146-9B of this chapter;
- G. Fences or walls.
- H. Driveways.
- I. Wastewater Disposal Systems

Section 4. Effective Date. This law shall take effect immediately upon filing with the Secretary of State.