

Local Law Filing

162 WASHINGTON AVENUE, ALBANY, NY 12231

NEW YORK STATE DEPARTMENT OF STATE

(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.

FILED
STATE RECORDS

AUG 16 2023

VILLAGE OF DUNDEE

LOCAL LAW 4 OF THE YEAR 2023

DEPARTMENT OF STATE

A LOCAL LAW AMENDING THE "SEWERS" CHAPTER OF THE CODE OF THE VILLAGE OF DUNDEE, NEW YORK providing that the method of determining water rent rates be amended.

Be it enacted by the Board of Trustees of the Village of Dundee as follows:

Section 1: Short Title.

This Local Law shall hereafter be known as the "Sewers Chapter of the Code of the Village of Dundee Amendment No. 1 of 2023".

Section 2: Legislative Intent.

The purpose of this Local Law is to amend the "Sewer" Chapter of the Code of the Village of Dundee, New York by providing that the method of determining sewer rent rates be amended. The Board of Trustees of the Village of Dundee finds that the best interests of the Village residents and property owners would be enhanced by changing the billing by the Village Sewer Department from quarterly to monthly. In conjunction therewith the past due dates, late payment penalty and shutoff provisions will also be amended.

Section 3: Legislative Authority.

This local law is enacted pursuant to the provisions of the Municipal Home Rule Law of the State of New York and the applicable provisions of the Village Law of the State of New York.

Section 4: Provisions.

II. Subsection "C. & D." of §108.15 "Sewer Rent Computation" is amended to provide as follows:

C. In addition to any and all other fees and charges provided by law, regulation or resolution, every person who shall be supplied or whose property is or may be supplied with water by the Village of Dundee within the Village of Dundee, shall be billed monthly at rates pursuant to the following formula: $monthly\ TUC = \{(FUC \times EDU) + (VUC \times \# \text{ of gallons consumed divided by } 1,000)\} \text{ divided by } 12.$

The components of the formula are:

- (1) Total user cost (TUC): the monthly amount of the customer's sewer bill.
- (2) Fixed user cost (FUC): computed as the annual costs of all indebtedness related to the

operation of the Dundee municipal sewer system and wastewater treatment plant divided by the total number of EDU's;

(3) Equivalent dwelling units (EDU): a factor representing the customer's premises as set out in the EDU documents filed with the Village Clerk and adopted or amended by resolution after public hearing upon at least five days' notice posted and published.

(4) Variable user cost (VUC): computed as the total of the annual operating and maintenance costs related to the operation of the Dundee municipal sewer system and wastewater treatment plant, divided by the anticipated annual water production of the Dundee Municipal water system and expressed as a cost per 1,000 gallons.

D. Customers outside the Village limits will be billed monthly at one and one-half times the cost at which a similarly categorized SEWER RENTS customer within the Village would be billed, or a fixed surcharge rate, except for industrial customers which may be billed more frequently if so determined by Resolution duly adopted by the Board of Trustees of the Village of Dundee, Subsequent to public hearing head upon five (5) days notice, posted and published.

Section 5: Effective Date.

This Local Law will be effective for sewer consumption readings taken after June 1, 2023, and billed on or after June 30, 2023, subsequent to the filing hereof with the Secretary of State of the State of New York upon having been duly adopted by the Board of Trustees of the Village of Dundee.

(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 the year 2023, was duly passed by the Board of Trustees of the Village of Dundee on June 13, 2023, in accordance with the applicable provisions of law.

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.


Christine Sutherland, Village Clerk

Date: July 24, 2023

(SEAL)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality)

STATE OF NEW YORK)
COUNTY YATES) ss:

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.



Edward J. Brockman, Village Attorney

Village of Dundee

Date: July 31, 2023