

# 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 Orchard Park

Local Law No. 14 of the year 20<sup>24</sup>

A local law Amending the Village of Orchard Park Municipal Code , Chapter 166 entitled Peddlers and  
(Insert Title)  
Solicitors, Article I. General Provisions

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

County  City  Town  Village  
(Select one:)

of Orchard Park as follows:

## SECTION 1

Amending Section 166-4. Application, subsection A to read:

A. No permit shall be issued until an application has first been filed with the Village Clerk by the person seeking the same and applicable fees have been paid. The application shall require the applicant to set forth their name, address, company information for whom they work or represent. The applicant shall also obtain and supply a criminal record background check to be performed by companies on the application. If the peddling takes place at a fixed place, necessary owners' proof of permission is required. The applicant shall provide the type or types of articles, devices, subscriptions, contributions, services or contracts which they desire to sell or for which they desire to solicit within the Village of Orchard Park; and the method of distribution, including vehicle information. Permits are not to exceed six (6) months. Such application shall be referred to the Police Department for approval, and after such approval has been received, the applicant shall be eligible for the issuance of such permit upon further approval in section 166-4D. If a Peddler fails to obtain a permit, is convicted of a crime, or violates against the Village Code, they can not re-apply for 12 months. Failure to be apply and receive prior approval will result in 2 times the original fee.

## SECTION 2

Amending Section 166-4. Application, subsection C to read:

C. A police officer ("Criminal Review Officer") designated by the Police Chief to review the background check from the annually approved third party company. The Criminal Review Officer shall review the criminal records and finger prints. The applicable fees associated with the background check will be paid by the applicant. The police officer designated may ask for further information from the applicant.

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

### SECTION 3

Amending Section 166-4. Application, subsection D to read:

**D.** The Criminal Records Officer, the Village Mayor, and the Village Attorney shall review the criminal history record information (CHRI) disseminated in connection with the applicant's criminal background and investigation.

### SECTION 4

Amending Section 166-4. Application, subsection E to read:

**E.** In making the determination of the applicant's fitness for the requested permit, all information shall be given due consideration. The Village reserves the right to revoke this permit at any time upon evidence of a violation of Chapter 166 of the municipal code.

### SECTION 5

Amending Section 166-6, Issuance; conditions of permit, to read:

This permit shall be valid Monday to Saturday between the hours of 10:00 a.m. and 5:00 p.m, not be valid on Sundays or Federal Holidays. The permit shall be valid for six (6) months after the date of issuance. A permit shall not be transferable, and shall be revocable in the event of any violation of the terms and conditions thereof.

### SECTION 6

This Local Law shall take effect upon filing in the Office of the Secretary of State or from the date of its service as against a person served personally with a copy thereof.

**(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. 14 of 2024 of the (County)(City)(Town)(Village) of Orchard Park was duly passed by the Board of Trustees (Name of Legislative Body) on September 9 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) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted 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) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_.

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) (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.

*Mary Beth Jensen*  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 9/9/2024

(Seal)