

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
162 WASHINGTON AVENUE, ALBANY, NY 12231

(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.

Local Law 6 of 2024 Amending Chapter 198 “Water” of the Code of the Village of Penn Yan.

Be it enacted by the Board of Trustees of the Village of Penn Yan, in the County of Yates, as follows:

SECTION 1. SHORT TITLE

This Local Law shall be known as the “2024 Amendment of the “Water” Chapter of the Village Code Concerning Installation of Check Valves on Certain Water Meters in the Village.”

SECTION 2. LEGISLATIVE FINDINGS AND INTENT

The Board of Trustees determines that on premises with multiple water meters that the water meters on such premises be required to have double check valves on the customer’s side of the meter.

SECTION 3. LEGISLATIVE AUTHORITY

This Local Law is adopted pursuant to the provisions of the Municipal Home Rule Law (MHRL) of the State of New York and the “Water” Chapter of the Village Law of the State of New York, with the procedural provisions of the Municipal Home Rule Law (MHRL) controlling.

SECTION 4. PROVISIONS

The following is added alphabetically as Sub-section “F” to Section 198-12, “Water Meters ” of Chapter 198, “Water” of the Code of the Village of Penn Yan:

F. All water meters in or on premises which contain multiple water meters and all residential homes which also include a commercial use (as determined by the Director of Public Works or his/her designee) in or on that premises shall have a double check valve installed on the customer side of each water meter. The double check valve shall conform to standards and/or specifications promulgated by the American Water Works Association (AWWA). The property owner shall be responsible for the cost of installation, maintenance and replacement of the double check valves.

SECTION 5. SEVERABILITY.

In the event that a court of competent jurisdiction determines that any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair or invalidate the remainder of this Local Law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part of this Local Law or in its application to the person individual, firm or corporation or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 6. SUPERSEDING AND REPEALER PROVISIONS

This Local Law shall supersede any provisions of the Village Law, Executive Law, General Municipal Law, or any other law or regulation to the extent inconsistent with the same and to the extent permitted by the New York State Constitution.

SECTION 7. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the office of the Secretary of State of the State of New York, subsequent to having been duly adopted by the Board of Trustees of the Village of Penn Yan.

(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. 6 of the year 2024, was duly passed by the Board of Trustees of the Village of Penn Yan on June 18, 2024, 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.





Holly Easling, Clerk/Treasurer

Date: June 25, 2024

(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 Penn Yan

Date: June 25, 2024