

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 Waterford

Local Law No. 1 of the year 2018

A local law (Insert Title)
SEWER RENTS LAW OF THE TOWN
OF WATERFORD

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

County City Town Village
(Select one.)

of Waterford as follows:

<See attached>

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

Town Code of the Town of Waterford
Chapter 126. Sewers
Article II. Sewer Rents

§ 126-10 Title.

This Article shall be cited and may be referred to as the "Sewer Rents Law of the Town of Waterford."

§ 126-11 Intent.

It is the intention of the Town Board of the Town of Waterford, by the adoption of this Article, to provide for the establishment and imposition of sewer rents for and on behalf of Sewer District No. 1 of the Town of Waterford, as authorized and contemplated by Article 14-F of the General Municipal Law of the State of New York and all other applicable statutes, and it is the intention of the Town Board to use sewer rents as the principal source of revenues for operations and maintenance of the public sewerage works and system of Sewer District No. 1 and to make such sewer rents applicable to owners of any real property located within Sewer District No. 1 and served or required to be served by the sewerage works and system.

§ 126-12 Applicability.

This Article shall apply those areas of the Town of Waterford which are encompassed in Sewer District No. 1 of the town, a district formation of which was approved by the Comptroller of the State of New York by his order dated September 24, 1976. Said Sewer District No. 1 constitutes that sewerage system and works for which provision is hereby made for establishment and imposition of sewer rents.

§ 126-13 Sewer Rent Fund.

Revenues derived from sewer rents, including penalties and interest, shall be credited to a special fund, to be known as the "Sewer Rent Fund," and moneys in such fund shall be used and expended in accord with the provisions and priorities specified by § 453 of the General Municipal Law of the State of New York and any successor statute.

§ 126-14 Authorization.

The "sewer rents" shall mean a scale of charges imposed by the Town Board, which imposition is hereby authorized, for the use of the sewerage works and system of Sewer District No. 1.

§ 126-15 Determination of sewer rents.

A.

The amount of the sewer rents shall be based on consumption of water and will be levied and collected quarterly on such dates as the Town Board may, in the case of each sewer user, prescribe from time to time.

B.

The sewer rents will apportion the total costs of sewerage works and system operation and maintenance among system users in proportion of user water consumption to total water consumption by all users, so far as practical and reasonably possible.

C.

The level of charges to be employed, under Subsections **A** and **B** of this section, to determine the amounts of sewer rents due from users shall be specified from time to time by resolution of the Town Board.

D.

In the case of users whose premises are recipient of municipal water on a metered basis, such meter readings shall be determinative of water consumption for the user.

§ 126-16 Minimum quarterly sewer rents.

A.

From time to time the Town Board shall establish a minimum quarterly sewer rent by resolution, and such shall be applicable to all users of the system in each quarter, each user in each quarter to pay not less than the minimum quarterly sewer rent so established.

B.

For non-metered properties, that is, those not covered by § **126-15D**, the amount of the quarterly sewer rent for the user shall be an amount equal to the minimum quarterly sewer rent provided for in Subsection **A** of this section.

§ 126-17 Nonresidential water use.

In the case of any nonresidential user of municipal water on a metered basis who demonstrates to the satisfaction of the Town Board, in its sole discretion, that a substantial portion of the water delivered to its premises is so utilized or diverted, on a regular and continuing basis, that it does not flow into the sewerage system, the Town Board may, in its sole discretion, provide that only a percentage of the volume of municipal water consumed by or delivered to the user's premises shall be employed in determining the user's sewer rents under §§ **126-15** to **126-17**.

§ 126-18 Collection.

The Town Board shall, from time to time, make arrangements for the orderly collection of sewer rents.

§ 126-19 Construal.

In all ways and at all times, this Article shall be construed in a manner consistent with all provisions of Article 14-F of the General Municipal Law of the State of New York.

(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. 1 of 20 18 of the (County)(City)(Town)(Village) of WATERFORD was duly passed by the TOWN BOARD on Feb. 27 20 18, 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.)

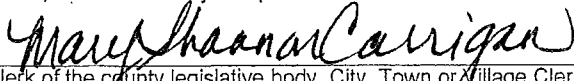
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 ____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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.


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

Date: 2/28/2018

(Seal)