

Local Law Filing

New York State Department of State
Division of Corporations
State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001
www.dos.state.ny.us/corps

(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 Village of Washingtonville

Local Law No. 4 of the year 2013

A local law (insert title) entitled “Increasing and Establishing Sewer Rents and Sewerage Facilities Charges”

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

County City Town Village
(Select one.)

of Washingtonville as follows:

Section 1. Legislative intent. The Board of Trustees of the Village of Washingtonville hereby finds and determines that the revenues to pay for current, anticipated and future expenses and other costs for operating, maintaining and improving the Village’s sewer system must be increased.

Section 2. Subsection A(1) of Section 140-10, entitled “Sewer use rents,” of Chapter 140, entitled “Sewers,” of the Code of the Village of Washingtonville is amended by establishing a new sewer user rate as follows:

One Hundred Fifty percent (150%) of the water billing, which new rate shall take effect on November 1, 2013, and shall apply to all water used commencing on November 1, 2013.

Section 3. Subsection A(1) of §140-10, entitled “Sewer use rents,” of Chapter 140 entitled “Sewers” of the Code of the Village of Washingtonville it is further amended to read as follows:

1. If a water rent is levied or charged against any real property or against the owners or occupants of such real property and such real property is served by the Village sewer system, the sewer use rent levied or charged against such real property shall be based on the consumption of water on the premises of such real property. After November 1, 2013, the amount or rate levied or charged as the sewer use rent shall be established, and may be adjusted from time to time, by resolution of the Board of Trustees following a public hearing.

Section 4. Section 140-11, entitled "Sewerage facilities rents," of Chapter 140, entitled "Sewers," of the Code of the Village of Washingtonville is amended by amending §140-11 A(7) to read as follows:

The sewerage facilities rent effective November 1, 2013 shall be \$15.00 per unit. After November 1, 2013, the amount or rate of the sewerage facilities rent levied or charged shall be established, and may be adjusted from time to time, by resolution of the Board of Trustees following a public hearing.

Section 5. Subsection A of §140-11, entitled "Sewerage facilities rents," of Chapter 140, entitled "Sewers," of the Code of the Village of Washingtonville is amended by deleting paragraphs (8) and (9).

Section 6. The definition of "Sewerage facilities rents," in §140-9, entitled "Definitions," of Chapter 140, entitled "Sewers," of the Code of the Village of Washingtonville is amended by deleting the word "outstanding".

Section 7. Separability Clause.

If any part or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law or the application thereof to other persons or circumstances, and the Board of Trustees hereby declares that it would have passed this local law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 8. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State, except that the sewer use rent established herein shall take effect on November 1, 2013.

(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 2013 of the ~~(County)~~(City)(Town)(Village) of Washingtonville was duly passed by the Board of Trustees on October 15, 2013, 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)(repassed after disapproval by the _____ and was deemed duly adopted on _____ 20__,
(Name of Legislative Body)
(Elective Chief Executive Officer)*
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
(Name of Legislative Body)
(Elective Chief Executive Officer)*
to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors 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
(Name of Legislative Body)
(Elective Chief Executive Officer)*
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 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.

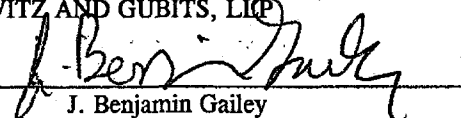

Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body
Christine Shenkman, Village Clerk
Date: 11-04-13

(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 OF ORANGE

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.

JACOBOWITZ AND GUBITS, LLP
By: 
Signature J. Benjamin Gailey

Attorneys for the Village
Title _____
County _____
City of Washingtonville
Town _____
Village _____

Date: October 30, 2013