

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 Washingtonville

FILED
STATE RECORDS

DEC 01 2017

DEPARTMENT OF STATE

Local Law No. 3 of the year 2017

A local law Amending Chapter 45 of the Village of Washingtonville Code Entitled

(Insert Title)

"Alcoholic Beverages"

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

County City Town Village
(Select one.)

of Washingtonville

as follows:

See attached:

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

(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. 3 of 2017 of the (County)(City)(Town)(Village) of Washingtonville was duly passed by the Board of Trustees on July 18 2017, 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____, in accordance with the applicable provisions of law.
(Elective Chief Executive Officer)*
(Name of Legislative Body)

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____.
(Elective Chief Executive Officer)*
(Name of Legislative Body)

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)*
(Name of Legislative Body)

* 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.

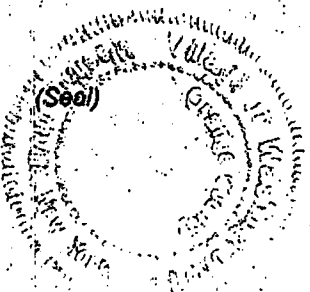
(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

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: July 18, 2017



VILLAGE OF WASHINGTONVILLE

LOCAL LAW NO. 3 OF 2017

A LOCAL LAW AMENDING CHAPTER 45 OF THE VILLAGE OF
WASHINGTONVILLE CODE ENTITLED "ALCOHOLIC BEVERAGES"

Be it enacted by the Board of Trustees of the Village of Washingtonville, County of Orange, State of New York, as follows:

Section 1. Purpose.

This Local Law is enacted for the purpose of amending existing regulations to prohibit possession of open containers of alcoholic beverages and/or consumption of alcoholic beverages on publicly owned or controlled property within the Village of Washingtonville.

Section 2. Amendment.

The portion of the Village of Washingtonville Code entitled **Chapter 45. ALCOHOLIC BEVERAGES** shall be and hereby is amended by this Local Law as follows:

Section § 45-2. Consumption in certain public places and private areas, is amended by adding the bold underlined portion as follows:

A. Prohibited. No person shall within the Village of Washingtonville drink or otherwise consume liquor, wine, beer or other alcoholic beverages while such person is in or upon **any Village owned or controlled property, including, but not limited to,** any public sidewalk, street, highway, parking lot, bathing beach, public park, **lot or building** or such other public place as defined by § 240.00 of the Penal Law of the State of New York or on private property without invitation or permission of the owner or occupant of such property.

B. Possession of open containers. No person shall carry or have in his or her possession within the Village of Washingtonville any open bottle or open container containing liquor, wine, beer or other alcoholic beverage with the intent of the possessor or another to consume the same in any of the **Village owned or controlled property and/or all public places and locations** described in Subsection **A** of this section.

Section 3. Severability

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 of the Village of Washingtonville hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or

invalid provision been apparent.

Section 4. Repeal

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 5. Authority

This Local Law is enacted pursuant to the Municipal Home Rule Law. This Local Law shall supersede the provisions of Village Law to the extent that it is inconsistent with the same, and to the extent permitted by the New York State Constitution, the Municipal Home Rule Law, or any other applicable statute.

Section 6. Effective Date

This law shall become effective upon filing with the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.