

# Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
41 STATE STREET, 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.

STATE OF NEW YORK  
DEPARTMENT OF STATE  
**FILED**  
NOV 10 2003

MISCELLANEOUS  
& STATE RECORDS

County  
City of Chittenango  
Town  
Village

Local Law No. 4 of the year 2003

A local law to amend Sewer Chapter of  
(Insert Title)  
Village Code

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

County  
City of Chittenango as follows:  
Town  
Village

**BE IT ENACTED** by the Board of Trustees of the Village of Chittenango, a local law to extend sewer service to entities outside the Village of Chittenango.

**Section 1.** Purpose: The purpose of this Local Law is to expand the areas to be served by the Village of Chittenango Sanitary Sewer System into areas adjacent to the Village within the Town of Sullivan, and within a reasonable distance of the Village of Chittenango, where development of parcels close to the Village could not be reasonably undertaken without sewer service. It is acknowledged that the Village has sewage treatment capacity at its plant to handle the expected growth of the Village and which was initially designed to service areas close to the Village; where sewer service was deemed preferable to the installation of septic systems for individual homes. Additionally, developments within the Town, which would provide appropriate and needed housing for residents of the area, would be greatly benefitted by making the Village sewage treatment facilities available, so long as the scope thereof and costs associated are deemed by the Village Board to be within the financial capacity and constraints of the sewage treatment system. The Village also recognizes that it has the ability to contract with the Town and other municipal entities so that the costs associated with servicing residences outside the Village can be collected by such entities, such that the Village does not incur difficulty in collecting its service charges. It is also deemed in the overall interests of the Village to spread the cost of the sewage treatment system over a larger population base and therefore keep the costs associated with sewage treatment and its facilities less expensive to residents of the Village, who would otherwise be served by the system.

**Section 2.** Paragraph 15-2. "Definitions and Word Usage" of Article 1 of Chapter 115 of the Village Code is hereby amended to provide that the term "authorized user" shall have the following definition:

*"Any owners of real property within the Village of Chittenango for which sanitary sewer service is available pursuant to this Chapter and any owner of real property within the following areas: Clay Hill Road, Wheeler Road and Sandy Hatch Road, with whom satisfactory agreements for individual sewer service have been executed, all residents within residential areas in municipalities within a reasonable distance of the Village limits of the Village of Chittenango (with whom a satisfactory Inter-Municipal Cooperation Agreement exists, for the provision of sewer services) and all owners of real property outside the limits of the Village of Chittenango who are currently lawfully connected to the public sewer."*

**Section 3.** Effective Date. This Local Law shall take effect twenty (20) days after enactment, or upon filing with the Secretary of State, whichever occurs later.

(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. 4 of 2003 of the ~~(County)~~(City)(Town)(Village) of Chittenango was duly passed by the Board of Trustees on October 8, 2003, 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.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

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

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

\* 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 ONE, above.

\_\_\_\_\_  
Clerk of the County legislative body, City, Town or Village Clerk  
or officer designated by local legislative body

Date: 11/5/03

(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 Madison

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.

\_\_\_\_\_  
Signature

Village Attorney  
Title

County \_\_\_\_\_  
City of Chittenango, New York  
Town \_\_\_\_\_  
Village \_\_\_\_\_

Date: 11/6/03