

# 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**  
MAY 03 2003

MISCELLANEOUS  
& STATE RECORDS

~~County~~  
~~City~~ of DELEVAN  
~~Town~~  
Village

Local Law No. \_\_\_\_\_ 1 \_\_\_\_\_ of the year 2003

"A local law AMENDING LOCAL LAW NO. 1-2001 ENTITLED "A LOCAL LAW  
(Insert Title)  
REPLACING THE WATER ORDINANCES AND CROSS CONNECTION  
CONTROL LAW".

Be it enacted by the BOARD OF TRUSTEES of the  
(Name of Legislative Body)

~~County~~  
~~City~~ of DELEVAN as follows:  
~~Town~~  
Village

SEE ATTACHED PAGES 1a - 1b.

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

**SECTION 1. SCHEDULE OF WATER RATES, SECTION 114** is hereby amended as follows:

Sec. 114. For consumption of water for each quarterly period of three (3) months in advance, reckoned from June 1, September 1, December 1 and March 1 in each year:

1 <sup>st</sup> kitchen or pantry sink.....	\$ 4.95
1 <sup>st</sup> bathroom-complete-bathtub and/or shower, wash basin, toilet.....	10.35
1 <sup>st</sup> bathtub and/or shower (not with bathroom complete).....	2.85
1 <sup>st</sup> wash basin (not with bathroom complete).....	1.65
1 <sup>st</sup> toilet (not with bathroom complete).....	5.80
1 <sup>st</sup> set of laundry tubs and and/or washing machine-not automatic.....	1.20
Automatic washing machine	5.80
Use of outside faucet for hose (all at a premises).....	3.30
Additional kitchen or pantry sink.....	1.65
Additional bathroom complete.....	6.15
Additional bathroom and/or shower.....	2.10
Additional wash basin.....	1.20
Additional toilet.....	2.85
Additional laundry tubs, each.....	.85
Additional inside faucet.....	.85
Dishwasher.....	5.50
Additional flat charge to commercial and industrial users.....	20.65
MINIMUM CHARGE: quarterly rate.....	11.35

**TERMS OF PAYMENT:** All bills shall be paid within 15 days after billing. No discount shall be allowed.

**SPECIAL PROVISIONS:** The rates enumerated above shall apply to domestic, industrial and commercial uses, including offices, stores, farms, industries, etc. As respects special uses not set forth in the above general description of uses, the Board of Trustees may establish a special rate by resolution for any use not falling within the above classifications upon application therefor.

**SECTION 2. WATER RATES-WHEN PAYABLE, SECTION 115** is hereby amended as follows:

**Sec. 115.**

1. All water rent shall be due and payable at the Delevan Office of M & T Bank located in the Delevan Plaza each three (3) month period in advance, June 1, September 1, December 1 and March 1 of each year. If the bills are not paid within fifteen (15) days from the date the bill is rendered, a late charge of ten percent (10%) shall accrue on all outstanding water rents or other charges until the same is paid in full.

2. Bills will be sent out to consumers but the Village will not employ a collector and the failure of any consumer to receive a bill promptly shall not excuse non-payment of the same and in the event the consumer fails to receive bill promptly he shall demand the same from the Village Clerk.

3. If bills are not paid within fifteen (15) days from the date bill is rendered, a notice of at least ten (10) days may be sent out to the consumer demanding payment, including late charges, or advising that the service is subject to discontinuance, and after expiration of the period specified in said notice, the service shall be subject to discontinuance by the Village without further notice to the consumer. In addition to the water rents, penalties and late charges herein provided, there shall be a charge to the consumer of \$25.00 for the discontinuance of service due to the non-payment of water rent and a further charge of \$25.00 to the consumer for the restoration of water service following payment of all water rents, penalties and late charges.

4. All charges for materials furnished or work done by employees of the Village in connection with the water service of a customer will be treated as water rents and shall become a lien upon the real property benefited.

**SECTION 3.** All other provisions of Local Law No. 1 -2001 shall remain in full force and effect except as amended herein.

**SECTION 4.** This Local Law shall take effect immediately upon the filing thereof with the office of the Secretary of State.

(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 2003 of the ~~(County)~~(~~City~~)(~~Town~~)(Village) of Delevan was duly passed by the Board of Trustees on April 15, 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 19\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 19\_\_\_\_, 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 19\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_. 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 \_\_\_\_\_ 19\_\_\_\_, 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 19\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 19\_\_\_\_, 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 19\_\_\_\_ 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 \_\_\_\_\_ 19\_\_\_\_, 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 19\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 19\_\_\_\_, 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

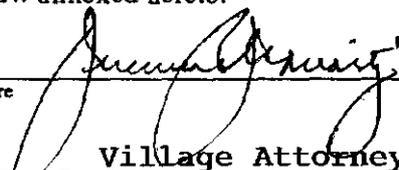
(Seal)

Date: 4-17-2003

(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 CATTARAUGUS

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 \_\_\_\_\_  
Title Village Attorney

~~County~~  
~~City~~ of Delevan  
~~Town~~  
Village

Date: APRIL 29, 2003