

(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
APR 22 1999
Alexander F. Cicchetti
Secretary of State

County
City of LIBERTY
Town
Village

Local Law No. 2 of the year 19 99

A local law PRIVATE SYSTEMS
(Insert Title)

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

County
City of LIBERTY as follows:
Town
Village

ARTICLE 4

PRIVATE SYSTEMS

68-10 PRIVATE SEWAGE SYSTEMS PROHIBITED

Effective as of April 12, 1999, it shall be unlawful to construct a new private sewage system within the Village of Liberty. It shall also be unlawful to completely replace any existing private sewage system.

68-11 EXISTING PRIVATE SEWAGE SYSTEMS

All property owners presently utilizing any private sewage system shall be permitted to continue utilizing such private sewage system, provided that:

- A. Such system shall, at all times, be in compliance with all applicable health and safety regulations, including any such regulations promulgated by the New York State Department of Health; and
- B. If any such system shall fail and require replacement thereof, the property owner shall be required to discontinue utilizing such system and shall be required to arrange for connection to the municipal sewer system. For purposes of this selection, any repair of a private sewer system costing more than \$2,500 in a 12 month period shall be deemed a replacement of such system (including the imputed value of labor, if any).
- C. If any such system shall cease to be utilized for a continuous period of six months, the property owner shall be required to discontinue utilizing such system and shall be required to arrange for connection to the municipal sewer system.

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

68-12 OWNER TO MAINTAIN

The owner of an existing private sewage disposal or a sewage system shall operate and maintain such facilities in a satisfactory manner at all times, at no expense to the village.

68-13 SUBSEQUENT AVAILABILITY OF PUBLIC SEWER

At such time as a public sewer become available to a property served by a private sewage disposal and/or sewage system, as provided for in Article IV, Section 68-8, a direct connection shall be made to the public sewer in compliance with this local law within sixty (60) days. Any person obtaining a permit to connect to the public sewer shall be required to abandon the existing septic tank or cesspool or other private sewage disposal facilities as hereinafter prescribed in Article VI, and said facilities shall be cleaned of sludge and removed or filled with suitable material or as directed by the Administrator.

68-14 CONNECTION TO PUBLIC SEWER

Where service through a public sewer becomes available to an existing private sewage system, the Administrator shall, before issuing a permit for connection to the public sewer, have the right to perform such tests and inspections as may be required to ascertain the completeness and integrity of the private sewage system and to require all necessary repairs to be made by the owner, at no expense to the village, to make the private sewage system acceptable for connection to the public sewer, as required by this local law, or such additional rules, regulations and specifications as may be adopted by the Village Board.

3225-095

(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. 2 of 19 99 of the (County)(City)(Town)(Village) of LIBERTY was duly passed by the BOARD OF TRUSTEES on APRIL 12 1999, 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 disapproved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 19 ____,
(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 19 ____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19 ____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19 ____. Such local law was
(Name of Legislative Body) (Elective Chief Executive Officer*)
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.

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 disapproved)(repassed after disapproval) by the _____ on _____ 19 ____. Such local law was subject to
(Name of Legislative Body) (Elective Chief Executive Officer*)
permissive referendum and no valid petition requesting such referendum was filed as of _____ 19 ____, 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 chairman 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 of 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.

Sady H Zurawski

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

(Seal)

Date: 04/13/99

(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 SULLIVAN

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.

Gary V. Silver

Signature

Gary V. Silver

VILLAGE ATTORNEY

Title

County

City

of

SULLIVAN

Town
Village

Date: 4/13/99