

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~~ of Fair Haven
~~Town~~
Village

FILED
STATE RECORDS

OCT 22 2009

DEPARTMENT OF STATE

Local Law No. 1 of the year 2009

A local law amending Chapter 113 of the Village of Fair Have Code
(Insert Title)

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

~~County~~
~~City~~ of Fair Haven as follows:
~~Town~~
Village

SECTION 1: PURPOSE

This Local Law is adopted under the authority of Section 10 of the Municipal Home Rule Law of the State of New York. The purpose and intent of this Local Law is to amend Chapter 113 of the Village of Fair Haven Code, in particular Section 113-10, connection to private wastewater treatment system; it having been determined to be in the interest of the public health, safety and general welfare to do so.

SECTION 2: TITLE

This Local Law shall be known and may be cited as a Local Law, "Amending Chapter 113 of the Village of Fair Haven Code."

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

SECTION 3: AMENDMENT TO CHAPTER 113 – SEWERS, ARTICLE IV, SECTION 113-10

The Village of Fair Haven Code, Chapter 113 – Sewers, Article IV, Section 113-10, Connection to Private Wastewater Treatment System, shall be amended to read as follows:

113-10 – Notwithstanding the provisions to this chapter to the contrary, no new private sewer systems shall be permitted within the Village of Fair Haven in any area where a public sewer system is available for connection to a property served by a private sewer system.

113-10.1 – Any property that maintains a private sewer system which has been deemed by the Cayuga County Health Department to be substandard shall be connected to the public sewer system when the property is transferred to a new owner. In the event the property owner fails to connect to the public sewer system, the Village will reserve the right to commence legal action against the property to compel connection to the public sewer system.

113-10.2 – In the event a private sewer system fails a dye test, the property owner shall be prohibited from making repairs to the system and shall connect to the public sewer system in accordance with the provisions of this Chapter.

113-10.3 – In the event a private sewer system utilizes a holding tank, the property owner shall hook up to the public sewer system once the public system becomes available for hook up to the subject property.

113-10.4 – Every property owner served by the public sewer system shall pay an application fee, payable to the Cayuga County Water and Sewer Authority, for the ability to hook up to the public sewer system during the construction of the system.

113-10.5 – The construction period will end one year after the phase of the system is accepted by the Cayuga County Water and Sewer Authority and notification is given to the property owner that hook up is available.

113-10.6 – A sewer hook up permit must be obtained from the Village of Fair Haven before a property is entitled to hook up to the public sewer system. There shall be no additional fees charged for the permit.

SECTION 4: EFFECTIVE DATE

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

(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, designation as local law No. 1 of 2009 of the ~~(County)(City)(Town)(Village)~~ of Fair Haven was duly passed by the Board of Trustees on October 13, 2009, in accordance
(Name of Legislative body) with the applicable provisions of law.

~~**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)
(Name of Legislative Body) (repassed after disapproval) by the _____ and was deemed duly adopted
(Elective Chief Executive Officer)* on _____ 20____, 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)
(Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20____. Such
(Elective Chief Executive Officer)* 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)
(Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20____. Such
(Elective Chief Executive Officer)* local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provision 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 of 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 1, above.

TERRI DIGREGORIO
Clerk of the county legislative body, City, Town, or Village Clerk
or officer designated by local legislative body
TERRI DIGREGORIO, Village Clerk

(Seal)

Date: 10/13/09

(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 CAYUGA

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceeding have been had or taken for the enactment of the local law annexed hereto.

Kevin C. Caraccioli
Signature KEVIN C. CARACCIOLI
Attorney for the Village
Title

County
City
Town of Fair Haven
Village

Date: 10/19/09

