

# 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**  
DEC 02 1999

*Alexander F. DiGirolamo*  
Secretary of State

County  
City of Wappinger  
Town  
Village

Local Law No. 6 of the year 1999

A local law to provide for the codification of the local laws,  
(Insert Title)  
ordinances and certain resolutions of the Town of  
Wappinger into a Municipal Code to be designated the  
"Code of the Town of Wappinger"

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

County Wappinger, County of Dutchess, New York  
City of  
Town  
Village as follows:

## ARTICLE I Adoption of Code

Be it enacted by the Town Board of the Town of Wappinger, County of Dutchess, New York, as follows:

### § 1-1. Legislative intent.

In accordance with Subdivision 3 of § 20 of the Municipal Home Rule Law, the local laws, ordinances and certain resolutions of the Town of Wappinger, as codified by General Code Publishers Corp., and consisting of Chapters 1 through 240, together with an Appendix, shall be known collectively as the "Code of the Town of Wappinger," hereafter termed the "Code." Wherever reference is made in any of the local laws, ordinances and resolutions contained in the "Code of the Town of Wappinger" to any other local law, ordinance or resolution appearing in said Code, such reference shall be changed to the appropriate chapter title, chapter number, article number or section number appearing in the Code as if such local law, ordinance or resolution had been formally amended to so read.

### § 1-2. Continuation of existing provisions.

The provisions of the Code, insofar as they are substantively the same as those of local laws, ordinances and resolutions in force immediately prior to the enactment of the Code by this local law, are intended as a continuation of such local laws, ordinances and resolutions and not as new enactments, and the effectiveness of such provisions shall date from the date of adoption of the

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

prior local law, ordinance or resolution. All such provisions are hereby continued in full force and effect and are hereby reaffirmed as to their adoption by the Town Board of the Town of Wappinger, and it is the intention of said Board that each such provision contained within the Code is hereby reaffirmed as it appears in said Code. Only such provisions of former local laws and ordinances as are omitted from this Code shall be deemed repealed or abrogated by the provisions of § 1-3 below.

§ 1-3. Repeal of enactments not included in Code.

All local laws and ordinances of a general and permanent nature of the Town of Wappinger in force on the date of the adoption of this local law and not contained in such Code or recognized and continued in force by reference therein are hereby repealed from and after the effective date of this local law.

§ 1-4. Enactments saved from repeal; matters not affected.

The repeal of local laws and ordinances provided for in § 1-3 of this local law shall not affect the following classes of local laws, ordinances, rights and obligations, which are hereby expressly saved from repeal:

A. Any right or liability established, accrued or incurred under any legislative provision of the Town of Wappinger prior to the effective date of this local law or any action or proceeding brought for the enforcement of such right or liability.

B. Any offense or act committed or done before the effective date of this local law in violation of any legislative provision of the Town of Wappinger or any penalty, punishment or forfeiture which may result therefrom.

C. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered prior to the effective date of this local law brought pursuant to any legislative provision of the Town of Wappinger.

D. Any agreement entered into or any franchise, license, right, easement or privilege heretofore granted or conferred by the Town of Wappinger.

E. Any local law or ordinance of the Town of Wappinger providing for the laying out, opening, altering, widening, relocating, straightening, establishing grade, changing name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place within the Town of Wappinger or any portion thereof.

F. Any local law or ordinance of the Town of Wappinger appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond of the Town of Wappinger or other instruments or evidence of the town's indebtedness.

G. Local laws or ordinances authorizing the purchase, sale, lease or transfer of property or any lawful contract, agreement or obligation.

H. The levy or imposition of special assessments or charges.

I. The annexation or dedication of property.

- J. Any local law or ordinance relating to salaries and compensation.
- K. Any local law or ordinance amending the Zoning Map.
- L. Any local law or ordinance relating to or establishing a pension plan or pension fund for town employees.
- M. Any local law or ordinance or portion of a local law or ordinance establishing a specific fee amount for any license, permit or service obtained from the town.
- N. Any local law adopted subsequent to 5-24-1999.
- O. All legislation regarding building construction and fire prevention in the Town of Wappinger.

§ 1-5. Severability.

If any clause, sentence, paragraph, section, article, chapter or part of this local law or of any local law, ordinance or resolution included in this Code now or through supplementation shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, section, article, chapter or part thereof directly involved in the controversy in which such judgment shall have been rendered.

§ 1-6. Copy of Code on file.

A copy of the Code, in loose-leaf form, has been filed in the office of the Town Clerk of the Town of Wappinger and shall remain there for use and examination by the public until final action is taken on this local law; and, if this local law shall be adopted, such copy shall be certified by the Town Clerk of the Town of Wappinger by impressing thereon the Seal of the town, and such certified copy shall remain on file in the office of said Town Clerk to be made available to persons desiring to examine the same during all times while said Code is in effect. The enactment and publication of this local law, coupled with the availability of a copy of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

§ 1-7. Amendments to Code.

Any and all additions, deletions, amendments or supplements to any of the local laws, ordinances and resolutions known collectively as the "Code of the Town of Wappinger" or any new local laws, ordinances or resolutions, when enacted or adopted in such form as to indicate the intention of the Town Board to be a part thereof, shall be deemed to be incorporated into such Code so that reference to the Code shall be understood and intended to include such additions, deletions, amendments or supplements. Whenever such additions, deletions, amendments or supplements to the Code shall be enacted or adopted, they shall thereafter be printed and, as provided hereunder, inserted in the loose-leaf book containing said Code as amendments and supplements thereto. Nothing contained in this local law shall affect the status of any local law, ordinance or resolution contained herein, and such local laws, ordinances or resolutions may be amended, deleted or changed from time to time as the Town Board deems desirable.

§ 1-8. Code book to be kept up-to-date.

It shall be the duty of the Town Clerk to keep up-to-date the certified copy of the book containing the Code of the Town of Wappinger required to be filed in the office of the Town Clerk for use by the public. All changes in said Code and all local laws, ordinances and resolutions adopted by the Town Board subsequent to the enactment of this local law in such form as to indicate the intention of said Board to be a part of said Code shall, when finally enacted or adopted, be included therein by temporary attachment of copies of such changes, local laws, ordinances or resolutions until such changes, local laws, ordinances or resolutions are printed as supplements to said Code book, at which time such supplements shall be inserted therein.

§ 1-9. Sale of Code book; supplementation.

Copies of the Code, or any chapter or portion of it, may be purchased from the Town Clerk, or an authorized agent of the Clerk, upon the payment of a fee to be set by resolution of the Town Board. The Clerk may also arrange for procedures for the periodic supplementation of the Code.

§ 1-10. Penalties for tampering with Code.

Any person who, without authorization from the Town Clerk, changes or amends, by additions or deletions, any part or portion of the Code of the Town of Wappinger or who alters or tampers with such Code in any manner whatsoever which will cause the legislation of the Town of Wappinger to be misrepresented thereby or who violates any other provision of this local law shall be guilty of an offense and shall, upon conviction thereof, be subject to a fine of not more than \$250 or imprisonment for a term of not more than 15 days, or both.

§ 1-11. Changes in previously adopted legislation; new provisions.

A. In compiling and preparing the local laws, ordinances and resolutions for publication as the Code of the Town of Wappinger, no changes in the meaning or intent of such local laws, ordinances and resolutions have been made, except as provided for in Subsection B hereof. In addition, certain grammatical changes and other minor nonsubstantive changes were made in one or more of said pieces of legislation. It is the intention of the Town Board that all such changes be adopted as part of the Code as if the local laws, ordinances and resolutions had been previously formally amended to read as such.

B. Fees: Throughout the Code, specific fee amounts are removed and replaced with the phrase "as set from time to time by resolution of the Town Board."

C. In addition, the amendments and/or additions as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this local law. (Chapter and section number references are to the local laws, ordinances and resolutions as they have been renumbered and appear in the Code.)

§ 1-12. Incorporation of provisions into Code.

The provisions of this local law are hereby made Article I of Chapter 1 of the Code of the Town of Wappinger, such local law to be entitled "General Provisions, Article I, Adoption of Code," and the sections of this local law shall be numbered §§ 1-1 to 1-13, inclusive.

(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. #6 of 1999 of the ~~(County)(City)~~(Town)(Village) of Wappinger was duly passed by the Town Board on Sept. 13, 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 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.

*James H. Sunden*  
\_\_\_\_\_  
Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body

(Seal)

Date: September 14, 1999

(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 DUTCHESS

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.

*Albert A. Sabatini*  
\_\_\_\_\_  
Signature  
*Attorney to the Town of Wappinger*  
\_\_\_\_\_  
Title

County  
City of Wappinger  
Town  
Village

Date: 9/14/99

Schedule A  
(As referenced in § 1-11C)

*Changes  
The new what  
was in chapter  
(Schedule A)*

**Chapter 20, Ethics, Code of [L.L. No. 2-1970].**

A. Section 20-3 is hereby amended to add the definition of "INTEREST" to read as follows:

**INTEREST** — A direct or indirect pecuniary or material benefit accruing to a municipal officer or employee as the result of a contract with the municipality which such officer or employee serves. For the purposes of this chapter, a municipal officer or employee shall be deemed to have an interest in the contract of:

- A. His spouse, minor children and dependents, except a contract of employment with the municipality which such officer or employee serves.
- B. A firm, partnership or association of which such officer or employee is a member or employee.
- C. A corporation of which such officer or employee is an officer, director or employee.
- D. A corporation, any stock of which is owned or controlled directly or indirectly by such officer or employee.

B. Section 20-3 is hereby amended to amend the definition of "MUNICIPAL OFFICER OR EMPLOYEE" to read as follows:

**MUNICIPAL OFFICER OR EMPLOYEE** — An officer or employee of a municipality, whether paid or unpaid, including members of any administrative board, commission or other agency thereof. No person shall be deemed to be a municipal officer or employee solely by reason of being a volunteer fireman or civil defense volunteer, except a fire chief or assistant fire chief.

**Chapter 24, Fire Prevention Bureau [L.L. No. 3-1983], is hereby amended in its entirety to read as follows:**

**§ 24-1. Creation of Bureau; office of Fire Inspector.**

- A. There is hereby designated a Bureau of Fire Prevention, hereinafter referred to as "the Bureau," to administer and enforce the New York State Uniform Fire Prevention and Building Code within the Town of Wappinger.
  - (1) The Bureau shall consist of eight members. Two members, active firefighters, representing each fire district in the Town of Wappinger, shall be designated by their respective District Board of Fire Commissioners and approved by the Town Board of Town of Wappinger. The Town Board shall also designate the Town Building Inspector and the Town Fire Inspector as members of the Bureau.
  - (2) The term of office of each fire district member shall be two years excepting that one member of each fire district appointed in 1981 shall be for an initial term of one year.
  - (3) Any vacancy shall be filled for the balance of the term.

- B. There is hereby created the office of Fire Inspector of the Town of Wappinger. Said Fire Inspector shall assist in the administration and enforcement of this chapter.

**§ 24-2. Inspections.**

- A. The Bureau, the Building Inspector, the Fire Inspector or their designated representatives shall conduct periodic inspections of any premises within the Town of Wappinger to ascertain compliance with the provisions of the New York State Uniform Fire Prevention and Building Code. Such inspections may be made at any reasonable time.
- B. If entrance to make an inspection is refused or cannot be obtained, the Bureau, the Building Inspector or the Fire Inspector may apply for a warrant to make an inspection to any court of competent jurisdiction.

**§ 24-3. Duties and powers of Bureau.**

- A. The Bureau of Fire Prevention shall designate any areas at, on or near any interior street, roadway or driveway in which any obstruction due to the parking or placing therein of any automobile, truck, motor vehicle or any other physical object or material will cause interference with the ingress and egress of fire-fighting equipment or which will create a condition dangerous to life or property in the event of fire. Such areas shall thereupon be marked with standard police signs and/or such other markings deemed necessary and proper by the Bureau, indicating that said area is a restricted fire zone. The parking of any automobile, truck, motor vehicle or any other physical object or material within any such restricted fire zone is hereby expressly prohibited. Said signs and markings shall be installed by and at the expense of the owner of the property, and upon his failure to do so, he shall be guilty of a violation of this chapter and subject to the enforcement provisions thereof. Notwithstanding and not in limitation of any provision hereof, no automobile, truck or other motor vehicle, and no physical object or material of any nature, shall be parked, placed or permitted to remain for any length of time whatever within 20 feet of any fire hydrant or standpipe located at, on or near any interior street, roadway or driveway within any premises classified under the Chapter 240, Zoning, as multiple residence.
- B. The Bureau shall ensure the inspection of all hydrants installed within the Town of Wappinger, private or publicly owned, and that all fire hydrants within the town shall be subject to periodic testing. All hydrants shall be maintained in an operable condition and shall meet minimum ISO Fire Flow standards for residences and they shall be clearly marked in all weather and kept accessible for Fire Department use by the owners.
- C. In addition, the following will be subject to review and approval by the Bureau when not in conflict with applicable New York State, Dutchess County or Town of Wappinger law:
- (1) The minimum acceptable width of roads used as access or egress to apartments, commercial or general business buildings or shopping area complexes.
  - (2) Hydrant locations in apartments, commercial or general business buildings or shopping area complexes.
  - (3) Access to the hydrants and availability of fire lanes to and adjacent to apartments, commercial or general business buildings or shopping area complexes.
  - (4) Smoking in places of public assembly.

- (5) Allowable occupancy in places of public assembly.
- D. Approval in writing for conformance with existing fire prevention ordinances or laws must be obtained from the Bureau before construction of new multiple-dwelling developments, apartment complexes, shopping centers or commercial or general business buildings may be implemented.

**§ 24-4. Compliance required.**

- A. A person owning, operating, occupying or maintaining property or premises within the scope of the New York State Uniform Fire Prevention and Building Code or this chapter shall comply with all the provisions of the New York State Uniform Fire Prevention and Building Code, this chapter and all orders, notices, rules, regulations or determinations issued in connection therewith.
- B. Whenever the Bureau, the Building Inspector or the Fire Inspector finds that there has been a violation of the New York State Uniform Fire Prevention and Building Code or this chapter, a violation order shall be issued to the person or persons responsible.
- C. Violation orders shall be in writing; shall identify the property or premises; shall specify the violation and remedial action to be taken; shall provide a reasonable time limit for compliance; and shall state the time within which an appeal may be taken.
- D. Violation orders may be served by personal service, by mailing by registered or certified mail, or by posting a copy thereof in a conspicuous place on the premises and by mailing a copy thereof to the premises on the same day as posted, enclosed in a postpaid wrapper addressed to the person responsible.
- E. In case the owner, lessor, occupant or the agent of any of them shall fail, neglect or refuse to remove, eliminate or abate the violation within the time specified in the violation order, the owner shall be subject to the penalties prescribed in § 24-5 of this chapter.
- F. Whenever the Bureau, the Building Inspector or the Fire Inspector, at any stage of the proceedings instituted under the provisions of this chapter, finds that a violation exists which, in his opinion, requires immediate action to abate a direct hazard or immediate danger to the health, safety, morals or welfare of the occupants of a building or of the public, he may, without prior notice or hearing, issue an order citing the violation and directing that such action be taken as is necessary to remove or abate the hazard or danger. Notwithstanding any other provision of this chapter, such order shall be effective immediately upon service and shall be complied with immediately or as otherwise provided.

**§ 24-5. Penalties for offenses.**

- A. Failure to comply with any provision of the New York State Uniform Fire Prevention and Building Code, this chapter, rules or regulations adopted pursuant to this chapter or a violation order shall be deemed a violation, and the violator shall be liable for a fine of not more than \$250 or imprisonment not to exceed 15 days, or both, and each day such violation continues shall constitute a separate violation. Any person found to be in violation shall also be subject to civil penalties in the amount of \$250 per day for each day any violation continues, and each day shall constitute a separate violation.

- B. An action or proceeding in the name of the Town of Wappinger may be commenced in any court of competent jurisdiction to compel compliance with or restrain by injunction the violation of any provision of the New York State Uniform Fire Prevention and Building Code, this chapter, rule or regulation adopted pursuant to this chapter or a violation order, or to vacate the occupancy or building in the case of imminent danger to life or property. Such remedy shall be in addition to penalties otherwise prescribed by law.
- C. The Building Inspector and the Fire Inspector shall have the authority to issue an appearance ticket pursuant to Criminal Procedure Law § 150.20 in the enforcement of this chapter.

#### **§ 24-6. Records.**

The Building Inspector shall keep official records of all permits, inspection reports, recommendations, complaints and violation orders. He shall be assisted by the Fire Inspector.

#### **§ 24-7. Liability.**

- A. No liability shall be attributed to the Town of Wappinger, its employees or officers, the Bureau of Fire Prevention, the fire districts, the Chief or Assistant of a fire district or to such Inspectors as they shall appoint if they fail to take such inspection as called for in this chapter.
- B. The Town of Wappinger, its employees or officers, the Bureau of Fire Prevention, the fire districts, their Chiefs and Assistants or Fire Inspector shall not be held liable should fire or other damage occur after they have made an inspection or issued a permit under the provisions of this chapter.

**In Chapter 50, Records, Article I, Public Access [4-10-1978], § 50-6B is hereby amended to change “Bernice Mills” to “The Town Supervisor.”**

**Chapter 68, Animals, Article I, Dog Control, is hereby adopted to read as follows:**

### **ARTICLE I Dog Control**

#### **§ 68-1. Purpose.**

The Town Board of the Town of Wappinger finds that the running at large and other uncontrolled behavior of licensed and unlicensed dogs has caused physical harm to persons, damage to property and created nuisances within the town. The purpose of this article is to protect the health, safety and well-being of persons and property by imposing restrictions on the keeping and running at large of dogs within the town.

#### **§ 68-2. Authority.**

This article is enacted pursuant to the provisions of Article 7 of the Agricultural and Markets Law and the Municipal Home Rule Law of the State of New York.

**§ 68-3. Title.**

The title of this article shall be "Dog Control Law of the Town of Wappinger."

**§ 68-4. Definitions.**

As used in this article, the following words shall have the following respective meanings:

**DOG** — Male and female, licensed and unlicensed, members of the species *Canis familiaris*.

**DOG CONTROL OFFICER** — The persons authorized by the Town Board by resolution to enforce the provisions of this article. The Dog Control Officer shall have the power to execute the provisions of this article, including service of a summons, the service of an appearance ticket pursuant to and in accordance with § 126 of the Agriculture and Markets Law of the State of New York and the service and execution of any other order of process, to appear and prosecute any matter arising under this article or Article 7 of the Justice Court Act.

**HABITUALLY** — On more than one occasion within a ninety-day period.

**OWNER** — Person entitled to claim lawful custody and possession of a dog and who is responsible for purchasing the license for such dog, unless the dog is or has been lost and such loss was promptly reported to the Dog Control Officer and a reasonable search has been made. If a dog is not licensed, the term "owner" shall designate and cover any person or persons, firm, association or corporation who or which at any time own or has custody or control of, harbors or is otherwise responsible for any dog which is kept, brought or comes within the town. In the event that the owner of any dog found to be in violation of this article shall be under 18 years of age, and said minor resides with persons over the age of 18 years of age, then any person over the age of 18 who resides in said household shall be deemed to have custody and control of said dog and shall be responsible for any acts of said dog in violation of this article. In the event that the owner of any dog found to be in violation of this article shall be under 18 years of age and not reside with any person over the age of 18 years of age, then said minor shall be deemed to have custody and control of said dog and shall be responsible for any acts of said dog in violation of this article.

**RUN AT LARGE** — To be on public or private lands without the knowledge, consent or approval of the owner of such lands.

**TOWN** — The Town of Wappinger.

**§ 68-5. Restrictions.**

It shall be unlawful for any owner of a dog to permit or allow such dog to:

- A. Run at large unless the dog is restrained by an adequate leash or unless it is accompanied by its owner or a responsible person and under the full control of such owner or person.
- B. Engage in loud howling, barking, crying or whining or conduct itself in such a manner so as to unreasonably and repeatedly disturb the comfort or repose of any person other than the owner of such dog.

- C. Uproot, dig or otherwise damage any vegetables, lawns, flowers, garden beds or other property without the consent or approval of the owner thereof.
- D. Worry, chase, jump on or otherwise harass any person in such a manner as to reasonably cause intimidation or fear or to put such person in reasonable apprehension of bodily harm or injury; worry, chase, jump on or attack any other animal.
- E. Repeatedly chase, run along side of or bark at motor vehicles, motorcycles, bicycles or other vehicles while on a public street, highway or place or upon private property without the consent or approval of the owner of such property.
- F. Create a nuisance or unsanitary condition by defecating, urinating or digging on public property, or on private property without the consent of the owner of such property.
- G. Be off the owner's property, while in heat, and unrestrained by a leash.

#### **§ 68-6. Enforcement.**

This article shall be enforced by the Dog Control Officer or any law enforcement officer.

- A. The Dog Control Officer or a peace officer observing a violation of this article in his or her presence or having reasonable cause to believe that a person has violated this article shall issue and serve an appearance ticket for such violation. The appearance ticket shall be in the form prescribed by the provisions of § 126 of the Agriculture and Markets Law and this article.
- B. The Dog Control Officer or any peace officer shall seize any unlicensed dog, whether on or off the owner's premises; any dog not wearing a tag and which is not on the owners premises; or any dog found in violation of § 68-5A of this article. The Dog Control Officer or peace officer may also investigate and commence a proceeding pursuant to § 121 of the Agriculture and Markets Law involving any dangerous dog, as described in that section, and see that the order of the Town Justice in such case is carried out.
- C. Any person who observes a dog in violation of this article may file a complaint, as that term is defined by the Criminal Procedure Law, under oath with the Town Justice of the nature of the violation, the date thereof, a description of the dog and the name of the residence, if known, of the owner of such dog. The Dog Control Officer shall be authorized to assist any such person in making such a complaint. Such a complaint may serve as the basis for enforcing the provisions of this article.

#### **§ 68-7. Seizure of dogs.**

The Dog Control Officer is hereby empowered to seize any dog which has violated any of the provisions of this article or Article 7 of the Agriculture and Markets Law which permit seizure of a dog, and any such dog shall be impounded or taken to such place as may be designated by the Town Board as a place of detention, until disposition thereof shall have been made in accordance with the provisions of this article.

#### **§ 68-8. Redemption.**

- A. Periods of redemption. Any dog seized by the Dog Control Officer shall continue to be impounded and held by him for the following prescribed time periods:
- (1) Unlicensed or unidentified dog: five days.
  - (2) Licensed dog: five days (if personal notice, from date of notice).
  - (3) Licensed dog: seven days (if mail notice, from date of mailing).
- B. Redemption fees. At any time during the period of redemption, the owner of any dog seized may redeem such dog, provided that such owner produces proof that the dog has been licensed and has been identified, provided that the owner pays the following redemption fees:
- (1) Fifty dollars for the first occasion.
  - (2) One hundred dollars for the second occasion.
  - (3) Two hundred dollars for the third and any subsequent occasion.

**§ 68-9. Disposition of seized dogs.**

An owner shall forfeit title to any dog unredeemed at the expiration of the appropriate redemption period and the dog shall then be available for adoption or euthanized. The town should keep for one year a record of the disposition of all dogs seized, which records shall be open to public inspection.

**§ 68-10. Adoption.**

- A. At the expiration of the appropriate redemption period an unredeemed dog may be made available for adoption for the following adoption fees:
- (1) Puppies up to six months: \$5.
  - (2) Purebred or purebred type: \$10.
  - (3) Mixed breed: \$5.
- B. Adoption of either a male or female dog shall be further conditioned upon the provision that the dog shall be spayed or neutered before release from custody of the Dog Control Officer and at the expense of the adoptive owner. Puppies six months and under shall be exempt from the spaying and neutering requirements. They shall be released from custody on the express written stipulation that at such time as the owner's veterinarian deems it appropriate, that such dog shall then be spayed or neutered. Such written stipulation shall be provided to the Dog Control Officer who shall verify its compliance by written certificate from the veterinarian that such spaying or neutering has been performed at the appropriate time. Failure to comply with such stipulation shall be a violation of this article and be grounds for seizure of said dog.

**§ 68-11. Trial procedure.**

The owner of a dog who is issued an appearance ticket pursuant to § 68-6 herein may answer the same by registered or certified mail, return receipt requested, within five days of the service of the appearance ticket as hereunder provided in lieu of a personal appearance on the return date at the time and court specified in said appearance ticket.

- A. For each case commenced in a Local Justice Court, the Dog Control Officer or other law enforcement officer shall immediately file an information with the Town Justice. Said information shall be filed with an appearance ticket, if any appearance ticket is issued. If no appearance ticket is issued, the information shall be filed with the court and the action otherwise commenced and jurisdiction over the defendant made in accordance with the Criminal Procedure Law.
- B. The defendant charged with a violation of this article may himself or herself plead guilty to the charge in open court. He may also submit to the Town Justice having jurisdiction, in person, by duly authorized agent or by registered mail, a statement that waives arraignment in open court and the aid of counsel, that he pleads guilty to the offense charged, that he elects and requests that the charge be disposed of and the fine or penalty fixed by the court, of any explanation that he desires to make concerning the offense charge and that he makes all statements under penalty of perjury. Thereupon, the Town Justice may proceed as though the defendant had been convicted upon a plea of guilty in open court; provided, however, that any imposition of fine or penalty hereunder shall be deemed tentative until such fine or penalty shall be paid and discharged in full. If upon receipt of the aforesaid statement the defendant shall deny the same, shall thereupon notify the defendant of this fact, and that he is required to appear before the Justice at a stated time and place to answer the charge which shall thereafter be disposed of pursuant to the applicable provisions of the law.

#### **§ 68-12. Penalties for offenses.**

- A. Any person convicted of a violation of this article and/or § 119 of the Agriculture and Markets Law shall be deemed to have committed a violation and shall be subject to a fine not exceeding \$250 or imprisonment for a period not to exceed 15 days.
- B. Every person violating any provisions of this article shall be subject to a penalty in the sum of not more than \$300 for the first violation and not more than \$600 for the second and each subsequent violation.

**Chapter 77, Bingo [6-5-1958], is hereby amended in its entirety to read as follows:**

#### **§ 77-1. Conduct authorized.**

It shall be lawful for any authorized organization, as defined in § 476 of the General Municipal Law, upon obtaining the required license, to conduct the game of bingo within the territorial limits of the Town of Wappinger, subject to the provisions of this chapter, Article 14-H of the General Municipal Law and Article 19-B of the Executive Law.

#### **§ 77-2. Sunday games.**

Any game of bingo conducted within the town pursuant to a license issued in accordance with this chapter and the applicable statutes may be operated by authorized organizations on the first day of the week, commonly known as "Sunday."

**In Chapter 89, Buildings, Numbering of [L.L. No. 2-1988], § 89-4 is hereby amended to add the words "or by imprisonment for not more than 15 days, or both such fine and imprisonment" to the end of the last sentence.**

**In Chapter 93, Buildings, Unsafe [L.L. No. 8-1982], § 93-13 is hereby adopted to read as follows:**

**§ 93-13. Penalties for offenses.**

Any person, firm or corporation who shall violate any of the provisions of this chapter or any rule or regulation made pursuant thereto shall be guilty of a violation and shall be punishable by a fine of not more than \$250 or imprisonment for not more than 15 days, or both.

**Chapter 114, Electrical Standards [L.L. No. 1-1978].**

A. In §§ 114-4, 114-6 and 114-9, references to the "New York Board of Fire Underwriters" shall be changed to the "New York Board of Fire Underwriters or other qualified inspection agency approved by the town."

B. Section 114-7 is hereby amended to standardize the penalty amounts to read as follows:

**§ 114-7. Penalties for offenses.**

Any person, firm or corporation who shall violate any of the provisions of this chapter or any rule or regulation made pursuant thereto shall be guilty of a violation and shall be punishable by a fine of not more than \$250 or imprisonment for not more than 15 days, or both. Each day on which such violation continues shall constitute a separate offense.

**In Chapter 126, Firearms [L.L. No. 2-1976], § 126-1 is hereby adopted to read as follows:**

**§ 126-1. Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**FIREARM** — Includes a shotgun, air gun, air pistol, spring gun or rifle, rifles and pistols of any caliber or any implement which impels with force a pellet or single projectile of any kind (i.e., bow and arrow, slingshot, crossbow, etc.).

**Chapter 141, Games of Chance [10-4-1976], is hereby amended in its entirety to read as follows:**

**§ 141-1. Authorization; license required.**

It shall be lawful for any authorized organization, upon obtaining a license as provided in Article 9-A of the General Municipal Law, to conduct games of chance within the Town of Wappinger, subject to the provisions of this chapter, Article 9-A of the General Municipal Law and the New York State Racing and Wagering Board.

**§ 141-2. Sundays; holidays.**

The conduct of games of chance on Sunday is only permitted when it is specifically provided for in the license issued. No games of chance, however, shall be conducted on Easter Sunday, Christmas Day, New Year's Eve, Rosh Hashanah or Yom Kippur.

**§ 141-3. Enforcement.**

The chief law enforcement officer of the County of Dutchess shall exercise control over and supervision of all games of chance.

**§ 141-4. Penalties for offenses.**

Any person, firm or corporation who shall violate any of the provisions of this chapter or any rule or regulation made pursuant thereto shall be guilty of a violation and shall be punishable by a fine of not more than \$250 or imprisonment for not more than 15 days, or both.

**Chapter 153, Junkyards.**

A. In Article I, Licensing [7-11-1977], § 153-7B is hereby amended to standardize the penalty amounts to read as follows:

B. For every violation of any provision of this article or any rule or regulation made pursuant thereto, the person, entity, corporation or partnership violating the same shall be guilty of a violation and shall be punishable by a fine of not more than \$250 or imprisonment for not more than 15 days, or both.

B. In Article II, Hours of Operation [5-14-1979], § 153-10 is hereby amended to standardize the penalty amounts to read as follows:

**§ 153-10. Penalties for offenses.**

Any person, firm or corporation who shall violate any of the provisions of this article or any rule or regulation made pursuant thereto shall be guilty of a violation and shall be punishable by a fine of not more than \$250 or imprisonment for not more than 15 days, or both. In addition thereto, the Town Board, in its discretion, after due notice and opportunity for a hearing, may terminate any license previously issued to any junkyard licensee found guilty of three offenses within 18 months.

**In Chapter 166, Noise [L.L. No. 7-1977], § 166-3 is hereby amended to standardize the penalty amounts to read as follows:**

**§ 166-3. Penalties for offenses.**

Any person, firm or corporation who or which shall violate any of the provisions of this chapter or any rule or regulation made pursuant thereto shall be guilty of a violation and shall be punishable by a fine of not more than \$250 or imprisonment for not more than 15 days, or both. Each day's violation shall constitute a separate offense.

**In Chapter 171, Parks and Recreation [10-21-1985], § 171-6 is hereby amended to standardize the penalty amounts to read as follows:**

**§ 171-6. Penalties for offenses.**

Any person, firm or corporation who shall violate any of the provisions of this chapter or any rule or regulation made pursuant thereto shall be guilty of a violation and shall be punishable by a fine of not more than \$250 or imprisonment for not more than 15 days, or both.

**Chapter 175, Peddling and Soliciting [L.L. No. 10-1992].**

A. Section 175-2 is hereby amended to delete the nonapplicable reference to Town Law § 274-a.

B. Section 175-14 is hereby amended to add a graduated penalty to read as follows:

**§ 175-14. Penalties for offenses.**

Any person, firm or corporation who shall violate any of the provisions of this chapter or any rule or regulation made pursuant thereto shall be guilty of a violation and shall be punishable by a fine of not more than \$100 for a first offense; \$200 for a second offense; and for a third offense or more, \$250 or imprisonment for not more than 15 days, or both. Each day on which such violation continues shall constitute a separate offense.

**In Chapter 180, Property, Municipal, Article I, Motor Vehicles on Town Lands [L.L. No. 2-1983], § 180-3 is hereby amended to standardize the penalty amounts to read as follows:**

**§ 180-3. Penalties for offenses.**

Any person, firm or corporation who or which shall violate any of the provisions of this article or any rule or regulation made pursuant thereto shall be guilty of a violation and shall be punishable by a fine of not more than \$250 or imprisonment for not more than 15 days, or both.

**In Chapter 192, Service Pipes, Sewer and Water [4-16-1984], § 192-4 is hereby adopted to read as follows:**

**§ 192-4. Penalties for offenses.**

Any person, firm or corporation who or which shall violate any of the provisions of this chapter or any rule or regulation made pursuant thereto shall be guilty of a violation and shall be punishable by a fine of not more than \$250 or imprisonment for not more than 15 days, or both.

**Chapter 196, Sewers.**

A. Article II, Wildwood Sewer District [L.L. No. 1-1975], is hereby amended in its entirety to read as follows:

**ARTICLE II  
Wildwood Sewer District**

**§ 196-2. Sewer rates.**

Sewer rates for the Wildwood Sewer District are on file in the town offices.

B. Article III, Wappinger Sewer Improvement Area No. 1 [L.L. No. 4-1975], is hereby amended in its entirety to read as follows:

**ARTICLE III  
Wappinger Sewer Improvement Area No. 1**

**§ 196-3. Sewer rates.**

Sewer rates for the Wappinger Sewer Improvement Area No. 1 are on file in the town offices.

C. In Article IV, Rockingham Sewer District [L.L. No. 12-1980], § 196-4B is hereby amended in its entirety to read as follows:

B. Sewer rates for the Rockingham Sewer District are on file in the town offices.

D. In Article V, Mid-Point Park Sewer District [L.L. No. 13-1980], § 196-7B is hereby amended in its entirety to read as follows:

B. Sewer rates for the Mid-Point Park Sewer District are on file in the town offices.

E. In Article VI, Fleetwood Sewer District [L.L. No. 1-1981], § 196-11B is hereby amended in its entirety to read as follows:

B. Sewer rates for the Fleetwood Sewer District are on file in the town offices.

F. In Article VIII, Early Sewer Connection [5-28-1996], § 196-24 is hereby amended to add the words "in the Wappinger Sewer Transmission/Treatment Improvement Area (all phases)" to the lead-in of that section.

**In Chapter 200, Signs [L.L. No. 6-1979], § 200-2 is hereby amended to standardize the penalty amounts to read as follows:**

**§ 200-2. Penalties for offenses.**

Any person, firm or corporation who shall violate any of the provisions of this chapter or any rule or regulation made pursuant thereto shall be guilty of a violation and shall be punishable by a fine of not more than \$250 or imprisonment for not more than 15 days, or both.

**In Chapter 206, Soil Erosion and Sediment Control [5-21-1984], § 206-16 is hereby amended to standardize the penalty amounts to read as follows:**

**§ 206-16. Penalties for offenses.**

Any person, firm or corporation who violates, neglects, omits or refuses to comply with any provision of this chapter or any permit or exception granted hereunder or any lawful requirement of the Zoning Administrator shall be guilty of a violation and shall be punishable by a fine of not more than \$250 or imprisonment for not more than 15 days, or both. To promote compliance

with the provisions of the chapter, each day that a violation continues, following notification, shall be deemed a separate offense. The imposition of any fine shall not exempt the offender from further compliance with the provisions of the chapter.

### **Chapter 210, Solid Waste.**

A. In Article I, Dumping Restricted [L.L. No. 1-1969], § 210-5A is hereby amended to standardize the penalty amounts to read as follows:

A. Any person, firm or corporation who shall violate any of the provisions of this article or any rule or regulation made pursuant thereto shall be guilty of a violation and shall be punishable by a fine of not more than \$250 or imprisonment for not more than 15 days, or both. Each such deposit of waste material on lands within the Town of Wappinger not established as a public dump, dumping grounds, refuse disposal area or landfill site shall constitute a separate violation of this article. Each day such lands are so used as a dump, dumping ground, refuse disposal area or landfill site shall constitute a separate violation. Each separate violation shall be punishable as herein set forth.

B. Article II, Dumping Ground Regulations [L.L. No. 1-1977].

(1) Former § 52-9G, Household use, is hereby repealed.

(2) Section 210-10A is hereby amended to standardize the penalty amounts to read as follows:

A. Violation. Any person, firm or corporation who or which commits, causes or permits any acts in violation of any of the provisions of this article or any rule or regulation made pursuant thereto shall be guilty of a violation and shall be punishable by a fine of not more than \$250 or imprisonment for not more than 15 days, or both.

C. Article III, Littering and Storage of Garbage [L.L. No. 6-1989].

D. Section 210-13 is hereby amended to delete references to "street" or "highway right-of-way" wherever they appear.

E. Section 210-15 is hereby amended to standardize the penalty amounts to read as follows:

#### **§ 210-15. Penalties for offenses.**

Any person, firm or corporation who or which shall violate any of the provisions of this article or any rule or regulation made pursuant thereto shall be guilty of a violation and shall be punishable by a fine of not more than \$250 or imprisonment for not more than 15 days, or both. Each day of continued violation of this article, after written notice thereof, shall constitute a separate additional violation. In addition, the town may also institute an action or proceeding, including an injunction, to compel compliance with or prevent violations of this article.

### **Chapter 214, Streets and Sidewalks.**

A. Article I, Excavations [4-29-1965].

(1) Section 214-5 is hereby amended to change the amounts of insurance required to read as follows:

**§ 214-5. Insurance coverage.**

No permit shall be issued until the applicant shall have filed with the Superintendent evidence that the town has been named as a primary insured under an insurance policy extending bodily injury and property damage coverage to the town in amounts of \$300,000/\$500,000 for bodily injury and \$50,000 for property damage caused by or attributable to the work to be performed by the applicant, such insurance coverage to be written by an insurance company authorized to do business in the State of New York.

(2) Section 214-16A is hereby amended to standardize the penalty amounts to read as follows:

A. Any person who shall violate any of the provisions of this article or any rule or regulation made pursuant thereto or fail to comply with any condition imposed by the permit or fail to comply with any lawful order of the Superintendent or to discharge any duty imposed by this article shall be guilty of a violation and shall be punishable by a fine of not more than \$250 or imprisonment for not more than 15 days, or both. Each day any such violation shall continue shall constitute a separate and distinct offense.

B. Article II, Driveways [6-8-1970].

(1) Section 214-17 is hereby amended to add the words “or encroach on town easements or interfere with other public improvements” to the end thereof.

(2) Section 214-21 is hereby amended to add the words “or encroach on town easements or interfere with other public improvements” to the end thereof.

(3) Section 214-24 is hereby amended to standardize the penalty amounts to read as follows:

**§ 214-24. Penalties for offenses.**

Any person, firm or corporation who shall violate any of the provisions of this article or any rule or regulation made pursuant thereto shall be guilty of a violation and shall be punishable by a fine of not more than \$250 or imprisonment for not more than 15 days, or both. Each day on which such violation continues shall constitute a separate offense.

C. Article III, Notification of Defects [L.L. No. 8-1977].

(1) Section 214-26 is hereby amended to remove the words “or any other property owned or maintained by the town, or any property owned or maintained by any improvement district therein,” and “or any other property owned or maintained by any improvement district” and “or any other property owned or maintained by any improvement district of the town,” therefrom so as to read as follows:

**§ 214-26. Hazardous road conditions without prior notice.**

No civil action shall be maintained against the town or the Town Superintendent of Highways of the town or against any improvement district in the town for damages or injuries to person or property sustained by reason of any highway, bridge or culvert being defective, out of repair, unsafe, dangerous or obstructed, unless prior written notice of such defective, unsafe, dangerous

or obstructed condition of such highway, bridge or culvert was actually given to the Town Clerk of the town or the Town Superintendent of Highways of the town, affording the town with a reasonable opportunity to correct such defect, and there was a failure or neglect within a reasonable time after the giving of such notice to repair or remove the defect, danger or obstruction complained of; and no such action shall be maintained for damages or injuries to persons or property sustained solely in consequence of the existence of snow or ice upon any highway, bridge or culvert unless prior written notice thereof specifying the particular place was actually given to the Town Clerk of the town or the Town Superintendent of Highways of the town affording the town with a reasonable opportunity to correct such defect, and there was a failure or neglect to cause such snow or ice to be removed or to make the place otherwise reasonably safe within a reasonable time after the receipt of such notice.

(2) Section 214-30 is hereby amended to remove the words “or any other property owned or maintained by the town, or by any improvement district” from the first sentence thereof so as to read as follows:

**§ 214-30. Records to be kept.**

The Town Clerk of the town shall keep an index record, in a separate book, of all written notices which he shall receive of the existence of a defective, unsafe, dangerous or obstructed condition in or upon, or of an accumulation of ice and snow upon, any town highway, bridge, culvert or sidewalk, which record shall state the date of the receipt of the notice, the nature and location of the condition stated to exist and the name and address of the person from whom the notice is received. The record of such notice shall be preserved for a period of five years from the date it is received. The Town Clerk, upon receipt of such written notice, shall, immediately and in writing, notify the Town Superintendent of Highways of the town of the receipt of such notice.

D. In Article IV, Maintenance of Unaccepted Streets [11-13-1978], § 214-35 is hereby amended to standardize the penalty amounts to read as follows:

**§ 214-35. Penalties for offenses.**

Any developer who or which shall violate any of the provisions of this article or any rule or regulation made pursuant thereto shall be guilty of a violation and shall be punishable by a fine of not more than \$250 or imprisonment for not more than 15 days, or both. Any subsequent violation by the same developer shall be punishable by a fine of not more than \$500 or imprisonment for not more than 15 days, or both.

**Chapter 217, Subdivision of Land [11-2-1987].**

A. Section 217-12H(1) is hereby amended to replace the words “within 45 days of the date of submission. As a general rule, this hearing may be held at the next scheduled meeting of the Planning Board occurring 14 or more days after the application is submitted, so as to allow adequate time for the giving of official notice.” with the words “in accordance with Town Law § 276, Subdivision 5.”

B. Section 217-12I is hereby amended to delete the words “Within 45 days of the close of the public hearing,” from the beginning of the fourth sentence thereof and to add “Subdivision 5” to the statutory reference contained therein so that the sentence reads as follows: “The Planning Board will approve, with or without modifications, or disapprove the preliminary subdivision application by resolution, which will set forth in detail any modifications to which the approval is subject, or reasons for disapproval, pursuant to § 276, Subdivision 5, of the Town Law.”

C. Section 217-13D(1) is hereby amended to replace the words “within 45 days of the official submission date. As a general rule, this hearing may be held at the next scheduled meeting of the Planning Board occurring 14 or more days after the official submission date, so as to allow adequate time for the giving of official notice.” with the words “in accordance with Town Law § 276, Subdivision 6.”

D. Section 217-13E(1) is hereby amended to delete the words “Within 45 days of the close of the public hearing,” from the beginning of the fourth sentence thereof and to add “Subdivision 6” to the statutory reference contained therein so that the sentence reads as follows: “The Planning Board will conditionally approve, conditionally approve with or without modifications, disapprove, or grant approval and authorize the signing of the plat, by resolution, which will set forth in detail any conditions to which the approval is subject, or reasons for disapproval, pursuant to § 276, Subdivision 5, of the Town Law.”

E. Section 217-14C is hereby amended to change “60” to “62” in two instances and to add the words “Subdivision 11” to the statutory reference in the first sentence thereof.

**Chapter 221, Taxation.**

A. Said chapter is hereby amended to change the title of the “State Board of Equalization and Assessment” to “Board of Real Property Services” wherever it appears.

B. Article V, Business Investment Exemption, is hereby adopted to read as follows:

**ARTICLE V  
Business Investment Exemption**

**§ 221-15. Geographic applicability.**

The appropriate geographic area for Real Property Tax Law § 485-b coverage shall be the entire Town of Wappinger, so long as the uses entitled to exemption constitute permitted uses in the zoning districts where new development and construction is proposed.

**§ 221-16. Minimum investment.**

In the Town of Wappinger, the exemption shall apply only to capital investments in excess of \$50,000.

**§ 221-17. Exemption schedule.**

The exemption schedule should be as follows:

| Year of Exemption | Percentage of Exemption |
|-------------------|-------------------------|
| 1                 | 50%                     |
| 2                 | 50%                     |
| 3                 | 50%                     |
| 4                 | 40%                     |

|    |     |
|----|-----|
| 5  | 30% |
| 6  | 20% |
| 7  | 10% |
| 8  | 10% |
| 9  | 10% |
| 10 | 5%  |

**§ 221-18. SIC categories.**

The SIC categories entitled to exemption within the Town of Wappinger should be those identified upon Appendix A annexed hereto.

**APPENDIX A  
As Allowed Major Categories  
Standard Industrial Classification Codes (SIC)  
by the Current Zoning Codes**

| Category  | SIC Code           | Zoning District |    |    |    |    |    |     |    |    |    |    |   |
|---|--------------------|-----------------|----|----|----|----|----|-----|----|----|----|----|---|
|   |                    | PI              | AI | CC | HB | HO | HD | COP | MU | HM | SC | NB |   |
| All manufac-<br>turing SIC<br>Codes                       | 2010<br>to<br>3900 | X               | X  |    | X  | X  | X  | X   |    |    |    |    |   |
| Transport-<br>ation truck-<br>ing and ware-<br>housing    | 4200               | X               | X  |    | X  | X  | X  | X   |    | X  |    |    |   |
| Agriculture   | 0100               |                 |    | X  | X  | X  | X  | X   | X  | X  | X  | X  | X |
| Engineering<br>and manage-<br>ment services<br>(research) | 8733<br>&<br>8734  | X               | X  | X  |    | X  | X  | X   |    |    |    |    |   |
| Miscellaneous<br>by Town Board                            | 0200               |                 |    |    |    |    |    |     |    |    |    |    |   |

Real Property Tax Law § 485-b tax exemption will be allowed for the indicated SIC Codes only in the areas of the town zoned for those special uses.

**In Chapter 225, Timer Harvesting [L.L. No. 17-1987], § 225-6E is hereby amended to add the phrase “or both” at the end of the first sentence thereof.**

**Chapter 230, Vehicles and Traffic, is hereby adopted to read as follows:**

**ARTICLE I  
General Provisions**

**§ 230-1. Definitions.**

- A. The words and phrases used in this chapter shall, for the purposes of this chapter, have the meanings respectively ascribed to them by Article 1 of the Vehicle and Traffic Law of the State of New York.
- B. The following words and phrases, which are not defined by Article 1 of the Vehicle and Traffic Law of the State of New York, shall have the meanings respectively ascribed to them in this section for the purposes of this chapter:

**CURBLINE** — The prolongation of the lateral line of a curb or, in the absence of a curb, the lateral boundary line of the roadway.

**HOLIDAYS** — New Year's Day, Lincoln's Birthday, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day and Christmas Day.

**OFFICIAL TIME STANDARD** — Whenever certain hours are named herein or on traffic control devices, they shall mean the time standard which is in current use in this state.

**§ 230-2. Authority to install traffic control devices.**

The Superintendent of Highways shall install and maintain traffic control devices when and as required under the provisions of this chapter, to make effective the provisions of this chapter, and may install and maintain such additional traffic control devices as he may deem necessary to regulate, warn or guide traffic under the Vehicle and Traffic Law of the State of New York, subject to the provisions of §§ 1682 and 1684 of that law.

**§ 230-3. Schedules; adoption of regulations.**

- A. For the purpose of maintaining an accurate record of all regulations adopted under the provisions of this chapter, there is hereby established a system of schedules, appearing as Article VII of this chapter, in which shall be entered all regulations after adoption. Such schedules shall be deemed a part of the section to which they refer. All regulations shall be adopted with reference to the appropriate schedule as indicated in the various sections of this chapter.
- B. Regulations shall be adopted by the Town Board in accordance with provisions of the Town Law and the Vehicle and Traffic Law, or by an officer or agency authorized by the Town Board to adopt regulations pursuant to § 1603 of the Vehicle and Traffic Law.

**ARTICLE II  
Traffic Regulations**

**§ 230-4. Traffic control signals.**

Traffic control signals shall be installed and operated at the intersection of those streets described in Schedule I (§ 230-35), attached to and made a part of this chapter.

**§ 230-5. Speed limits.**

The speed limit for both directions of traffic along the streets or parts thereof described in Schedule II (§ 230-36), attached to and made a part of this chapter, is hereby established at the rate of speed indicated.

**§ 230-6. School speed limits.**

No person shall drive a vehicle at a speed in excess of that indicated in Schedule III (§ 230-37), attached to and made a part of this chapter, in the areas described in said schedule, during school days between the hours of 7:00 a.m. and 6:00 p.m.

**§ 230-7. One-way streets.**

The streets or parts of streets described in Schedule IV (§ 230-38), attached to and made a part of this chapter, are hereby designated as one-way streets in the direction indicated.

**§ 230-8. No-passing zones.**

No-passing zones are hereby established along those streets or parts of streets described in Schedule V (§ 230-39), attached to and made a part of this chapter, and it shall be unlawful for the driver of any vehicle to drive on the left side of the roadway in any no-passing zone described in said schedule when overtaking and passing another vehicle proceeding in the same direction. This limitation shall not apply to the driver of a vehicle turning left when entering or leaving such highway where a left turn is permitted.

**§ 230-9. Prohibited turns at intersections.**

No person shall make a turn of the kind designated (left, right, all) at any of the locations described in Schedule VI (§ 230-40), attached to and made a part of this chapter.

**§ 230-10. Prohibited right turns on red signal.**

No person shall make a right turn when facing a steady red signal (stop indication) at any of the locations described in Schedule VII (§ 230-41), attached to and made a part of this chapter.

**§ 230-11. Through streets.**

The streets or parts of streets described in Schedule VIII (§ 230-42), attached to and made a part of this chapter, are hereby designated as through streets. Traffic control devices shall be installed on each street intersecting the through street.

**§ 230-12. Stop intersections.**

The intersections described in Schedule IX (§ 230-43), attached to and made a part of this chapter, are hereby designated as stop intersections. Stop signs shall be installed as provided therein.

**§ 230-13. Yield intersections.**

The intersections described in Schedule X (§ 230-44), attached to and made a part of this chapter, are hereby designated as yield intersections. Yield signs shall be installed as provided therein.

**§ 230-14. Trucks over certain weights excluded.**

Trucks in excess of the weights indicated are hereby excluded from the streets or parts of streets described in Schedule XI (§ 230-45), attached to and made a part of this chapter, except for the pickup and delivery of materials on such streets.

**ARTICLE III  
Parking, Standing and Stopping**

**§ 230-15. Applicability of article.**

The provisions of this article shall apply except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic control device.

**§ 230-16. Parking prohibited at all times.**

No person shall park a vehicle at any time upon any of the streets or parts thereof described in Schedule XII (§ 230-46), attached to and made a part of this chapter.

**§ 230-17. No stopping.**

No person shall stop a vehicle upon any of the streets or parts of streets described in Schedule XIII (§ 230-47), attached to and made a part of this chapter.

**§ 230-18. No standing.**

No person shall stand a vehicle upon any of the streets or parts of streets described in Schedule XIV (§ 230-48), attached to and made a part of this chapter.

**§ 230-19. Parking prohibited certain hours; all-night wintertime parking.**

- A. Between November 1 of each year and April 1 of the following year and between the hours of 12:00 midnight and 8:00 a.m. during such months, no vehicle shall be left standing or allowed to remain parked upon any public highway of the Town of Wappinger outside of the corporate limits of the Village of Wappingers Falls.

- B. No person shall park a vehicle between the hours specified in Schedule XV (§ 230-49) of any day, unless otherwise indicated, upon any of the streets or parts of streets described in said schedule, attached to and made a part of this chapter.

**§ 230-20. No stopping certain hours.**

No person shall stop a vehicle during the times specified in Schedule XVI (§ 230-50) of any day, unless otherwise indicated, upon any of the streets or parts of streets described in said schedule, attached to and made a part of this chapter.

**§ 230-21. No standing certain hours.**

No person shall stand a vehicle during the times specified in Schedule XVII (§ 230-51) of any day, unless otherwise indicated, upon any of the streets or parts of streets described in said schedule, attached to and made a part of this chapter.

**§ 230-22. Time limit parking.**

No person shall park a vehicle for longer than the time limit shown in Schedule XVIII (§ 230-52) at any time between the hours listed in said schedule of any day, unless otherwise indicated, upon any of the streets or parts of streets described in said schedule, attached to and made a part of this chapter.

**§ 230-23. Angle parking.**

No person shall park a vehicle upon any of the streets or parts thereof described in Schedule XIX (§ 230-53), attached to and made a part of this chapter, except at the angle designated and only within the painted stall lines. On all streets or portions thereof where angle parking is now or shall hereafter be authorized, all vehicles parked thereon shall be parked with the front thereof nearest the curb.

**§ 230-24. Loading zones.**

The locations described in Schedule XX (§ 230-54), attached to and made a part of this chapter, are hereby designated as loading zones.

**§ 230-25. Taxi stands.**

The locations described in Schedule XXI (§ 230-55), attached to and made a part of this chapter, are hereby designated as taxi stands.

**§ 230-26. Bus stops.**

The locations described in Schedule XXII (§ 230-56), attached to and made a part of this chapter, are hereby designated as bus stops.

**ARTICLE IV**

### **Regulation of Private Property**

#### **§ 230-27. No parking, standing or stopping.**

Parking, standing or stopping of any vehicle is prohibited in any of the following locations:

- A. In lanes marked "Fire Lanes," "Safety Lanes" or areas marked "No Parking" within those parking areas and driveways maintained by the following:
  - (1) Village Crest Apartments, its successors or assigns.
  - (2) White Gate Apartments, its successors or assigns.
  - (3) Woodhill Green Condominiums (formally "Scenic Garden Apartments"), its successors or assigns.
  - (4) Wappinger Plaza, its successors or assigns.
- B. In areas designated for parking by handicapped drivers unless such a vehicle has and displays a parking permit for a handicapped person duly authorized in the manner prescribed by § 1203-a of the Vehicle and Traffic Law.

#### **§ 230-28. Posting responsibility and requirements.**

It shall be the responsibility of the owners of the aforementioned private property and areas, their successors or assigns, to construct and maintain signs and other markings appropriate to identify "Fire Lanes," "Safety Lanes" or areas marked "No Parking" and to provide notice of tow-away restrictions and fines. Said signs shall conform to the uniformed standards prescribed by the New York State Department of Transportation to the extent provision is made for such signs. Fire lanes shall be located in those areas designated by the Fire Inspector and/or Fire Chief in whose jurisdiction such lanes lie.

#### **§ 230-29. Removal and storage of vehicles.**

- A. The Dutchess County Sheriff, Zoning Administrator, Highway Superintendent, Fire Inspector and Town Constable of the Town of Wappinger or their designees may cause a vehicle to be removed when any such vehicle is:
  - (1) Parked or abandoned on any property under private control or ownership within the Town of Wappinger during a snowstorm, flood, fire or other public emergency and removal of such vehicle is reasonably necessary for the performance of emergency procedures.
  - (2) Found unattended on any property under private control or ownership within the Town of Wappinger where said vehicle constitutes an obstruction to traffic.
  - (3) Parked or abandoned on any property under private control or ownership within the Town of Wappinger where stopping, standing or parking is prohibited.
  - (4) Otherwise parked in violation of this article.

- B. After removal of any vehicle as provided above, the person acting on behalf of the town may cause the storage of such vehicle in a suitable place at the expense of the owner. Such owner or person in charge of the vehicle may redeem the same upon payment to the Town Clerk of the Town of Wappinger of the amount of all reasonable expenses actually and necessarily incurred in affecting such removal, together with any charges for storage.
- C. The person acting on behalf of the town as provided above shall without delay report the removal and disposition of any such vehicle removed to the Town Clerk of the Town of Wappinger. The Town Clerk shall ascertain, to the extent possible, the owner of such vehicle or the persons having charge of such vehicle and notify the owner of the removal and disposition of such vehicle and the amount which shall be required to redeem the same to the extent that such amount can be calculated at the time of such notice. Such notice shall be in writing and shall be mailed to the address ascertained by the Town Clerk to be the address of the owner having charge of such vehicle.
- D. Nothing herein contained shall limit the right of enforcement of this article solely to removal and storage pursuant to this section.

#### **§ 230-30. Enforcement.**

In addition to the authority to remove and store vehicles as set forth in § 230-29 above, the Dutchess County Sheriff, Zoning Administrator, Highway Superintendent, Fire Inspector and Town Constable of the Town of Wappinger or their designees shall be authorized and empowered to issue or cause to be issued an appearance ticket for any violation of any of the provisions of this article, returnable in the Justice Court of the Town of Wappinger or any other court of competent jurisdiction.

#### **§ 230-31. Penalties for offenses.**

A person operating any vehicle in violation of the article herein described, or the owner or operator of any vehicle which is otherwise in violation of this article, shall be subject to punishment by a fine not more than \$100 or by imprisonment for not more than 15 days, or by both such fine and imprisonment; for a conviction of a second violation, both of which were committed within a period of 18 months, such person shall be punished by a fine of not more than \$200 or by imprisonment for not more than 45 days, or by both such fine and imprisonment; upon a conviction of a third or subsequent violation, all of which were committed within a period of 18 months, such person shall be punished by a fine of not more than \$300 or by imprisonment for not more than 90 days, or by both such fine and imprisonment.

### **ARTICLE V Removal and Storage of Vehicles**

#### **§ 230-32. Removal authorized.**

- A. The Dutchess County Sheriff, Zoning Administrator, Highway Superintendent, Fire Inspector and Town Constable of the Town of Wappinger or their designees may cause a vehicle to be removed when any such vehicle is:
  - (1) Parked or abandoned on any public highway within the Town of Wappinger during a snowstorm, flood, fire or other public emergency.

- (2) Found unattended on any highway within the Town of Wappinger where said vehicle constitutes an obstruction to traffic.
  - (3) Parked or abandoned on any public highway within the Town of Wappinger where stopping, standing or parking is prohibited.
  - (4) Otherwise parked in violation of this article.
- B. After removal of any vehicle as provided above, the person acting on behalf of the town may cause the storage of such vehicle in a suitable place at the expense of the owner. Such owner or person in charge of the vehicle may redeem the same upon payment to the Town Clerk of the Town of Wappinger of the amount of all reasonable expenses actually and necessarily incurred in affecting such removal, together with any charges for storage.
- C. The person acting on behalf of the town as provided above shall without delay report the removal and disposition of any such vehicle removed to the Town Clerk of the Town of Wappinger. The Town Clerk shall ascertain, to the extent possible, the owner of such vehicle or the persons having charge of such vehicle and notify the owner of the removal and disposition of such vehicle and the amount which shall be required to redeem the same to the extent that such amount can be calculated at the time of such notice. Such notice shall be in writing and shall be mailed to the address ascertained by the Town Clerk to be the address of the owner having charge of such vehicle.
- D. Nothing herein contained shall limit the right of enforcement of this article solely to removal and storage pursuant to this section.

#### **§ 230-33. Enforcement.**

In addition to the authority to remove and store vehicles as set forth in § 230-32 above, the Dutchess County Sheriff, Zoning Administrator, Highway Superintendent, Fire Inspector and Town Constable of the Town of Wappinger or their designees shall be authorized and empowered to issue or cause to be issued an appearance ticket for any violation of any of the provisions of this article, returnable in the Justice Court of the Town of Wappinger or any other court of competent jurisdiction.

### **ARTICLE VI Miscellaneous Provisions**

#### **§ 230-34. Penalties for offenses.**

Every person convicted of a traffic infraction for a violation of any provision of this chapter which is not a violation of any provision of the New York State Vehicle and Traffic Law shall, for a first conviction, be subject to punishment by a fine of not more than \$100 or by imprisonment for not more than 15 days, or by both such fine and imprisonment; for a conviction of a second violation, both of which were committed within a period of 18 months, such person shall be punished by a fine of not more than \$200 or by imprisonment for not more than 45 days, or by both such fine and imprisonment; upon a conviction of a third or subsequent violation, all of which were committed within a period of 18 months, such person shall be punished by a fine of not more than \$300 or by imprisonment for not more than 90 days, or by both such fine and imprisonment.

### **ARTICLE VII Schedules**

**§ 230-35. Schedule I: Traffic Control Signals.**

In accordance with the provisions of § 230-4, traffic control signals shall be installed at the following described intersections:

**Intersection**

(Reserved)

**§ 230-36. Schedule II: Speed Limits.**

In accordance with the provisions of § 230-5, speed limits are hereby established upon the following described streets or parts thereof:

| <b>Name of Street</b> | <b>Speed<br/>limit<br/>(mph)</b> | <b>Location</b> |
|-----------------------|----------------------------------|-----------------|
|                       |                                  | (Reserved)      |

**§ 230-37. Schedule III: School Speed Limits.**

In accordance with the provisions of § 230-6, no person shall drive a vehicle in excess of the speeds indicated below, in the areas designated below, during school days between the hours of 7:00 a.m. and 6:00 p.m.:

| <b>Name of Street</b> | <b>Speed<br/>limit<br/>(mph)</b> | <b>Location</b> |
|-----------------------|----------------------------------|-----------------|
|                       |                                  | (Reserved)      |

**§ 230-38. Schedule IV: One-Way Streets.**

In accordance with the provisions of § 230-7, the following described streets or parts thereof are hereby designated as one-way streets in the direction indicated:

| <b>Name of Street</b>             | <b>Direction<br/>of Travel</b> | <b>Limits</b>                              |
|-----------------------------------|--------------------------------|--|
| Wildwood Drive,<br>northerly lane | Westerly                       | From Widmer Road to New<br>Hackensack Road |
| Wildwood Drive,<br>southerly lane | Easterly                       | From New Hackensack Road to<br>Widmer Road |

**§ 230-39. Schedule V: No-Passing Zones.**

In accordance with the provisions of § 230-8, the following no-passing zones are hereby established:

| <b>Name of Street</b>  | <b>Distance<br/>(miles)</b> |
|------------------------|-----------------------------|
| Brown Road             | 0.22                        |
| Cedar Hill Road        | 1.69                        |
| Cooper Road            | 0.45                        |
| DeGarmo Hills Road     | 0.98                        |
| Diddell Road           | 1.64                        |
| Kent Road              | 1.22                        |
| Ketchamtown Road       | 1.90                        |
| Lake Oniad Drive       | 0.65                        |
| Losee Road             | 0.94                        |
| MacFarlan Road         | 1.09                        |
| Maloney Road           | 1.29                        |
| Montfort Road          | 0.75                        |
| Old Myers Corners Road | 0.48                        |
| Old Route 9 (north)    | 0.43                        |
| Old Route 9 (south)    | 0.90                        |
| Old Route 9 at Cooper  | 0.39                        |
| Old State Road (9D)    | 0.87                        |
| Pye Lane               | 1.11                        |
| River Road North       | 1.59                        |
| River Road South       | 0.56                        |
| Robinson Lane          | 1.30                        |
| Smith Crossing Road    | 1.24                        |
| Smithtown Road         | 1.76                        |
| Spook Hill Road        | 1.33                        |
| St. Nicholas Road      | 0.74                        |
| Stoneykill Road        | 1.00                        |
| Wheeler Hill Road      | 1.62                        |
| Widmer Road            | 2.10                        |

Wildwood Drive (outside edges only) 0.62

**§ 230-40. Schedule VI: Prohibited Turns at Intersections.**

In accordance with the provisions of § 230-9, no person shall make a turn of the kind designated below at any of the following intersections:

| Name of Street | Direction of Travel | Prohibited Turn | Hours | At Intersection of |
|----------------|---------------------|-----------------|-------|--------------------|
| (Reserved)     |                     |                 |       |                    |

**§ 230-41. Schedule VII: Prohibited Right Turns on Red Signal.**

In accordance with the provisions of § 230-10, no person shall make a right turn when facing a steady red signal (stop indication) at any of the following locations:

| Name of Street | Direction of Travel | Prohibited Right Turn on Red Signal Onto |
|----------------|---------------------|--|
| (Reserved)     |                     |  |

**§ 230-42. Schedule VIII: Through Streets.**

In accordance with the provisions of § 230-11, the following described streets or parts thereof are hereby designated as through streets. Traffic control devices shall be installed on each street intersecting the through street:

| Name of Through Street | Name of Entrance Street | Direction From Which Entering | Traffic Control Device |
|------------------------|-------------------------|-------------------------------|------------------------|
| (Reserved)             |                         |                               |                        |

**§ 230-43. Schedule IX: Stop Intersections.**

In accordance with the provisions of § 230-12, the following described intersections are hereby designated as stop intersections, and stop signs shall be installed as follows:

| Stop Sign on      | Direction of Travel | At Intersection of |
|-------------------|---------------------|--------------------|
| Aladdin Court     | West                | Losee Road         |
| Alpert Drive      | Both                | Sylvia Drive       |
| Amherst Lane      | Northwest           | Wheeler Hill Road  |
| Appleblossom Lane | West                | Pine Ridge Drive   |
| Applesauce Lane   | North               | MacIntosh Lane     |

|  |           |                   |
|--|-----------|-------------------|
| Applesauce Place                         | East      | Losee Road        |
| Ardmore Drive                            | West      | Spook Hill Road   |
| Baldwin Drive                            | North     | Kent Road         |
| Baldwin Drive                            | North     | MacIntosh Lane    |
| Balfour Drive                            | Both      | Scott Drive       |
| Balfour Drive                            | North     | Carrol Drive      |
| Balfour Drive                            | South     | Carrol Drive      |
| Bank Street                              | West      | River Road North  |
| Bellair Lane                             | East      | Mina Drive        |
| Bellair Lane                             | North     | Aladdin Court     |
| Bowdoin Lane                             | Northwest | Wheeler Hill Road |
| Boxwood Close                            | East      | Park Hill Drive   |
| Brian Place                              | South     | Wildwood Drive    |
| Brother Road                             | North     | Gold Road         |
| Bungalow Lane                            | East      | Lake Oniad Drive  |
| Bungalow Lane                            | North     | Kent Road         |
| Cady Lane                                | South     | Kent Road         |
| Carmel Court                             | North     | Park Hill Drive   |
| Carroll Drive                            | Both      | Balfour Drive     |
| Central Avenue                           | Northeast | Kent Road         |
| Central Avenue                           | West      | Ervin Drive       |
| Cooper Road                              | North     | Smithtown Road    |
| Cooper Road                              | West      | Old Route 9       |
| Daley Road                               | South     | Maloney Road      |
| Dana Place                               | North     | Wildwood Drive    |
| David Loop,<br>northerly<br>intersection | East      | Mina Drive        |
| David Loop,<br>southerly<br>intersection | East      | Mina Drive        |

|   |           |                                    |
|---|-----------|------------------------------------|
| Dennis Road,<br>southwest                 | Southwest | Wildwood Drive, northbound<br>lane |
| Dorothy Lane                              | West      | Cedar Hill Road                    |
| Doyle Drive                               | North     | Scott Drive                        |
| Edgehill Drive                            | North     | Brothers Road                      |
| Fenmore Drive                             | Southeast | Kent Road                          |
| Fieldstone Court                          | Southwest | Spook Hill Road                    |
| Foxhill Road,<br>easterly<br>intersection | North     | Lake Oniad Drive                   |
| Foxhill Road,<br>westerly<br>intersection | North     | Lake Oniad Drive                   |
| Gold Road                                 | East      | Montfort Road                      |
| Grace Court                               | South     | Bellair Lane                       |
| Granger Place                             | North     | Alpert Drive                       |
| Harbor Hill Road                          | North     | Hackensack Heights                 |
| High View Road                            | North     | Valley Road                        |
| Kent Road,<br>easterly<br>intersection    | Both      | Lake Oniad Drive                   |
| Kent Road                                 | East      | Applesauce Lane                    |
| Kent Road                                 | South     | Central Avenue                     |
| Kent Road                                 | West      | Robin Lane                         |
| Kretch Circle                             | North     | Fleetwood Drive                    |
| Lake Drive                                | Northwest | River Road North                   |
| Lake Oniad Drive<br>East                  | North     | Kent Road                          |
| Lake Oniad Drive<br>West                  | North     | Kent Road                          |
| Lake Oniad Drive<br>West                  | North     | Plaza Road                         |
| Losee Road                                | Both      | Sucich Place                       |
| Maloney Heights<br>Road                   | South     | Maloney Road                       |

|  |           |                  |
|--|-----------|------------------|
| Malstorme Road                             | North     | Widmer Road      |
| Michael Drive                              | East      | Eck Road         |
| Mina Drive                                 | East      | Spook Hill Road  |
| Mocassin Drive                             | South     | Park Hill Drive  |
| Nancyaleen Drive                           | Northeast | Spook Hill Road  |
| Nancyaleen Drive                           | West      | Mina Drive       |
| New Road                                   | West      | Old Route 9      |
| North River Road                           | South     | Bank Street      |
| Old State Road<br>(Reeves By-Pass)         | West      | River Road North |
| Orange Court                               | West      | Bellair Lane     |
| Pine Ridge Drive                           |           | Dorothy Lane     |
| Pine Ridge Drive                           |           | Rosewood Drive   |
| Pippin Lane                                | South     | Kent Road        |
| Plaza Road                                 | North     | Central Avenue   |
| Pye Lane                                   | Northeast | Montfort Road    |
| Quarry Drive                               | North     | Widmer Road      |
| Reggie Drive                               | Both      | Stanley Lane     |
| Reggie Drive,<br>northerly<br>intersection | East      | Spook Hill Road  |
| Reggie Drive,<br>southerly<br>intersection | East      | Spook Hill Road  |
| River Road North                           | East      | Old State Road   |
| Robert Lane                                | South     | Patti Place      |
| Roberts Road,<br>northerly<br>intersection | West      | Spook Hill Road  |
| Roberts Road,<br>southerly<br>intersection | South     | Spook Hill Road  |
| Robin Lane                                 | Southeast | Kent Road        |
| Rock Road                                  | Southeast | Pye Lane         |

|                     |           |                    |
|---------------------|-----------|--------------------|
| Rosewood Drive      | Southeast | Cedar Hill Road    |
| Russ Place          | Northeast | Wildwood Drive     |
| Sabia Drive         | South     | Diddell Road       |
| Sachson Place       | Northeast | Kent Road          |
| Scotse Road         | East      | Mina Drive         |
| Scott Drive         | Both      | Carroll Drive      |
| Scott Drive         | Both      | Doyle Drive        |
| Shadybrook Lane     | South     | Park Hill Drive    |
| Sherwood Heights    | North     | Peel Lane          |
| Sherwood Heights    | South     | Edgehill Drive     |
| Skytop Drive        | North     | River Road North   |
| Smith Crossing Road | North     | Diddell Road       |
| Smith Crossing Road | North     | Maloney Road       |
| Smithtown Road      | West      | Cooper Road        |
| South Court         | North     | Hackensack Heights |
| Springhill Court    | East      | Diddell Road       |
| St. Nicholas Road   | South     | Widmer Road        |
| Stage Door Road     | Southwest | Old Route 9        |
| Stanley Lane        | East      | Reggie Drive       |
| Stanley Lane        | West      | Mina Drive         |
| Sucich Place        | East      | Losee Road         |
| Theresa Boulevard   | West      | Cedar Hill Road    |
| Tor Road            | Both      | Sylvia Drive       |
| Tor Road            | Northeast | Sarah Drive        |
| Tor Road            | Southwest | Sarah Drive        |
| Wendy Drive         | Southwest | Wildwood Drive     |
| Wheeler Hill Road   | North     | Old Troy Road      |
| Wheeler Hill Road   | Southwest | Old Troy Road      |
| Wheelerhill Road    | South     | Old State Road     |

|                                    |           |                  |
|------------------------------------|-----------|------------------|
| Wildwood Drive                     | South     | Widmer Road      |
| Wildwood Drive                     | Southeast | Russ Place       |
| Wildwood Drive                     | Southeast | Wendy Road       |
| Wildwood Drive,<br>northbound lane | North     | Dennis Road      |
| Wildwood Drive,<br>southbound lane | South     | Dennis Road      |
| Woodland Court                     | Northwest | Ketchamtown Road |

**§ 230-44. Schedule X: Yield Intersections.**

In accordance with the provisions of § 230-13, the following described intersections are hereby designated as yield intersections, and yield signs shall be installed as follows:

| Yield Sign on | Direction<br>of Travel | At Intersection of |
|---------------|------------------------|--------------------|
| Ada Drive     | North                  | Michael Drive      |
| Highview Road | South                  | Valley Road        |
| Valley Road   | Southeast              | Highview Road      |

**§ 230-45. Schedule XI: Trucks Over Certain Weights Excluded.**

In accordance with the provisions of § 230-14, trucks in excess of the weights indicated are hereby excluded from the following streets or parts thereof, except for the pickup and delivery of materials on such streets:

| Name of Street | Weight<br>Limit<br>(tons) | Location   |
|----------------|---------------------------|------------|
|                |                           | (Reserved) |

**§ 230-46. Schedule XII: Parking Prohibited at All Times.**

In accordance with the provisions of § 230-16, no person shall park a vehicle at any time upon any of the following described streets or parts thereof:

| Name of Street | Side | Location   |
|----------------|------|--|
| Airport Drive  | Both | From its intersection<br>with Route 376 to its<br>terminus in a cul-de-sac<br>in the Town of Wappinger |

|                       |       |   |
|-----------------------|-------|---|
| All Angels Hill Road  | Both  | From NY Route 82 northerly to Park Hill Road  |
| Front Street          | East  | From the Town of Wappinger Chelsea Boat Ramp to Bank Street   |
| Hamlet Court          | North | Entire length   |
| Hamlet Court Circle   | Both  | In both the inner and outer perimeter of the circle, except in properly designated and marked parking spaces in said circle                                     |
| Ketchamtown Road      | South | From Osborne Hill Road (C.R. 35) westerly for a distance of 500 feet  |
| Marlorville Road      | Both  | From Route 9D westerly for a distance of 200 feet   |
| Old Route 9           | East  | From Old Hopewell Road (R.R. 28) northerly for a distance of 160 feet   |
| River Road North      | West  | From Bank Street in the Hamlet of Chelsea to a point 630 feet north thereof   |
| Widmer Road           | Both  | From the center line of the driveway entrance/accessway to the catering establishment presently known as "Villa Boghese" to a point 300 feet in both directions |
| Wildwood Drive median | Both  | Entire length   |

**§ 230-47. Schedule XIII: No Stopping.**

In accordance with the provisions of § 230-17, no person shall stop a vehicle upon any of the following described streets or parts thereof:

| Name of Street | Side | Location   |
|----------------|------|------------|
|                |      | (Reserved) |

**§ 230-48. Schedule XIV: No Standing.**

In accordance with the provisions of § 230-18, no person shall stand a vehicle upon any of the following described streets or parts thereof:

|                       |             |                 |
|-----------------------|-------------|-----------------|
| <b>Name of Street</b> | <b>Side</b> | <b>Location</b> |
|                       |             | (Reserved)      |

**§ 230-49. Schedule XV: Parking Prohibited Certain Hours.**

In accordance with the provisions of § 230-19B, no person shall park a vehicle between the times specified upon any of the following described streets or parts thereof:

| Name of Street  | Side  | Hours/Days   | Location      |
|-----------------|---|--|---------------|
| Blackthorn Loop | Southerly, easterly and northerly outer perimeter | Mondays through Fridays between 8:00 a.m. and 4:00 p.m., January 1 through June 30 and September 1 to December 31, except legal holidays | Entire length |
| Ervin Drive     | Southerly, easterly and northerly outer perimeter | Mondays through Fridays between 8:00 a.m. and 4:00 p.m., January 1 through June 30 and September 1 to December 31, except legal holidays | Entire length |

**§ 230-50. Schedule XVI: No Stopping Certain Hours.**

In accordance with the provisions of § 230-20, no person shall stop a vehicle between the times specified upon any of the following described streets or parts thereof:

|                       |             |                   |                 |
|-----------------------|-------------|-------------------|-----------------|
| <b>Name of Street</b> | <b>Side</b> | <b>Hours/Days</b> | <b>Location</b> |
|                       |             | (Reserved)        |                 |

**§ 230-51. Schedule XVII: No Standing Certain Hours.**

In accordance with the provisions of § 230-21, no person shall stand a vehicle between the times specified upon any of the following described streets or parts thereof:

| Name of Street | Side | Hours/Days | Location |
|----------------|------|------------|----------|
| (Reserved)     |      |            |          |

**§ 230-52. Schedule XVIII: Time Limit Parking.**

In accordance with the provisions of § 230-22, no person shall park a vehicle for longer than the time limit specified upon any of the following described streets or parts thereof:

| Name of Street | Side | Time Limit;<br>Hours/Days | Location |
|----------------|------|---------------------------|----------|
| (Reserved)     |      |                           |          |

**§ 230-53. Schedule XIX: Angle Parking.**

In accordance with the provisions of § 230-23, no person shall park a vehicle upon any of the streets or parts thereof described below, except at the angle designated:

| Name of Street | Side | Angle<br>(degrees) | Location |
|----------------|------|--------------------|----------|
| (Reserved)     |      |                    |          |

**§ 230-54. Schedule XX: Loading Zones.**

In accordance with the provisions of § 230-24, the following described locations are hereby designated as loading zones:

| Name of Street | Side | Location |
|----------------|------|----------|
| (Reserved)     |      |          |

**§ 230-55. Schedule XXI: Taxi Stands.**

In accordance with the provisions of § 230-25, the following described locations are hereby designated as taxi stands:

| Name of Street | Side | Location |
|----------------|------|----------|
| (Reserved)     |      |          |

**§ 230-56. Schedule XXII: Bus Stops.**

In accordance with the provisions of § 230-26, the following described locations are hereby designated as bus stops:

| Name of Street | Side | Location   |
|----------------|------|------------|
|                |      | (Reserved) |

### Chapter 234, Water.

A. In Article II, Central Wappinger Water District [L.L. No. 3-1974], § 234-16B(1) is hereby amended in its entirety to read as follows:

- (1) Water rates for the Central Wappinger Water Improvement Area are on file in the town offices.

B. In Article III, Oakwood Water District [L.L. No. 7-1980], § 234-18B is hereby amended in its entirety to read as follows:

- B. Water rates for the Oakwood Water District are on file in the town offices.

C. In Article IV, Fleetwood Water District [L.L. No. 8-1980], § 234-21B is hereby amended in its entirety to read as follows:

- B. Water rates for the Fleetwood Water District are on file in the town offices.

D. In Article V, Tall Trees Water District [L.L. No. 9-1980], § 234-25B is hereby amended in its entirety to read as follows:

- B. Water rates for the Tall Trees Water District are on file in the town offices.

E. In Article VI, Ardmore Water District [L.L. No. 10-1980], § 234-29B is hereby amended in its entirety to read as follows:

- B. Water rates for the Ardmore Water Improvement Area are on file in the town offices.

F. In Article VII, Watch Hill Water District [L.L. No. 11-1980], § 234-33B is hereby amended in its entirety to read as follows:

- B. Water rates for the Watch Hill Water District are on file in the town offices.

G. In Article VIII, Water Lines, Meters and Usage [L.L. No. 7-1983], § 234-54 is hereby amended to standardize the penalty amounts to read as follows:

#### § 234-54. Penalties for offenses; additional remedies.

Any person, firm or corporation who or which shall violate any of the provisions of this article or any rule or regulation made pursuant thereto shall be guilty of a violation and shall be punishable by a fine of not more than \$250 or imprisonment for not more than 15 days, or both. Each day on which such violation continues shall constitute a separate offense. The proper local authorities of the town, in addition to other remedies, may institute any appropriate action or proceeding to prevent unlawful violation of this article and to restrain, correct or abate such violation or to prevent any illegal action, conduct or use in or about the water improvement areas or districts, the expense of which shall be a water charge. In addition to the foregoing, any person who has made an unauthorized tap or connection to any water line of any district or area shall be liable for the use of such water at a rate four times the minimum rate for such district and shall be further liable for all expenses, including labor, engineering,