

# Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

FILED  
STATE RECORDS

DEC 15 2016

County  City  Town  Village  
(Select one.)

of Kirkwood

DEPARTMENT OF STATE

Local Law No. 7 of the year 2016

A local law A Local Law Amending the "Water Rates" Ordinance of the Town of Kirkwood  
(Insert Title)

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

County  City  Town  Village  
(Select one.)

of Kirkwood

as follows:

[See Attached]

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

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 7 of 2016 of the ~~(County)(City)(Town)(Village)~~ of Kirkwood was duly passed by the Town Board on November 29, 2016, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted *(Elective Chief Executive Officer\*)* on \_\_\_\_\_ 20  , in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_ *(Elective Chief Executive Officer\*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law. *(Elective Chief Executive Officer\*)*

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**5. (City local law concerning Charter revision proposed by petition.)**

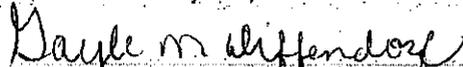
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

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

Date: Dec 6, 2016

(Seal)

**Town of Kirkwood**

**Local Law No. 7-2016**

**A Local Law Amending the "Water Rates" Ordinance of the Town of Kirkwood**

Be it enacted by the Town Board of the Town of Kirkwood as follows:

**Section 1.** Sections 2f. and 7c. of the "Water Rates" Ordinance of the Town of Kirkwood shall be amended as follows:

**SECTION 2.**

f. Any consumer desiring to discontinue the use of water to premises within the district, must notify the District at least five (5) days prior to the desired date of discontinuance of service. At the time of said notification, the consumer shall pay a charge of twenty-five dollars (\$25.00) to assist in defraying the cost of discontinuing the service and removing the meter previously installed. There is also a twenty-five dollar (\$25.00) charge for a final water bill reading, plus usage on the water meter to be paid prior to the desired date of discontinued service. There shall be no charge for restoration of service to the subject premises within one year of said discontinuance. A request for restoration of service to the said premises made more than one year after discontinuance of service shall be treated as an initial application for service and the charge prescribed in Section 2, Subdivision e of this ordinance shall be due and payable.

*[The remainder of this section shall remain the same.]*

**SECTION 7 Rules Governing Water and Repair Bills**

**C. Discontinuance of Service**

Water furnished to any property for any purpose, stands charged against such property regardless of change of ownership, and the Water District reserves the right to discontinue the service from such property for any unpaid bill or bills, accumulated by former owner or owners, and refuses to turn same on again until all arrearages and penalties are paid. In case of transfer of a property the Water Superintendent shall be immediately notified so that proper adjustment may be made of any charges or repair bills against such property. For any extra, other than the tri-annual meter readings, a charge of twenty-five dollars (\$25.00) will be made. In case the water is turned off by an agent of the Water District of proper cause, no person shall turn water on again without permission from the Water District.

*[The remainder of this section shall remain the same.]*

**Section 3. Separability**

The provisions of this local law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

**Section 4. Repealer**

All Ordinances, Local Laws and parts thereof inconsistent with this Local Law are hereby repealed.

**Section 5. Effective Date**

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