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# 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 underlining to indicate new matter.

STATE OF NEW YORK  
DEPARTMENT OF STATE  
**FILED**  
JAN 31 2003

~~County~~  
~~City~~ of Carthage  
~~Town~~  
Village

MISCELLANEOUS  
& STATE RECORDS

Local Law No. 1 of the year 2003

A local law to shorten the time period which the police must wait to  
*(Insert Title)* tow a vehicle that is beyond its time for parking.

Be it enacted by the \_\_\_\_\_ of the  
*(Name of Legislative Body)*

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

Article 1. - Statement of Authority. The Board of Trustees of the Village of Carthage, pursuant to the authority granted it under Article 4 of the Village Law, the Vehicle and Traffic Law of the State of New York and Sections 10 and 20 of the Municipal Home Rule Law of the State of New York hereby enact as follows:

Article 2. - Statement of Findings and Purpose. The Board of Trustees of the Village of Carthage has found that current provisions of Section 135-3(b) of the Village of Carthage Code, do not allow the police to remove vehicles parked beyond the stated time limits until they have been at least five (5) hours over such limits. This has created problems of congestion in the downtown where parking is at a minimum. It is the purpose of this local law to shorten the time period which the police must wait to tow a vehicle is beyond its time limits for parking.

Article 3. - Enactment. The Board of Trustees of the Village of Carthage does hereby amends Section 135-3(b) of the Village of Carthage Code and as so amended restates it as follows:

"There shall be attached a notice to any vehicle in  
(If additional space is needed, attach pages the same size as this sheet, and number each.)

violation of the provisions of Section 135-22 and 135-60 such notice shall state that such vehicle has been parked in violation of said sections and instruct the owner of such vehicle to report to the Police Justice of the Village of Carthage in regards to such violation. Each such owner may within seven (7) days of the time when such notice was attached to the vehicle pay to the Police Justice of the Village of Carthage a penalty for and full such satisfaction of such violation in an amount of equivalent of fifteen dollars (\$15.00). If such fine is not paid within seven (7) days of the date of issuance of the ticket, the fine shall be increased to twenty five dollars (\$25.00). Any vehicle parked in a parking space overtime more than twice the allowed time shall be subject to removal and storage as provided in Article 5 of this Chapter. The failure of such owner to make payment to the Police Justice in the Village of Carthage within thirty (30) days shall render such owner subject to the penalties here and before provided for violations of the provisions of this Chapter under Section 135-3(a)."

Article 4. Severability. If any part of this Chapter shall be found to be void, voidable, or unenforceable for any reason whatsoever, it shall not affect the validity or enforceability of any remaining section or provision of this Chapter.

Article 5. Effective Date. This local law shall take effect immediately upon filing with the Secretary of State.

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

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

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 20 03 of the (County)(City)(Town)(Village) of Carthage was duly passed by the Village Board on 01/20 20 03, in accordance with the applicable provisions of law.

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

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

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the 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 \_\_\_\_\_, above.

*[Signature]*  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: January 20, 2003

(Seal)

(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 Jefferson

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

*[Signature]*  
Signature

Town Attorney  
Title

~~County~~ Carthage  
~~City of~~  
~~Town~~  
Village

Date: January 20, 2003