

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.

NEW YORK
DEPARTMENT OF STATE
FILED
JAN 02 2004

~~County~~
~~City~~ of Cazenovia
~~Town~~
Village

MISCELLANEOUS
& STATE RECORDS

Local Law No. 4 of the year 2003

A local law to add a new subsection B to Section 119-3 of the Code
(Insert Title)
of the Village of Cazenovia to establish regulations for the
issuance of licenses for food vendors in public parks.

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

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

I. There is hereby added to Section 119-3 of the Code of the Village of Cazenovia a new subsection B to read as follows:

B. Special Regulations for Food Vendors in Village Parks or Public Areas.

All of the provisions of Section 119.3(A) apply to any food vendor desiring to sell, hawk, or peddle any food item(s) or food related item(s) of any sort on a seasonal, or one time basis, in a Village park or public area. In addition the following special requirements also apply to food vendors:

1. All food vendors must obtain a seasonal or one-time food vendor's license. These licenses will be issued by the Board of Trustees on a first-come basis, beginning with applications received on or after January 1st of each calendar year. Licenses shall be valid for only a single calendar year and only between May 1st and October 31st of that year.

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

2. No more than two food vendor's licenses will be issued for any village park or public area, and only for locations specifically approved by the Board of Trustees, and upon such conditions, including but not limited to hours of operation, as may be established by the Board of Trustees.
3. Each food vendor must submit proof of all required insurance coverage, including liability and worker's compensation, as well as a permit from the Madison County Health Department. Insurance coverages shall be in accordance with such terms and conditions as may be established from time to time by resolution of the Board of Trustees. All vendors will be required to have a New York State sales tax certificate.
4. With the exception of established restaurant businesses with a fixed physical location within a building in the Village of Cazenovia, food vendors shall pay a fee for each food vendor's license in addition to any permit fee required under subsection 119.3(A). License fees will be determined by the duration (seasonal or one-time) of the license, and will be set from time to time by resolution of the Board of Trustees.
5. No food vendor will be permitted on lawn areas of parks or public spaces without specific permission of the Board of Trustees.
6. Food vendors shall be responsible for all clean-up and removal of debris and trash from their individual sites, and shall provide suitable disposal receptacles for use by patrons.
7. Food vendors shall be responsible for repair of any damage whatsoever caused by, or in association, with their business in any public park or area. The Village shall have the right at any time and without prior notice to the license holder, to repair any damage and invoice the license holder.
8. The provisions of this subsection 119.3(B) shall not apply to Farmer's Markets as operated by approval of the Village Board, or any other "Community organized Activity" operated in a not-for-profit manner, or by a non-profit 501(c)(3) organization.

II. 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. 4 of 20 03 of the ~~(County)(City)(Town)~~(Village) of Cazenovia was duly passed by the Board of Trustees on December 1, 20 03, 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) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20 _____, 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 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 _____.
(Name of Legislative Body)
(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) (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.
(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 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.

Laura Herbert Abernathy
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body
Laura Herbert Abernathy, Village Clerk
Date: 12/19/03

(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 MADISON

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.

James T. Stokes
Signature
James T. Stokes, Attorney for the Village
Title

~~County~~
~~City~~ of Cazenovia
~~Town~~
Village

Date: 12/19/03