

# 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.

County  
City

of CHAMPION

Town  
Village

STATE OF NEW YORK  
DEPARTMENT OF STATE  
**FILED**  
SEP 19 2005  
MISCELLANEOUS  
& STATE RECORDS

Local Law No. 4 of the year 2005

A local law A Local Law amending the current Sewer Use Law

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

County  
City

of Town of Champion as follows:

Town  
Village

## Article 1. Authority

The Town Board of the Town of Champion, pursuant to the authority granted it under Articles 12 of the Town Law Article 13 of the Village Law and Sections 10 and 20 of the Municipal Home Rule Law of the State of New York, hereby enacts as follows:

## Article 2. Statement of Purpose and Finding

The Town Board of the Town of Champion has found that the sewer use law that currently exist provides for a confusing situation with respect to ownership of service laterals to properties. The service laterals put in at the time of initial construction are clearly owned by the Town. New laterals put in since the time of initial construction of the system, however, are potentially owned by the property owner under the current sewer use law. In order to provide for consistency in performing repair and maintenance services on laterals and to avoid having different residents treated differently, it is proposed to amend the sewer use law to provide for a different treatment of laterals. It is also the purpose of this local law to amend all references of the sewer use law to the Jefferson County Health Department to replace all such references with the New York State Department of Health -Watertown Office.

### **Article 3. Enactment**

The Town Board of the Town of Champion hereby amends its previously adopted sewer use law as the same may be amended as follows:

Section 502 Subdivision B is hereby amended and as amended restated as follows:

"Building sewer shall originate from a lateral from the main line sewer or pump station, wherever one is available. The Town shall be responsible from the lateral main to the street right-of-way. The Town is also responsible from the right-of-way limit to the building for all those laterals installed at the time of initial construction of the system. The Town shall also be responsible for any laterals constructed after the initial construction of the system provided, however, that the homeowner shall pay for all required work to install the lateral at one hundred percent (100%) of the cost to the Town. The sewer lateral will be placed on the property line closest the existing sewage collection pipes in the Town right-of-way. Prior to the installation of the lateral, the homeowner will execute an easement granting the Town the right of access for installation and maintenance."

Section 611(A) subdivision 4 is hereby amended and as amended restated as follows:

"The Town shall be responsible for the maintenance, repair, or replacement of all building laterals as needed provided, however, that the cost of the same may be passed on to the property owner if it appears the damage to the building lateral was caused by the negligent, reckless or intentional acts of the owner. The Sewer Board retains the right to determine and judge the cause and responsibility for any and all repairs.

All references to the Jefferson County Health Department in the sewer use law are hereby amended and replaced with the words "New York State Department of Health - Watertown Office. Such references currently appear in the following sections:

Section 401, 405, 501, 502 A, 502.

Section 201

Definitions by Terms is hereby amended to add a definition for Sewer Board as follows:

Sewer Board

The management agency set up by an intermunicipal agreement for the Route 3 Sewer Project.

### **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.

(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. 4 of 2005 of the ~~(County)(City)(Town)(Village)~~ of Champion was duly passed by the Town Board on August 1, 2005, in accordance with the applicable *(Name of Legislative body)* 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 2005 of the ~~(County)(City)(Town)(Village)~~ of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 2005, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted *(Elective Chief Executive Officer)* on \_\_\_\_\_ 2005, 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 2005 of the ~~(County)(City)(Town)(Village)~~ of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_, and was (approved)~~(not approved)~~ *(Name of Legislative Body)* ~~approved~~ (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ *(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 November 2, 2005, 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 2005 of the ~~(County)(City)(Town)(Village)~~ of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 2005, and was (approved)(not approved) (repassed after disapproval) *(Name of Legislative Body)* by the \_\_\_\_\_ on \_\_\_\_\_ 2005. *(Elective Chief Executive Officer\*)*<sup>1</sup>

<sup>1</sup> \* 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,

Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 2005 , in accordance with the applicable provisions of law.

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

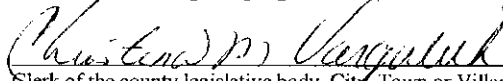
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 2005 of the Town of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such town voting thereon at the (special)(general) election held on \_\_\_\_\_ 2005 , 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 2005 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.

  
\_\_\_\_\_  
S clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body  
Christina M. Vargulick

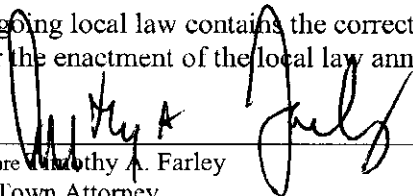
(Seal)

Date: September 12, 2005

**(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: Timothy A. Farley  
Title: Town Attorney  
Town of Champion  
Date: September 11, 2005

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.