

# 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

Local Law No. 3 of the year 2012

FILED  
STATE RECORDS

MAY 08 2012

DEPARTMENT OF STATE

A local law A Local Law Amending the Town of Champion Zoning Water Use Laws for Water Connections, Disconnections and Penalties

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

County  
City

of Town of Champion as follows:

Town  
Village

**Section 1. Title and Authority.** This local law shall be known as "Amendment to the Town of Champion Water Use Law for Water Connections, Disconnections and Penalties."

**Section 2 - Purpose.** The purpose of this Local Law is to Amend the Town of Champion Zoning Law and each of the Champion Water Use Laws.

**Section 3. Amendment.**

The Zoning Laws and the various Water Use Laws of the Town of Champion are hereby amended as follows:

30. WATER CONNECTIONS - NEW CONSTRUCTION.

- A. The Zoning Enforcement Officer of the Town of Champion shall not issue a zoning permit for construction of any structure within any water district in the Town of Champion if such structure is of such a character as to require water, unless and until the applicant for such zoning permit shall provide proof to the Zoning Enforcement

Officer that a provision has been made for connection to public water within said water district.

31. DISCONNECTION FORBIDDEN.

- A. At no time, shall any party, without the express permission of the Town of Champion, or its contractors and employees, disconnect from water service within any water district in the Town of Champion.
- B. In the event that any party shall disconnect from water service within any water district in the Town of Champion in an unauthorized manner, then, such party shall continue to be charged for water usage at a rate three times the previous six months average of use. Said charges shall be made in the normal course in accordance with the laws, rules and policies of the Town of Champion.
- C. Any party disconnecting from water service within any Town of Champion Water District, prior to reconnecting shall notify the Town Clerk of the Town of Champion who shall arrange such reconnection at the expense of the property owner which expense shall include the services of the Town-authorized contractor and the Town engineer. All such reconnections shall be done only under the supervision and control of the Town Engineer of the Town of Champion, in accordance with all rules and regulations of the New York State Department of Health and any other agency or unit of government having jurisdiction there over.

32. PENALTIES

- A. Any party disconnecting from the Town of Champion water service within any water district in an unauthorized manner, shall be subject to penalties as follows:

Pursuant to Municipal Home Rule Law Section 10 and Town Law Section 268, any person, firm, or corporation who commits an offense against, disobeys, neglects, or refuses to comply with or resists the enforcement of any of the provisions of this law shall, upon conviction, be deemed guilty of a violation and subject to fine or imprisonment. Any violation of this Law is an offense punishable by a fine not exceeding \$350 or imprisonment for a period not to exceed 15 days, or both for conviction of a first offense; for conviction of a second offense, both of which were committed within a period of five years, punishable by a fine not less than \$350 nor more than \$700 or imprisonment for a period not to exceed 15 days, or both; and, upon conviction for a third or subsequent offense, all of which were committed within a period of five years, punishable by a fine not less than \$750 nor

more than \$1,000 or imprisonment for a period not to exceed 15 days, or both. Each week's continued violation shall constitute a separate additional violation.

In addition to the above remedies, the Town Board may maintain an action or proceeding in the name of the Town in a Court of competent jurisdiction to compel compliance with or restrain by injunction the violation of this law.

A. The Zoning Enforcement Officer of the Town of Champion may issue appearance tickets to violators of the Law which shall require such violators to appear in Town Court on the date and time set forth on said appearance ticket.


**Section 4. Severability.** If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any Court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section 5. Effective Date.** This law shall be effective 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. 3 of 2012 of the ~~(County)(City)(Town)(Village)~~ of Champion was duly passed by the Town Board on April 2, 2012, 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 2012 of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 2012, and was (approved)( not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted

(Elective Chief Executive Officer)

on \_\_\_\_\_ 2012 , 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 2012 of the ~~(County)(City)(Town)(Village)~~ of \_\_\_\_\_ Champion \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_, and was ~~(approved)(not approved)~~ <sup>(Name of Legislative Body)</sup> ~~(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 \_\_\_\_\_, 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 2012 of the ~~(County)(City)(Town)(Village)~~ of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 2012, and was ~~(approved)(not approved)~~ ~~(repassed after disapproval)~~ <sup>(Name of Legislative Body)</sup> by the \_\_\_\_\_ on \_\_\_\_\_ 2012 . (Elective Chief Executive Officer\*)<sup>1</sup>

Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 2012 , 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 2012 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 \_\_\_\_\_ 2012 , became operative.

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

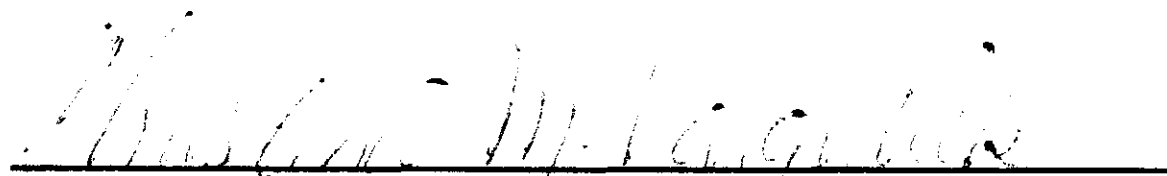
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 2012 of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_, 20 \_\_\_\_\_,

<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, 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.  
DOS-239 (Rev. 11/99)

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.



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

*Christina M. Vargulick*

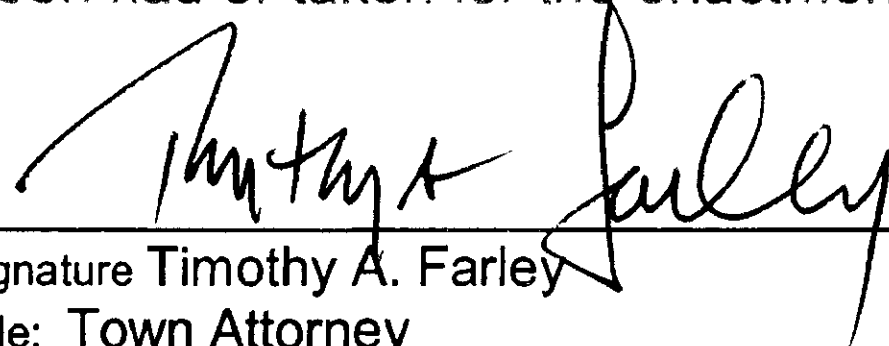
(Seal)

Date: April 5, 2012

**(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: 4/12/2012