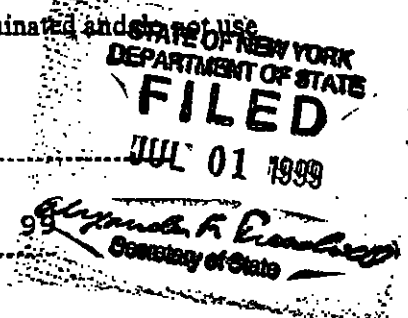


(Use this form to file a local law with the Secretary of State.)

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



~~COUNTY~~
City of Deferiet
~~TOWN~~
Village

Local Law No. 1 of the year 1999

regulating outdoor burning.

A local law
(Insert Title)

Board of Trustees

Be it enacted by the _____ of the
(Name of Legislative Body)

~~COUNTY~~
City of Deferiet
~~TOWN~~
Village as follows:

Section 1. The Code of the Village of Deferiet is amended by adding Chapter 132 as follows:

Chapter 103, OUTDOOR BURNING

§103-1. Burning of certain items prohibited.

No person shall burn, allow or permit to be burned outside of a building any brush, lumber, paper products, plastic, tires, chemicals, trash, garbage, refuse, wood or other related items in the Village of Deferiet.

§103-2. Outdoor grills; enclosed incinerators.

Nothing contained herein, however, shall prevent the operation of outdoor grills or fireplaces for the preparation of food.

§103-3. Burning by Superintendent of Public Works and Fire District.

The Village Board may authorize the Superintendent of Public Works or the Village of Deferiet Fire Department to burn structures, lumber, brush or other items, provided that all permits required by the Health Department or the New York State Department of Environmental Conservation are obtained and complied with.

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

§013-4. Enforcement; appearance tickets.

A. In addition to his other respective duties and powers, the Superintendent of Public Works of the Village of Deferiet is hereby authorized and empowered to enforce any statute, local law, ordinance, rule or regulations relating to outdoor burning.

B. In accordance with Municipal Home Rule Law §10, Subdivision 3, the Superintendent of Public Works of the Village of Deferiet shall have the power to issue and serve appearance tickets in connection with the performance of his respective duties in enforcing any statute, local law, ordinance, rule or regulation relating to outdoor burning. The issuance and service of appearance tickets by the Superintendent of Public Works of the Village of Deferiet shall have the same force and effect as if served by a peace officer.

C. Appearance tickets shall be of a form and content acceptable under, and shall be issued in accordance with, Article 150 of the Criminal Procedure Law of the State of New York.

§103-5. Penalties for offenses.

Every person convicted of violating any provision of this section shall be guilty of a violation punishable as follows: by a fine of not more than two hundred fifty dollars (\$250.) or by imprisonment for not more than fifteen (15) days, or by both such fine and imprisonment. The continuation of an offense against the provisions of this section shall constitute, for each day the offense is continued, a separate and distinct violation hereunder.

Section 2. Upon the effective date of this local law, as provided in Sections 1-7 and 1-8 of the Code of the Village of Deferiet, the Village Clerk shall amend the Code of the Village of Deferiet to reflect the adoption of this local law.

Section 3. This local law shall take effect 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 1999 of the ~~(County)~~~~(City)~~~~(Town)~~(Village) of Deferiet was duly passed by the Board of Trustees on June 21, 1999, 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 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 19____, 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 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19____. 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 _____ 19____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

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 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 19____, 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 19_____ 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 _____ 19____, 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 19_____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 19____, 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.

Gail La Pierre
Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body

(Seal)

Date: June 31, 1999

(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.

Dennis G. Whelpley
Signature
Dennis G. Whelpley
Village Attorney
Title

~~XXXXXX~~
~~XXXX~~ of Deferiet
~~XXXXXX~~
Village

Date: June 29, 1999