

# 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. 2 of the year 2007**

STATE OF NEW YORK  
DEPARTMENT OF STATE  
**FILED**  
JUL 18 2007

MISCELLANEOUS  
& STATE RECORDS

**A local law A Local Law to amend the current Sewer Use Law of the Town of  
Champion**

**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 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 hereby finds that in order to safeguard its residents using its sewer system, it is necessary to prevent inflow in accordance with Article 7 of the existing Sewer Use Law. Over time, it is believed that certain drains or other facilities may be connected into the sewer system causing inflow which drives up the cost of sewer treatment for everyone as there is a larger volume to treat. It is the purpose of this local law to provide for inspection of residences to determine whether inflow is taking place and to provide penalties for not allowing inspections.

Article 3. - Enactment. The Town Board of the Town of Champion hereby amends its Sewer Use Law as follows:

A. A new Section 706 is created as follows:

Section 706 – Inspections.

The superintendent may from time to time make inspections of private residences on reasonable notice and for reasonable cause for the purpose of determining whether there is any inflow from that property into the system. It shall be a willful violation of this law to not allow access for the purpose of such inspection provided reasonable notice has been given. Notice shall be in writing and shall be considered reasonable if given in person at least five (5) days prior to date of inspection or if mailed by regular and certified mail, return receipt requested, to the property owner at the tax billing address at least ten (10) days prior provided if mailed, it shall also be posted on the front door of the premises. In addition to any other penalties or enforcement options available under Article 11 of this Law, the Superintendent may turn off water service to the premises at which access has been refused upon seven (7) days written notice, which written notice shall be deemed sufficient if posted on the front door of the premises and mailed by regular and certified mail, return receipt requested, to the owner at the tax billing address. In lieu of mailing, personal delivery shall also be deemed sufficient.

B. Section 1114 is hereby amended to add a new subdivision "3" as follows:

**Administrative Search Warrant**

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. 2 of 2007 of the ~~(County)(City)(Town)(Village)~~ of Champion was duly passed by the Town Board on July 2, 2007, 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 2007 of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly

passed by the \_\_\_\_\_ on \_\_\_\_\_ 2007 , and was  
(approved)( not approved)  
*(Name of Legislative Body)*

(repassed after disapproval) by the \_\_\_\_\_ and was deemed duly  
adopted

*(Elective Chief Executive Officer)*  
on \_\_\_\_\_ 2007 , 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 2007 of the ~~(County)~~(City)(Town)(Village) of \_\_\_\_\_ Champion  
\_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_

and was (approved)~~(not~~  
*(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, 2007 , 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 2007 of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly  
passed by the \_\_\_\_\_ on \_\_\_\_\_ 2007, and was

(approved)( not approved) (repassed after disapproval)

*(Name of Legislative Body)* by the \_\_\_\_\_ on \_\_\_\_\_ 2007 .  
*(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 \_\_\_\_\_ 2007 , 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 2007 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 \_\_\_\_\_  
\_\_\_\_\_ 2007 , became operative.

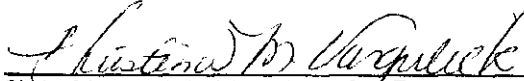
**6. (County local law concerning adoption of Charter.)**

<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.

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 2007 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.

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

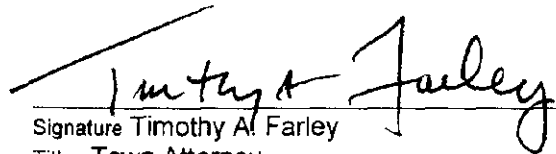
(Seal)

Date: 7/11/07

**(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: 7/16/07