

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.

County City Town Village
(Select one:)

of HERKIMER

FILED
STATE RECORDS
DEC 27 2013
DEPARTMENT OF STATE

Local Law No. 5 of the year 20 13

A local law TO ESTABLISH A UNIFORM SCHEDULE OF FEES
(Insert Title)

Be it enacted by the BOARD OF TRUSTEES of the
(Name of Legislative Body)

County City Town Village
(Select one:)

of HERKIMER as follows:

(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. 5 of 2013 of the (County)(City)(Town)(Village) of Herkimer was duly passed by the BOARD OF TRUSTEES on Dec. 16 2013, in accordance with the applicable 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 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.~~

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____.~~

~~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.~~

* 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 _____ above.

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

Date: 12/17/13

(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 HERKIMER

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.

Ruth A. Ma
Signature

Village Attorney
Title

County _____
City of Herkimer
Town _____
Village _____

Date: 12-18-2013

A LOCAL LAW AMENDING LOCAL LAW NO. 1 OF 2011

**“A LOCAL LAW TO ESTABLISH A
UNIFORM SCHEDULE OF FEES”**

LOCAL LAW #5 of 2013

1. Accident Report.....Statutory Fee
2. Annual Rooming House Permit.....1-5 Occupants.....25.00
Each Additional Occupant over 5.....10.00
3. Auction – To conduct an auction.....PER YEAR... .40.00
4. Building Permit Fees:
 - A. Total Valuation of Construction
or other Activity to be Undertaken.....Fees
 - Up to \$500.00..... 25.00
 - \$501.00 to \$2,000.00.....45.00
 - \$2,001.00 to \$25,000.00.....50.00
for the first \$2,000.00 plus
\$4.00 for each additional
\$1,000.00 or fraction thereof
to and including \$25,000.00.
 - \$25,001.00 to \$70,000.00.....120.00
for the first \$25,000.00 plus
\$4.00 for each additional
\$1,000.00 or fraction thereof
to and including \$70,000.00
 - Over \$70,000.00.....200.00
For the first \$70,000.00 plus
\$5.00 for each additional
\$1,000.00 or fraction thereof.
 - B. Other inspections and fees related to building construction:
 - Requested inspections outside of normal business hours...PER HOUR 25.00
(minimum 2 hours in addition to permit fee)
 - Plan review.....50% permit cost (where no permit is requested)

Additional plan review required by.....PER HOUR 25.00
changes, additions, revisions

In the event an application for a building permit is not approved, the applicant shall be entitled to a refund of 50% of the fee paid, provided no work has commenced. If work has commenced and the application is not approved, fees paid shall not be refunded.

Building Permit (renewal).....10.00
or 10% of the original building
permit fee, whichever is larger.

Certificate of Occupancy.....No Charge
If building permit is in effect.

Temporary Certificate of Occupancy.....15.00

Third and subsequent Temporary Certificates of Occupancy.....100.00

- 5. A. Fire Safety Inspections 30.00
- B .Fire Safety Inspections for Multiple Dwellings 3-10 units 50.00
 - 11-15 units 75.00
 - 16-20 units 100.00
 - 21-25 units 125.00
 - 26 or more units each 5.00
- C. Fire Safety Inspections for areas of public assembly \$1.00 per occupant to a maximum of 75.00
- D. Property Compliance Search 45.00

- 6. Circus, Carnival, Street Show – To conduct an outdoor circus, street Show, or carnival for which an admission fee is charged 100.00
.....EACH DAY THEREAFTER.....25.00

- 7. Coin Controlled Amusement Device – To maintain and operate an amusement – due on or before September 1st
For each coin controlled amusement devise.....75.00
Pro-rated from February.....45.00

- 8. Copies..... .25

- 9. Curb Cut.....\$20.00 plus \$1.00 per foot

10.	Demolition.....	Residential	40.00
	.....	Barn or Garage	20.00
		Non-Residential – First Floor	75.00
		Each Floor Above	25.00
	If ordered at the direction of Codes	Administration Fee	25.00
11.	False Alarms (Police of Fire) First One Per Month.....	No Charge	
	Second of the Month.....	100.00	
	Third and Each Additional of Month.....	150.00	
	Nuisance Alarm.....	150.00	
	Tampering Alarm.....	150.00	
12.	Finger Printing Fee (other than pistol permit).....	15.00	
13.	Garage, Lawn, Yard, and Porch Sales.....	5.00	
14.	Meter Bags.....	PER DAY.....	2.00
15.	Pavement Cuts.....	\$5.00 per Permit plus \$5.00 per square foot	
16.	Plumbing – As part of new Construction (Included in Permit Fee.....	No Charge	
	Addition, Alteration or Removal in existing Construction:		
	.....	Residential.....	25.00
	.....	Non-Residential.....	50.00
	Temporary License Permit for outside Plumbing (one job).....	75.00	
17.	Sidewalk Permit for four or more flags – under 100 square feet with existing walks on both ends.....	10.00	
18.	Sign – To erect a sign.....	Non illuminated.....per face.....	40.00
	.....	Illuminated.....per face.....	45.00
19.	Swimming Pools:		
	(A) Inground Swimming Pool Permit.....	50.00	
	(B) Aboveground Swimming Pool Permit.....	40.00	
20.	Taxi or Limousine – To operate a taxi-licensed vehicle.....	Each...25.00	
		Taxi Driver’s Each...15.00	
A.	Limo rental services per vehicle.....	15.00	

21.	Tax Search	With Water and Sewer.....	25.00
		Without Water and Sewer.....	15.00
		Water Search.....	15.00
22.	Tree Removal Permit.....	Annual fee.....	50.00
23.	Vehicle Impound Fee.....	PER DAY.....	50.00
24.	Village Map.....		1.00
25.	Weed-cutting – Cost Plus Administration Fee of.....		25.00
26.	Zoning Board of Appeals.....	Residential.....	75.00
		.....Non-Residential.....	100.00
27.	Zoning Ordinance Book, Village of Herkimer’s Housing Code.....		10.00
		plus shipping.....	5.00
28.	Property Cleanup – Cost plus \$30.00 Administrative Fee		
29.	Outside Dining Annual Fee.....		20.00
30.	Reserved Park Use (Brookwood, Sam Maytan Fishing Site, Myers Park)		
		Resident carry out garbage, refundable deposit.....	25.00
		Non-resident	
	1.	Carry out garbage (deposit refundable)	25.00
	2.	Use Fee (non refundable).....	25.00