

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 2011

FILED
STATE RECORDS

JUN 13 2011

DEPARTMENT OF STATE

A local law A Local Law Regulating the Use of Village Green Park 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~~

Section 1. Title and Authority. This local law shall be known as "Regulations of the Use of Village Green Park in the Town of Champion."

Section 2 - Purpose. The purpose of this Local Law is to regulate the use of Village Green Park in the Town of Champion.

Section 3. Definitions.

The following terms shall have the meanings indicated in this section:

Park – the grounds and buildings therein, and any other property, real or personal, necessary for the operation thereof, and constituting a part thereof, which is now or may hereafter be maintained, operated and controlled by the Town of Champion and now known as Village Green Park as used for public park purposes.

Person – any individual, firm, partnership, corporation or association of persons; the singular number shall include the plural.

Town – The Town of Champion, New York, a political subdivision of the State of New York.

Town Board – the then current Town Board of the Town of Champion, New York.

Section 4. Prohibited Activities in the Park.

1. Parking a motor vehicle, except in designated areas;
 2. Operating a motor vehicle, except in designated areas;
 3. Operating or parking an all-terrain vehicle or recreational vehicle;
 4. Horseback riding, except on areas designated as driveways;
 5. Allowing dogs to run unleashed;
 6. Use of glass containers
 7. Use of a metal detector(s);
 8. Excavating or disturbance of the grounds;
 9. Removal of any artifacts, coins or objects from the grounds of the Park
- Damage to any of the structures or fixtures or buildings in the Park
- Removal of any vegetation from the Park

Section 4. Reservations.

- a. Reservations are required for use of parks by groups of ten or more and for organized athletic events.
- b. The Park, or any portion thereof, will not be reserved by any group whose size or activity in the opinion of the Town Board of the Town of Champion or the Town Clerk of the Town of Champion will be damaging to the Park.
- c. Reservations shall be made by application to the Town Clerk of the Town of Champion.
- d. All use of the Park shall be in accordance with the rules and regulations as made by the Town Board from time to time for use of the Park.

Section 5. Hours of Closing. No person shall be permitted to remain, stop or be within the confines of the Park between the hours of sundown and sunrise except in emergencies or with a permit from the Town of Champion. In the event of an emergency or when in the judgment of the Town Board of the Town of Champion, it is necessary or in public interest to close the Park, then the Park will be closed to the public until permission is given to re-open.

Section 6. Penalties for Offenses: Enforcement.

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 and/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 six months, 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 six months, 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 \$1000 or imprisonment for a period not to exceed six months, or both. However, for the purpose of conferring jurisdiction upon courts and judicial officers generally, violations of this law shall be deemed misdemeanors and for such purpose only all provisions of law relating to misdemeanors shall apply to such violations.

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.

Section 7. Appearance Ticker

Any peace officer, when acting pursuant to his/her duties observing a violation of this Local Law, shall issue and serve an appearance ticket for such violation.

Section 8. Severability.

Each separate provision of this Local Law shall be deemed independent of all other provisions herein and if any provision shall be deemed or declared invalid, the other provisions thereof shall remain valid and enforceable.

Section 9. 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. 2 of 2011 of the ~~(County)(City)(Town)(Village)~~ of Champion was duly passed by the Town Board on June 6, 2011, 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 2011 of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 2011, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer)* on _____ 2011, 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 2011 of the ~~(County)(City)(Town)(Village)~~ of _____ Champion _____ was duly passed by the _____ on _____ and was ~~(approved)(not approved)~~ *(Name of Legislative Body)* ~~approved~~ (repassed after disapproval) by the _____ *(Elective Chief Executive Officer)*

_____ 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 2011 of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 2011, and was (approved)(not approved) (repassed after disapproval) *(Name of Legislative Body)* by the _____ on _____ 2011. *(Elective Chief Executive Officer)*¹*

Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 2011, in accordance with the applicable provisions of law.

¹ * 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)

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

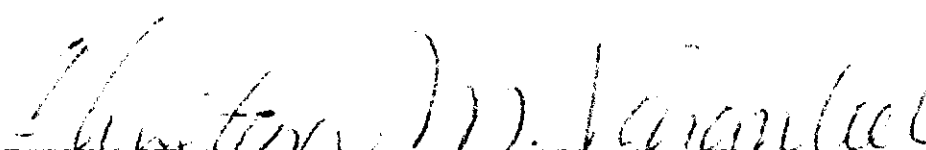
I hereby certify that the local law annexed hereto, designated as local law No. ____ of 2011 of the Town of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such town voting thereon at the (special)(general) election held on _____ 2011, 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 2011 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 said 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

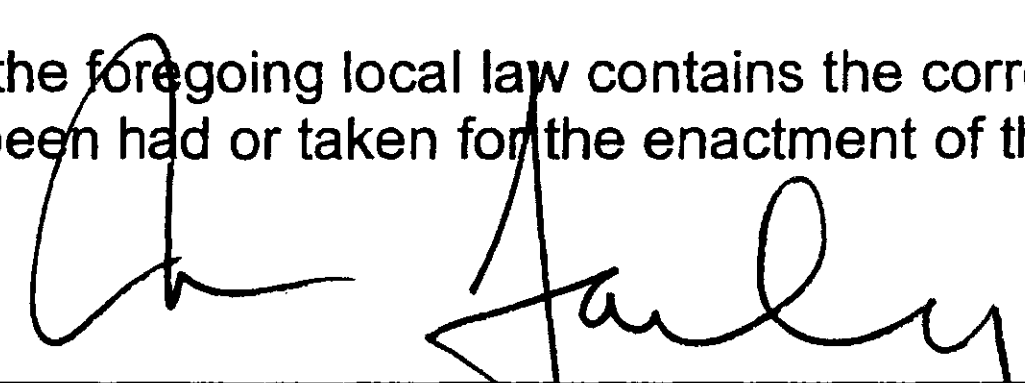
(Seal)

Date: 6/7/2011

(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: 6/7/2011