

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 Volney

FILED
STATE RECORDS

SEP 25 2024

DEPARTMENT OF STATE

Local Law No. 5 of the year 20 24

A local law regulating sanitary sewers within the Town of Volney
(Insert Title)

Sewer District No. 1 Extension.

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

County City Town Village
(Select one:)

of Volney as follows:

Section I

It is the purpose of this Local Law to protect and enhance the public health and welfare by providing rules and regulations governing the installation and use of the public sanitary sewers within the Town of Volney Sewer District 1 Extension.

Section II

The Town of Volney has a Sewer District 1 Extension and has entered into an agreement with the City of Fulton to allow the Town of Volney Sewer District 1 Extension to connect to and use the City of Fulton's existing sanitary sewer transmission system on certain terms and conditions.

Section III

Each property owner that uses the public sanitary sewer system within the Town of Volney Sewer District 1 Extension shall be deemed to have accepted and approved the rules of the City of Fulton governing and regulating the installation and use of said public sanitary sewer system and

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

the same shall constitute a part of the contract between such property owner and the Town of Volney Sewer District 1 Extension and its sanitary sewer system.

The Town of Volney Sewer District 1 Extension is connected to and uses the City of Fulton's sanitary sewer transmission system. Therefore, each property owner that uses the public sanitary sewers within the Town of Volney Sewer District 1 Extension shall be deemed to have accepted and approved the rules of the City of Fulton governing and regulating the use of its public sanitary sewer system and the same shall constitute a contract between said property owner and the City of Fulton insofar as said rules and regulations apply to use by such property owner.

The City of Fulton shall have concurrent authority to enforce all rules and regulations against all Town of Volney Sewer District Users. This authority shall extend to the enforcement of Volney Town Codes as well as the City of Fulton rules and regulations governing the public sanitary sewer system.

Section IV

The use of the public sanitary sewer system is required by all property owners within the Town of Volney Sewer District 1 Extension.

Each such property owner is required, at his or her own expense, to install and connect the facilities servicing their such property to the Town of Volney's Sewer District 1 Extension.

A property owner intending to connect to the Town of Volney Sewer District 1 Extension must first make application at the Town's offices on a form furnished by the Town and be approved or disapproved by the Town, which may attach such conditions or terms that may be deemed necessary and proper as it pertains to the specific property involved. All property owners intending to connect to the Town of Volney Sewer District 1 Extension must follow all the City of Fulton rules and regulations for their district.

Section VI

The discharge of certain waters and certain wastes into the public sanitary sewer system is hereby prohibited.

It shall be a violation of this local law to discharge those certain waters and those certain wastes that are prohibited by the City of Fulton in its laws and regulations concerning its public sanitary sewer system which laws and regulations are incorporated into this local law by reference.

Section VII

Each property owner serviced by the Town of Volney Sewer District 1 Extension shall be responsible for sewer service charges as the same may be determined from time to time by the Town Board. The Town Board reserves the right to impose special, additional charges for unusual sewage contributed to the system by industrial and/or commercial users.

Section VIII

Every sewer charge shall be paid within 30 days of the date it is due and payable and shall incur a late charge as determined by the Town Board for every month said charge remains unpaid. Every sewer charge levied pursuant to this local law is hereby made a lien on the property services. All such unpaid charges shall be added to the next general real property tax against the property and shall be certified by the Town as unpaid to the County of Oswego which shall place said unpaid sewer charges on the real property tax roll for that year with such penalties and interest as are allowed by law and collected in the same manner as other town taxes are collected.

Section IX.

The Code Enforcement Officer of the Town of Volney and other duly authorized representatives of the Town shall be permitted to enter upon all properties for the purpose of inspection, testing and other purposes deemed reasonable and prudent by him in order to determine compliance or non-compliance with the provisions of this local law.

Section X.

Those property owners or users of the Town of Volney Sewer District 1 Extension who, 30 days after bills have been rendered, have not paid their bills shall be deemed to be delinquent and the service to their property may be discontinued, and such service may not be restored until proper settlement of their account has been made together with any additional costs which might have been incurred by the Town in the discontinuing or restoring of service.

Section XI.

Any person who fails to comply with the provisions of this local law (other than payment of charges for services) shall be guilty of an offense and shall be subject to all penalties prescribed by law. The continued violation of any provision of this local law may be subject to injunctive relief prohibiting the continued violation of the provisions of this law which may be either temporary while proceedings are pending for an alleged violation or permanent upon a conviction of any such violation.

Section XII.

This Local Law shall take effect upon its adoption and filing as required by law.

(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 20 24 of the ~~(County)(City)(Town)(Village)~~ of Volney was duly passed by the Town Board on September 19, 20 24, 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 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ and was deemed duly adopted (Elective Chief Executive Officer*) 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) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20____. (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 _____ 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) (Name of Legislative Body) (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 1 above.

Theresa Anderson

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

Date: 9-19-2024

(Seal)

