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MAY 10 2004
Village of Lyndonville



STATE OF NEW YORK
DEPARTMENT OF STATE
41 STATE STREET
ALBANY, NY 12231-0001

GEORGE E. PATAKI
GOVERNOR

May 4, 2004

RANDY A. DANIELS
SECRETARY OF STATE

Village of Lyndonville
2 South Main Street
PO Box 270
Lyndonville, NY 14098-0270

RE: Village of Lyndonville, Local Law 2, 2004, filed on 4/20/2004

To Whom It May Concern:

The above referenced material was received and filed by this office as indicated. Additional local law filing forms will be forwarded upon request.

Sincerely,
Linda Lasch
Principal Clerk
State Records & Law Bureau
(518) 474-2755

LL:cb

LAW OFFICES
WEBSTER & SCHUBEL, LLP
343 MAIN STREET
P.O. BOX 606
MEDINA, N.Y. 14103

NORRIS L. WEBSTER
DAVID C. SCHUBEL

TEL. 585-798-2250
FAX 585-798-0776

April 19, 2004

Debra D. Miller, Clerk-Treasurer
Village of Lyndonville
2 South Main Street
P.O. Box 270
Lyndonville, NY 14098

Re: Local Law No. 2 of the Year 2004
Increase Sewer & Water Rate Charges

Dear Debbie:

Please find enclosed one (1) original of Local Law No. 2 for the year 2004 which is entitled "A Local Law Increasing Sewer Rate Charges and Water Rate Charges by Amending Chapters 190 and 230 of the Code of the Village of Lyndonville". I forwarded one original to the Department of State.

Very truly yours,



David C. Schubel

DCS/lls
Enclosure

(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 Lyndonville, New York, Orleans County

Town

Village

Local Law No. 2 of the year 2004.

A local law Increasing Sewer Rate Charges and Water Rate Charges By Amending Chapters 190 and 230 of the Code of the Village of Lyndonville
(Insert Title)

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

County

City of Lyndonville, New York, Orleans County as follows:

Town

Village

A LOCAL LAW INCREASING SEWER RATE CHARGES AND WATER RATE CHARGES BY AMENDING CHAPTERS 190 AND 230 OF THE CODE OF THE VILLAGE OF LYNDONVILLE

Section 1. Section 190-14 (E) of the Code of the Village of Lyndonville is hereby changed and amended so as to provide for an increase in the rate charged per 1,000 gallons of ninety (90%) percent of metered water from \$3.95 to \$4.75. The rate schedule shall be as follows:

Class	Charge
Class 1 1 service unit, less than 150,000 gpy	Availability charge: \$80.00 per year; \$4.75 per 1,000 gallons of 90% metered water
Class 2 First service unit Each additional service unit Flow charge	Availability charge: \$80.00 per year Availability charge: \$40.00 per year \$4.75 per 1,000 gallons of 90% of metered water
Class 3 Each service unit Nonprocess waste in excess of 150,000 gpy	Availability charge: \$240.00 per year \$4.75 per 1,000 gallons of 90% of of metered water

Class 4

Each service unit

Process waste and sanitary

Availability charge: \$320.00 per year
\$4.75 per 1,000 gallons of 90% of
metered water; plus charge for
excess BOD, suspended solids,
COD, acidity, pH and testing per
local law

Section 2. Section 230-21 of the Code of the Village of Lyndonville is hereby changed and amended so as to provide for an increase in the water rates. The rate schedule shall be as follows:

A. **Inside the Village:** a minimum fee of Forty and 68/100 Dollars (\$40.68) for six thousand (6,000) gallons, plus Six and 78/100 Dollars (\$6.78) per one thousand (1,000) gallons thereafter.

B. **Outside the Village: rural full-use metered service:** A minimum fee of Fifty-two and 68/100 Dollars (\$52.68) for six thousand (6,000) gallons, plus Eight and 78/100 Dollars (\$8.78) per one thousand (1,000) gallons thereafter.

C. **Tank Use:** Nine and 25/100 Dollars (\$9.25) per one thousand (1,000) gallons upon application to and approval of the Superintendent of Public Works.

Section 3. All local laws or regulations, or parts or portions thereof that conflict or are contrary to any provision of this local law are hereby repealed.

Section 4. This local law shall take effect upon its proper 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. 2 of 2004 of the ~~(County)~~ ~~(City)~~ ~~(Town)~~ (Village) of Lyndonville, New York, Orleans County was duly passed by the Board of Trustees on April 12 2004, in accordance with the (Name of Legislative Body) 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) (Name of Legislative Body) (not disapproved) (repassed after disapproval) by the _____ and was deemed (Elective Chief Executive Officer*) 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) (Name of Legislative Body) (not disapproved) (repassed after disapproval) by the _____ (Elective Chief Executive Officer*) 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 (Name of Legislative Body) (approved) (not disapproved) (repassed after disapproval) by the _____ (Elective Chief Executive Officer*) 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 chairman 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.

(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 of 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.

(Seal)

Debra H. Miller

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

Date: April 15, 2004

(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 ORLEANS

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]

Signature Village Attorney

Title _____

County _____

City of Lyndonville

Town _____

Village _____

Date: April 16, 2004

(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 of 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.

(Seal)

Debra D Miller
Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: April 15, 2004

(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 ORLEANS

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
Village Attorney

Title

County _____
City _____ of Lyndonville
Town _____
Village _____
Date: _____