

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 Lyndonville  
Town  
Village

Local Law No. 1 of the year 2006.

A local law Increasing Various Fees, Sewer Rate Charges, Water Rate Charges, and Shut-off and Turn-on Charges by Amending Chapters, 101, 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 as follows:  
Town  
Village

A Local Law Increasing Various Fees, Sewer Rate Charges, Water Rate Charges, Shut-off and Turn-on Charges, 101, 190 and 230 of the Code of the Village of Lyndonville

**Section 1.** Section 101-6 of the Code of the Village of Lyndonville is hereby changed and amended so as to provide for an increase in the fees charged for building permits and zoning. Section 101-6 shall provide as follows:

Permit fees shall be collected and paid according to the following fee schedule:

**New Construction Residential Use** .....\$50.00  
Including Mobile Homes  
Plus \$4.00 per 100 Square feet or fraction thereof.

**New Construction Residential Garages**.....\$50.00  
(Attached or Detached)

<b>Commercial Construction – Business Use.....</b>	<b>\$50.00</b>
Plus \$4.00 per 100 Square feet or fraction thereof	
Maximum of \$500.00	
<b>Additions to Permanent Structures – (Habitable Space).....</b>	<b>\$50.00</b>
Plus \$4.00 per 100 Square feet or fraction thereof.	
<b>Porches, Decks, Carports, Sheds, Swimming Pools, Chimneys, Wood Burning Stoves, Satellite Dish.....</b>	<b>\$25.00</b>
<b>Application to Zoning Board of Appeals for Variance.....</b>	<b>\$50.00</b>
<b>Application to Planning Board for Special Permits.....</b>	<b>\$50.00</b>
<b>Research for Lawyers, Banks or Realtors for Property Zoning Update.....</b>	<b>\$25.00</b>
<b>Building Permit Extension (six months).....</b>	<b>\$25.00</b>

Notes:

1. Special legal and/or engineering charges incurred by the Village as a result of the permit application shall be reimbursed, at cost, be the permit applicant.
  2. The minimum charge for ANY AND ALL Zoning and Code applications shall be ..... \$25.00
- Copy of Zoning Ordinance..... \$22.00
- Single Pages of Zoning Ordinance.....\$ .25

**Section 2.** Section 190-14 (E) of the Code of the Village of Lyndonville is hereby changed and amended so as to provide for a rate charged per 1,000 gallons of ninety (95%) of metered water of \$4.75. The rate schedule shall be as follows:

<b>Class</b>	<b>Charge</b>
Class 1 1 service unit, less than 150,000 gpy	Availability charge: \$80.00 per year; \$4.75 per 1,000 gallons of 95% metered water
Class 2 First Service Unit	Availability charge: \$80.00 per year

Each additional service unit	Availability charge: \$40.00 per year
Flow charge	\$4.75 per 1,000 gallons of 95% of metered water

Class 3	
Each service unit	Availability charge: \$240.00 per year
Nonprocess waster in excess of 150,000 gpy	\$4.75 per 1,000 gallons of 95% of metered water

Class 4	
Each service unit	Availability charge: \$320.00 per year
Process waste and sanitary	\$4.75 per 1,000 gallons of 95% of metered water; plus charge for excess BOD, suspended solids, COD, acidity, Ph and testing per local law

**Section 3.** Section 230-7 of the Code of the Village of Lyndonville is hereby changed and amended so as to provide for an increase in the shut-off and turn-on charges and to provide for a meter test charge. Section 230-7 shall provide as follows:

§ 230-7. Shut-off and Turn-on Charges, Meter Test Charge.

If the meter at any individual service is shut off at the request of the property owner or for any reason set forth in this Article or in Article II of the Village Law, except for emergency repairs made by the Water Department or for repairs made by the consumer.

There shall be a shut-off charge of Fifty (\$50.00) Dollars made to the property owner and a charge of Fifty (\$50.00) Dollars for turning on the water.

If the property owner requests their meter to be tested by the Water Department, a fee of Fifty (\$50.00) shall be paid in advance. If the meter test indicates the meter is not working properly, the fee of Fifty (\$50.00) Dollars shall be returned.

**Section 4.** Section 230-15 E of the Code of the Village of Lyndonville is hereby changed and amended so as to provide a One Hundred (\$100.00) Dollar charge for this section. Section 230-15 E shall provide as follows:

E. Where any meter is damaged by freezing, backwash of hot water or for any cause through neglect or act of the consumer, the cost of repairing such meter so damaged shall be a charge in the amount of One Hundred (\$100.00) Dollars upon the property owner where the meter is located.

**Section 5.** 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 (\$41.70) for six thousand (6,000) gallons, plus Six and 95/100 Dollars (\$6.95) per one thousand (1,000) gallons thereafter.

B. **Outside the Village: rural full-use metered service:** A minimum fee of Fifty-four and 00/100 Dollars (\$54.00) for six thousand (6,000) gallons, plus Nine and 00/100 Dollars (\$9.00) per one thousand (1,000) gallons thereafter.

C. **Tank Use:** Nine and 50/100 Dollars (\$9.50) per one thousand (1,000) gallons upon application to and approval of the Superintendent of Public Works.

**Section 6.** 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 7.** 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. 1 of 2006, of the ~~(County)~~ ~~(City)~~ ~~(Town)~~ (Village) of Lyndonville, New York was duly passed by the Board of Trustees (Name of Legislative Body) on April 10, 2006, 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) \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved) (not disapproved) (Name of Legislative Body) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted (Elective Chief Executive Officer\*) on \_\_\_\_\_ 2006, 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 2006 of the ~~(County)~~ ~~(City)~~ ~~(Town)~~ (Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 2006, and was (approved) (not disapproved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 2006. Such local law was submitted to (Elective Chief Executive Officer) 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 2006 of the ~~(County)~~ ~~(City)~~ ~~(Town)~~ (Village) of \_\_\_\_\_, New York was duly passed by the Board of Trustees (Name of Legislative Body) on \_\_\_\_\_, 2006, and was (approved) (not disapproved) (repassed after disapproval) by the Mayor on \_\_\_\_\_, 2006. Such local law was subject to permissive referendum and (Elective Chief Executive Officer\*) no valid petition requesting such referendum was filed as of \_\_\_\_\_, 2006, 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.

**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.

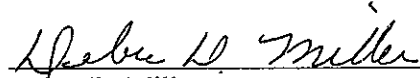
**6. (County local law concerning adoption of Charter.)**

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 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)

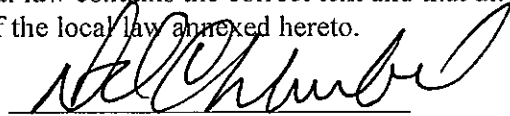
  
\_\_\_\_\_  
Debra D. Miller  
Village Clerk, Village of Lyndonville

Date: April 10, 2006

**(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.

  
\_\_\_\_\_  
David C. Schubel  
Village Attorney

County \_\_\_\_\_  
City of Lyndonville  
Town \_\_\_\_\_  
Village \_\_\_\_\_

Date: April 10, 2006