



STATE OF NEW YORK
DEPARTMENT OF STATE
ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001

DAVID A. PATERSON
GOVERNOR

LORRAINE A. CORTÉS-VAZQUEZ
SECRETARY OF STATE

September 10, 2008

David C Schubel
Webster Schubel & Meier LLP
343 Main Street
PO Box 606
Medina NY 14103

RECEIVED

SEP 15 2008

WEBSTER SCHUBEL & MEIER

RE: Village of Lydonville, Local Law No. 1, 2008, filed on August 27, 2008

Dear Sir/Madam:

The above referenced material was received and filed by this office as indicated. Additional local law filing forms can be obtained from our website, www.dos.state.ny.us/corp/misc.html.

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

LAW OFFICES

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343 MAIN STREET
P.O. BOX 606
MEDINA, N.Y. 14103

NORRIS L. WEBSTER
(1936 - 2006)
DAVID C. SCHUBEL
ANDREW W. MEIER

COPY

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

August 20, 2008

CERTIFIED MAIL - RETURN RECEIPT

Department of State
State Records and Laws Bureau, Suite 600
99 Washington Avenue
Albany, NY 12231

Re: Local Law No. 1 for the Year 2008
Village of Lyndonville, Orleans County, New York

Dear Sir or Madam:

Please find enclosed a certified copy of the above captioned numbered Local Law entitled A Local Law Regulating Outdoor Burning Within The Village of Lyndonville.

Very truly yours,

David C. Schubel
Lyndonville Village Attorney

DCS/sm
Enclosure

cc: Debra D. Miller, Village Clerk

Local Law Filing

New York State Department of State
Suite 600, 99 Washington Ave., 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 2008.

A local law A Local Law Regulating Outdoor Burning Within 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 Regulating Outdoor Burning Within the Village of Lyndonville

Section 1. It shall be unlawful for any person or persons to kindle or maintain or authorize to be kindled or maintained any open burning or bonfire with the village limits of the Village of Lyndonville.

Section 2. (a) A recreational fire of wood shall not be kindled or maintained unless the fire is contained in a rated and approved container specifically designed and manufactured for an outdoor recreational wood fire.

(b) A recreational fire that will be offensive or objectionable due to smoke or odor emissions as a result of atmospheric conditions or local circumstances shall be prohibited.

(c) A recreational fire shall be constantly attended until the fire is extinguished. A minimum of one portable fire extinguisher shall be available for immediate utilization.

Section 3. Any person committing an offense against any provision of this local law shall, upon conviction thereof, be guilty of a violation pursuant to the Penal Law of the State of New

York, punishable by a fine not exceeding two hundred fifty dollars (\$250.00) or by imprisonment for a term not exceeding fifteen days (15), or by both such fine and imprisonment.

Section 4. This local law shall become effective immediately upon filing with the Department of State as provided 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 2008, of the ~~(County)~~ (City) ~~(Town)~~ (Village) of Lyndonville, New York was duly passed by the Board of Trustees on August 11, 2008, 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 _____ 2008, 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 2008 of the ~~(County)~~ ~~(City)~~ ~~(Town)~~ (Village) of _____ was duly passed by the _____ on _____ 2008, and was (approved) (not disapproved) (repassed after (Name of Legislative Body) disapproval) by the _____ on _____ 2008. 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 2008 of the ~~(County)~~ ~~(City)~~ ~~(Town)~~ (Village) of _____, New York was duly passed by the Board of Trustees (Name of Legislative Body) on _____, 2008, and was (approved) ~~(not disapproved)~~ ~~(repassed after disapproval)~~ by the Mayor on _____, 2008. Such local law was subject to permissive referendum and (Elective Chief Executive Officer*) no valid petition requesting such referendum was filed as of _____, 2008, 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
Debra D. Miller
Village Clerk, Village of Lyndonville

Date: Aug 12, 2008

(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
David C. Schubel
Village Attorney

County _____
City of Lyndonville
Town _____
Village _____

Date: Aug 12, 2008