

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
162 WASHINGTON AVENUE, 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
Town of YORK
Village

Local Law No. 1 of the year 19^X 2001

A local law FOWLerville SQUARE
(Insert Title)

Be it enacted by the TOWN BOARD
(Name of Legislative Body) of the

County
City
Town of YORK as follows:
Village

(PLEASE SEE ATTACHED SHEETS)

LOCAL LAW
NO. 1 OF 2001

WHEREAS, the Town of York and John L. Kellogg have heretofore settled a long-standing lawsuit over ownership of and boundary lines for land constituting a parcel locally known as Fowlerville Square and its contiguous properties; and

WHEREAS, such settlement contained agreements between the parties pertaining to parking restrictions around Fowlerville Square; and

WHEREAS, by such settlement the westerly boundary line of lands owned by the Town of York, constituting Fowlerville Square, is a line described as follows: BEGINNING at a point on the northerly highway line of Fowlerville Road N 79° 30' W a distance of 70.81 feet from the intersection of said northerly highway line of Fowlerville Road with the westerly highway boundary of MacIntyre Road; thence N 10° 56' 15" E a distance of 138.00 feet to a point; and

WHEREAS, the Town Board of the Town of York finds that parking restrictions in that area are required in order to provide for full access to all parcels for fire and other emergency equipment as well as for snow removal and other public safety obligations of the Town;

NOW THEREFORE, the Town Board of the Town of York does hereby enact such parking restrictions as follows:

1. The terms motor vehicles, farm vehicles, and parking shall be defined as they are defined in the New York State Vehicle and Traffic Law.
2. There shall be no parking permitted east of the westerly boundary line described above at any time.
3. West of said boundary line parking of only currently registered, licensed and inspected motor vehicles, farm vehicles and other farm equipment will be permitted for no more than thirty (30) days at a time. If a vehicle once parked in this area for more than seven (7) days is moved it may not be re-parked in that area for at least thirty (30) days. However, this section shall not apply to any vehicle with current NYS inspection sticker displayed thereon, being offered for sale as indicated by a "For Sale" sign being affixed thereto or a sale price being displayed thereon.
4. At the north said of Fowlerville Square, parking of only motor vehicles, including only automobiles, motorcycles and pick-up trucks, shall be permitted in the parcel of land described as follows:

BEGINNING at a PK nail on the assumed westerly highway line of MacIntyre which nail is N 12° 04' 00"E a distance of 165.06 feet from the intersection of said assumed westerly highway line of MacIntyre Road with the assumed northerly highway line of Fowlerville Road; thence N 79° 30' 00"W a distance of 48.71 feet to a point; thence N 10° 56' 15" E a distance of 27.00 feet to a point; thence S 79° 30' 00" E a distance of 49.24 feet to a point; thence S 12° 04' 00" W along the assumed westerly highway line of Fowlerville Road a distance of 27.01 feet to the point of beginning.

No parking shall be permitted south of the southerly boundary of the above described parcel.

5. Owners and/or operators of vehicles parked in the above described areas shall be jointly and severally responsible for complying with the parking restrictions herein contained.

6. A violation of the restrictions herein contained shall constitute an offense and shall be punishable by a fine of up to one hundred dollars (\$100.00).

7. Each day that a continuing violation of this local law goes on shall be considered a separate violation hereof.

8. Conviction for a second violation by the same defendant of the terms of this local law within one year of the first may be punished by a fine of up to three hundred dollars (\$300.00) and conviction for a third or greater violation by the same defendant may be punishable by a fine of up to one thousand dollars (\$1,000.00).

(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. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, 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. 1 of ~~19~~ 2001 of the (County)(City)(Town)(Village) of YORK was duly passed by the TOWN BOARD on June 28, 2001, and was (approved)(not disapproved)(repassed after disapproval) by the SUPERVISOR and was deemed duly adopted on June 28, 2001 in accordance with the applicable provisions of law.
(Name of Legislative Body) (Elective Chief Executive Officer*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19____. 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 _____ 19____, in accordance with the applicable provisions of law.
(Name of Legislative Body) (Elective Chief Executive Officer*)

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 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 19____, in accordance with the applicable provisions of law.
(Name of Legislative Body) (Elective Chief Executive Officer*)

*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 19____ 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 _____ 19____, 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 19____ of the County of _____, State of New York, having been submitted to the electors at the General Election of November _____ 19____, 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 2, above.

Christie M. Harris
Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body

(Seal)

Date: July 2, 2001

(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 LIVINGSTON

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.

Laurence W. Boyle
Signature

Town Attorney
Title

County _____
City _____
Town of YORK
Village _____

Date: July 2, 2001