

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 of Livingston
Town
Village

Local Law No. #4 of the year 20 08

A local law "Town of York Residential Property Water & Sewer Unit Law"
(Insert Title)

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

County
City of York
Town
Village as follows:

(See attached Sheets)

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

TOWN OF YORK

LOCAL LAW NO. 4 OF THE YEAR 2008

A local law establishing a definition for Equivalent Dwelling Units for Residential Properties in all Water and Sewer Districts in the Town of York

Be it enacted by the Town Board of the

Town of York as follows:

Section 1.

This Local Law shall be entitled the “Town of York Residential Property Water & Sewer Unit Law”.

Section 2.

This Local Law is enacted for establishing a uniform method of defining the term “Equivalent Dwelling Unit and establishing a uniform method of assessing water and sewer unit charges within all Water and Sewer Districts in the Town of York against such Equivalent Dwelling Units.

Section 3.

Equivalent Dwelling Units shall be determined as follows:

- A. An Equivalent Dwelling Unit shall mean a complete self-contained residential unit, with living, sleeping, cooking, and sanitary facilities within the unit, for use by one family or person. Premises occupied or designed to be occupied by two (2) or more separate families or persons, including but not limited to two-family dwellings, multi-family dwellings, apartments, and apartment houses, shall be charged one (1) Equivalent Dwelling Unit for each apartment or separate living quarters contained in or on such premises.

- B. For purposes of the provisions herein, the determination of the use and occupancy of premises shall be determined by the actual occupancy or design of a structure without regard to its permitted use classification under the Town of York Zoning Law.

Section 4.

The Town Council shall assess sewer and water charges against Equivalent Dwelling Units from time to time in accordance with the process for the imposition of Water or Sewer District assessments or special assessments by the application of the above specifications.

Section 5.

Any party wishing to reduce the number of Equivalent Dwelling Units assessed to a dwelling from multiple Equivalent Dwelling Units to a single Equivalent Dwelling Unit shall apply to the Town Council for said reduction. In order to qualify for such reduction the property owner shall remove all living quarters other than a single set of living quarters. Said removal of such shall include, but not limited to the removal and disconnection of all kitchen facilities, and related plumbing connections, as well as the elimination of any direct outside entry ways (if any). No reduction shall be granted unless the property has been inspected by the Town Code Enforcement Officer and a written certification has been issued by the Code Enforcement Officer certifying that the additional living quarters have been removed in their entirety.

Section 6.

This Local Law shall take effect immediately upon filing with the New York State Secretary of State.

(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 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, 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. 4 of 20 08 of the (County)(City)(Town)(Village) of York was duly passed by the York Town Board on March 27, 20 08, and was (approved)(not approved) (repassed after disapproval) by the Supervisor and was deemed duly adopted on March 27, 2008, 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 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) (repassed after disapproval) by the _____ 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.

(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 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) (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.

(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 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 2, above.

Christine M. Harris *CM Harris*
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

(Seal)

Date: March 28, 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 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.

Ronald A. Gerner
Signature

Town Attorney
Title

County
City of York
Town
Village

Date: March 28, 2008