



Local Law Filing Instructions

**PLEASE FOLLOW THESE INSTRUCTIONS
WHEN FILING LOCAL LAWS IN THE OFFICE OF THE SECRETARY OF STATE**

1. Each local law shall be filed in the office of the Secretary of State within 20 days after its final adoption or approval as required by section 27 of the Municipal Home Rule Law. The cited statute provides that a local law shall not become effective before it is filed in the office of the Secretary of State.
2. Each local law to be filed shall be an original certified copy.
3. Each local law shall be filed on a form provided by the Department of State. Copies of the local law text must be attached to the form. Only legible copies will be accepted.
4. Submit only the local law form and the text of the local law.
5. In the case of a local law amending a previously enacted local law, the text must be that of the law as amended. Do not include any matter in brackets, with a line through it, italicized or underscored to indicate the changes made. The printed introductory bill number for the proposed local law and explanatory matter must be omitted.
6. The date of filing of a local law is the date on which the local law is placed on file by the Department of State. The Department of State will assign a local law number for indexing purposes. The Department of State's Index Number for a local law may be different from the local law number ascribed by the legislative body of the local government.

It is suggested that municipalities use introductory identifying bill numbers for proposed local laws. After the local law is enacted (and approved by the voters, if required), the local law should then be numbered and submitted to the Department of State for filing.

7. Each copy of a local law filed in the office of the Secretary of State shall have affixed to it a certification by the Clerk of legislative body or other officer designated by the local legislative body. Please complete the appropriate certification on the Department's local law filing form.
8. A copy of each local law may be mailed or delivered to:

NYS Department of State
State Records Unit
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231.

(DO NOT FILE THIS INSTRUCTION SHEET WITH THE LOCAL LAW)

Local Law Filing

(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 ascribed as local law number _____ of 20²⁵ of the (County)(City)(Town)(Village) of Voorheesville was duly passed by the Board of Trustees _____ on _____ 20²⁵ 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, ascribed as local law number _____ 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____ 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, ascribed as local law number _____ 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____.

(Name of Legislative Body)

(Elective Chief Executive Officer*)

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, ascribed as local law number _____ 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.

Local Law Filing

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20 ____ of the City of _____ having 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 thereto, ascribed as local law number _____ 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 the paragraph _____ above.

(Seal)

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

(Date)

Proposed
Village of Voorheesville
Local Law 1 of the Year 2025

Be it enacted by the Board of Trustees of the Village of Voorheesville (the “Village”) as follows:

SECTION I. TITLE

This Local Law shall be known and may be cited as the Water System Rules & Regulations Enforcement Law.

SECTION II. PURPOSE

This Local Law is intended to protect the general health, safety and welfare of the public and to protect real property within in connection with the Village’s public water system (the “Water System”) by establishing procedures and standards for the denial or discontinuance of water service; and the right to repair and impose penalties under the Village’s Water System Rules and Regulations (the “Water Regulations”).

SECTION III. AUTHORITY

The Board of Trustees of the Village hereby enacts this Local Law pursuant to authority conferred by New York General Municipal Law Article 5-E, New York State Municipal Home Rule Law, and the New York State Constitution.

SECTION IV. ENFORCEMENT AND PENALTIES

- Section 4.1 - Notification of Violation; Denial of Service
- Section 4.2 - Show Cause Hearing
- Section 4.3 - Civil Rights
- Section 4.4 - Damages
- Section 4.5 - Injunctive Relief
- Section 4.6 - Summary Abatement
- Section 4.7 - Delinquent Payments

4.1 - NOTIFICATION OF VIOLATION; DENIAL OF SERVICE

Whenever the Superintendent of the Department of Public Works (“DPW Superintendent”) denies Water System service to any property located in the Village or finds that any user has violated or is violating this Local Law; or any prohibition, limitation, or requirements contained in the Water

Regulations; the DPW Superintendent may serve upon such person a written notice stating the reasons for the denial or the nature of the violation. Within thirty (30) days of the date of any Notice of Violation a plan for the satisfactory correction of such violation shall be submitted to the DPW Superintendent by the user.

4.2 - SHOW CAUSE HEARING

(1) The DPW Superintendent may order any property owner that the DPW Superintendent seeks to deny Water System Service to, or who causes or allows a violation of this Local Law or the Water Regulations, to show cause before the Board of Trustees of the Village (the "Village Board") why service should be made available or an enforcement action should not be taken. A notice shall be served on the user specifying the time and place of the hearing to be held by the Village Board of Trustees (the "Village Board") regarding the DPW Superintendent's determination, the reasons why the action is to be taken, any proposed enforcement actions, and directing the user to show cause before the Village Board why service should be made available or the proposed enforcement action should not be taken. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days before the hearing.

(2) The Village Board may itself conduct the hearing and take evidence. Alternatively, the Village Board may designate any of its members or any officer or employee of the Department of Public Works to:

- (a) Issue, in the name of the Village Board, Notice(s) of Hearing requesting the attendance and testimony of witnesses, and the production of evidence relevant to any matter involved in such hearing(s).
- (b) Take evidence
- (c) Transmit a report of the evidence and hearings, including transcripts and other evidence, together with recommendations to the Village Board for action thereon.

(3) After the Village Board has reviewed the evidence, it may issue an order to the property owner, or any user responsible for a violation, directing that water service shall continue to be denied or, following a specific time period, discontinued unless adequate steps are taken to safeguard the health, safety and welfare of the Water System and Village; and/or directing that the violation be remedied. Further orders and directives, as are necessary and appropriate, may also be issued.

4.3 - CIVIL PENALTIES

(1) Any person who violates any of the provisions of, or who fails to perform any duty imposed, by this Local Law, the Water Regulations or any order or determination of the DPW Superintendent or the Village Board promulgated under this Local Law, the Water Regulations or the terms of any permit issued hereunder, shall be liable to the Village for a civil penalty not to exceed five hundred (\$500) dollars for each such violation, to be

assessed after a hearing, held in conformance with the procedures, set forth in this Article. Each violation shall be a separate and distinct violation, and each days continuance thereof shall be deemed a separate and distinct violation.

(2) Such penalty may be recovered in an action brought by the Village Attorney at the request of the DPW Superintendent in the name of the Village in any court of competent jurisdiction. Such civil penalty may be released or compromised by the DPW Superintendent with the consent of the Village Board before the matter has been referred to the Village Attorney; and where such matter has been referred to the Village Attorney, such penalty may be released or compromised and any action commenced to recover the same may be settled and discontinued by the Attorney, with the consent of the Village Board.

(3) Any civil penalty or order issued by the DPW Superintendent pursuant to this Local Law shall be reviewable in a proceeding pursuant to Article 78 of the CPLR. Application for such review must be made within sixty (60) days after service in person or by mail of a copy of the determination or order upon the Attorney of record for the applicant and each person who has filed a notice of appearance; or the applicant in person if not directly represented by an attorney.

4.4 – DAMAGES

Any person violating any of the provisions of this Local Law or the Water Regulation shall, in addition, be civilly liable to the Village for any expenses, loss, or damage occasioned to the Water System by reason of such violation.

4.5 – INJUNCTIVE RELIEF

The Village Attorney, on his or her own initiative or at the request of the DPW Superintendent, shall have the right to seek equitable relief, in the name of the Village to restrain the violation of, or to compel compliance with any order or determination issued thereunder by the DPW Superintendent or the Village Board.

4.6 – SUMMARY ABATEMENT

(1) Notwithstanding any inconsistent provisions of this Local Law, whenever the DPW Superintendent finds, after investigation, that any user is causing, engaging in, or maintaining a condition or activity which, in his judgment, present an imminent danger to the public health, safety, or welfare, or to the environment, or is likely to result in damage to the Water System or the Village, and it therefore appears to be prejudicial to the public interest to delay action until notice and an opportunity for hearing can be provided, the DPW Superintendent may, without prior hearing, order such user by notice, in writing wherever practicable or in such other form as is reasonably available, to discontinue, abate or alleviate such condition or activity, and thereupon such person shall immediately discontinue; and, where the giving of notice is impracticable, or in the event of a user's failure to comply voluntarily with an emergency order, the DPW Superintendent may take all appropriate action to abate the violating condition. As

promptly as possible thereafter, not to exceed fifteen (15) days, the DPW Superintendent shall provide the user an opportunity to be heard, in accordance with the provisions of this Article.

(2) The DPW Superintendent, acting upon the belief that an emergency exists, shall be indemnified against any personal liability that may arise in the performance of his duties to protect the public health, safety, or welfare, or preserve the POTW (as defined in the Water Regulations).

4.7 – DELINQUENT PAYMENTS

(1) If there shall be any payment which are due to the Village, or any Department thereof, pursuant to any Article or Section of this Local Law or the Water Regulations, which shall remain due and unpaid, in whole or in part, after the due date as billed by the Village, the same shall constitute a default, and there shall be added to the entire amount of the original bill a penalty, and interest shall accrue retroactive to the date of the original billing.

(2) In the event that there are any Water System taxes, assessments, or other service charges which shall have been delinquent as of May 1st of any year, the Village Clerk/Treasurer is hereby directed to add the entire amount of the tax, assessment, or other service charges which shall be in default, plus penalties and interest, as provided for in this Local Law and the Water Regulations, to the real property taxes due and owing to the Village in the next succeeding year, and the Village Tax Collector is directed to collect same in the same manner as real property taxes due and owing to the Village are collected.

(3) Where charges are delinquent and the violator is not a resident of the Village, then the Village Attorney is authorized to seek recovery of charges, including punitive damages, in a court of competent jurisdiction.

(4) It shall be the responsibility of the user of the Water System to insure that the name, billing address and property they have registered with the Village are proper.

SECTION V. PROCEDURAL REQUIREMENTS AVAILABLE

Section 5.1 – Procedural Requirements Available

5.1 – PROCEDURAL REQUIREMENTS AVAILABLE

The nature and requirements of any formal procedures for applying for water from the Water System; challenging any denial/termination of service or other penalties; and/or requesting a hearing before the Village Board, shall be formulated by the Village Board and be made available to any resident of the Village or user of the Water System upon request.

SECTION VI. CONFLICTS AND APPLICABILITY

- Section 6.1 – Conflicts
- Section 6.2 – Separability
- Section 6.3 – Effective Date
- Section 6.4 – Applicability

6.1 – CONFLICTS

Any provisions of any Local Law or regulation governing the use of the Water System that are in conflict with any provisions of this Local Law are hereby repealed.

6.2 – SEPARABILITY

The invalidity of any section, clause, sentence or provision of this Local Law shall not affect the validity of any part of this Local Law which can be given effect without such invalid part or parts.

6.3 – EFFECTIVE DATE

This Local Law shall take effect immediately after its filing with the Office of the Secretary of State.

6.4 - APPLICABILITY

The Articles of this Local Law will apply to all properties that receive water from the Water System, unless otherwise stated.

END OF LAW

Adopted: _____, 2025