

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not use brackets for matter to be eliminated and do not use italics for new matter.

County of Ontario
City of
Town of
Village of

Local Law No. Eight of the year 19 75

A local law establishing and imposing sewer rents within portions of the Canandaigua Lake County Sewer District.

(Insert title)

Be it enacted by the Board of Supervisors of the Office

County of Ontario, New York as follows:
City of
Town of
Village of

ARTICLE I.

SHORT TITLE AND APPLICABILITY

§1.1 Short Title

This local law shall be known as the "Ontario County Sewer Rents Local Law".

§1.2 Applicability

This local law shall apply only within the following portions of the Canandaigua Lake County Sewer District established by the County of Ontario:

- A. Fall Brook Park Sewer District and Extension No. 1 thereof of the Town of Canandaigua.
- B. North Road Sewer District of the Town of Canandaigua.

ARTICLE II.

IMPOSITION OF SEWER RENTS

§2.0 Sewer rents established

Pursuant to Article 14-F of the General Municipal Law of the State of New York, there is hereby established and imposed sewer rents as a means of producing revenue for the County Sewer District or districts specified in §1.2 hereof.

ARTICLE III.DEFINITIONS§3.0 Definitions

The definitions contained in the Ontario County Sewer Use Local Law are incorporated herein by reference, and unless the context specifically indicates otherwise, the meaning of other terms used herein shall be as follows:

§3.01 "Sewer Rents" - A scale by unit method of annual charges established and imposed in the district on the basis of equivalent single house units (hereinafter referred to as "units") for the use of the sewage works or any part or parts thereof.

§3.02 "Fixtures" - shall mean the waste drain from each sink, water closet or toilet, urinal, shower, tub or other appliance or structure draining from any premises into the sewage works.

§.3.03 "Equivalent Single House Units" - shall be determined as follows:

A. A single family dwelling shall be charged one unit.

B. Other dwellings. Premises occupied or designed to be occupied by 2 or more families, including two-family dwellings, multi-family dwellings, apartments, and apartment houses, shall be charged one unit for each apartment or separate living quarters contained in or on such premises, without regard as to whether the same are occupied on a seasonal or full year basis.

C. Gasoline station. Premises occupied or designed to be occupied as a gasoline station shall be charged 2 units.

D. Motel. Premises occupied or designed to be occupied as a motel shall be charged 1/2 unit for each motel unit. For example, a motel with 100 units, whether occupied or unoccupied, shall be charged 50 units.

E. Restaurant. A restaurant shall be charged a minimum of 3 units, plus an additional 1/2 unit for each fixture in excess of 4 fixtures.

F. Repair garages. Premises occupied or designed to be occupied as a motor vehicle repair, service or repainting garage, without gasoline pumps, shall be charged 1 1/2 units, plus 1/2 unit for each fixture in excess of 4 fixtures.

G. Retail stores. Premises occupied or designed to be occupied as a retail store shall be charged one unit, plus 1/2 unit for each fixture in excess of 4 fixtures.

H. Laundromat. Premises occupied or designed to be occupied as a laundromat, whether self-service or otherwise, shall be charged 1 1/2 units for each 2 appliances used for either washing or drying. A washer-dryer combination appliance shall be considered 2 appliances.

I. Mobile Home Park. A mobile home park shall be charged 1 unit for each mobile home space, without regard as to whether such space is actually occupied by a mobile home.

J. Any premises not within the above classifications shall be charged the number of units determined by the sewer agency, after a hearing held on not less than 5 days notice in writing of the proposed charge is mailed to the owner at his address as shown on the latest completed assessment roll. The owner shall have the right to appear and be heard on the imposition of said proposed charge. Such charge

shall become final 10 days after the sewer agency mails by registered mail to the owner a statement of its determination of the unit charge imposed after said hearing, unless the owner shall file in the office of the Superintendent and the Clerk of the Board of Supervisors within such 10 day period a written notice of appeal containing a sworn statement of the grounds of his appeal.

ARTICLE IV.

APPEALS

\$4.0 Appeals from determinations of the sewer agency shall be heard and determined by the Board of Supervisors within 45 days of the date of the filing of the notice of appeal.

\$4.01 Notice of the date of such hearing shall be mailed to the owner of the premises at least 5 days prior to the hearing. The owner shall have the right to appear and be heard at said hearing before the Board of Supervisors.

\$4.02 The Board of Supervisors shall decide such appeals within 45 days of its hearing. Its decision shall constitute a final determination.

ARTICLE V.

BILLS, PAYMENT AND PENALTIES

\$5.0 Sewer rents shall be due and payable in equal installments quarterly on April 1, July 1, October 1 and January 1 in each year, with the first payment being due on April 1st, 1976.

\$5.01 The Superintendent shall cause a statement to be prepared setting forth the amount of the sewer rents for each of the properties subject thereto and the name of the person in whose name such real property is assessed. Bills for sewer rental shall be mailed to each such owner quarterly.

\$5.02 Sewer rents shall be paid by the property owner or his agent to the Ontario County Treasurer. Revenues derived from sewer rents, including penalties and interest, shall be credited to a special fund to be known as the "Sewer Rent Fund". Such money shall be used only for the purposes permitted by law.

\$5.03 A late-payment penalty of 10% shall be added to each sewer rent bill not paid in full within 15 days of the date the same is due.

ARTICLE VI.

SEWER RENT RATE

\$6.0 Sewer rents are hereby established as follows:

\$6.01 For premises within North Road Sewer District of the Town of Canandaigua (herein referred to as Benefit Zone No. 1) - \$254.00 per equivalent single house unit per year.

\$6.02 For premises within Fall Brook Park Sewer District and Extension No. 1 thereof of the Town of Canandaigua (herein referred to as Benefit Zone No. 2) - \$102.00 per equivalent single house unit per year.

ARTICLE VII.

EFFECTIVE DATE

\$7.0 This Local Law shall take effect January 1st, 1976.

(Complete the certificate in the paragraph which applies to the filing of this local law and strike out the matter therein which is not applicable.)

(Final adoption by local legislative body only.)

(8) Eight of 1975

1. I hereby certify that the local law annexed hereto, designated as local law No. ... of 1975. County of Ontario was duly passed by Board of Supervisors

of the Town Village in accordance with the applicable provisions of law. December 11, 1975

(Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer or repassage after disapproval.)

2. I hereby certify that the local law annexed hereto, designated as local law No. ... of 1975. County of ... was duly passed by ...

on ... 1975 and was approved by the Elective Chief Executive Officer

and was deemed duly adopted on ... 1975, in accordance with the applicable provisions of law.

(Final adoption by referendum.)

3. I hereby certify that the local law annexed hereto, designated as local law No. ... of 1975

County of ... was duly passed by the ...

on ... 1975 and was approved by the Elective Chief Executive Officer

on ... 1975. Such local law was submitted to the people by reason of a mandatory referendum and received the affirmative vote of a majority of the qualified electors voting thereon at the special election held on ... 1975, in accordance with the applicable provisions of law.

(Subject to permissive referendum and final adoption because no valid petition filed requesting referendum.)

4. I hereby certify that the local law annexed hereto, designated as local law No. ... of 1975

County of ... was duly passed by the ...

on ... 1975 and was approved by the Elective Chief Executive Officer

on ... 1975. Such local law being subject to a permissive referendum and no valid petition requesting such referendum having been filed, said local law was deemed duly adopted on ... 1975, 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 board of supervisors, the mayor of a city or village or the supervisor of a town, where such officer is vested with power to approve or veto local laws or ordinances.

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

5. 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 § 36 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 election held on 19 became operative.

(County local law concerning adoption of Charter.)

6. I hereby certify that the local law annexed hereto, designated as Local Law No. of 197 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.

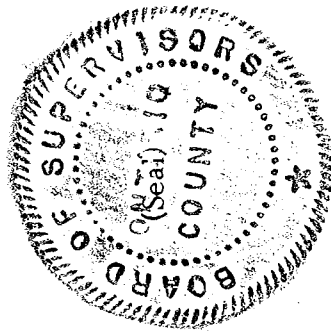
(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

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 above.

William C. Rosta

Clerk of the Board of Supervisors, City, Town or Village Clerk or Officer designated by Local Legislative Body

Date: December 15, 1975



(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 ONTARIO

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.

William C. Rosta
Ontario County Attorney

(Title of Officer)

County of Ontario
~~City~~
~~Town~~
Village

Dated: December 15, 1975

ONTARIO COUNTY, S.S.
Recorded on the 16th day of Dec., 1975
at 9:56 o'clock A.M., in Book 2
of 1004. at page 111
and examined AND FILED
William C. Rosta Clerk