

(Please Use this Form for Filing your 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~~
County of Lyndonville
Village

Local Law No. 4 of the year 19 81

A local law Amending Local Law No. 1 for the Year 1981 and Establishing Sewer Use Classifications (Insert title) and Sewer Rate Schedules.

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

County of Lyndonville, State of New York as follows:
City of Lyndonville, State of New York
Town of Lyndonville, State of New York
Village of Lyndonville, State of New York

SECTION 1. Local Law No. 1 for the Year 1981 of the Village of Lyndonville is hereby changed and amended by the addition of Section 12A which reads as follows:

SECTION 12A-RATES

1. The following Rate Schedules have been prepared by the Village for the purpose of collecting sufficient revenue for the Operation and Maintenance of the Waste Treatment Facility. The collection of sewer rate charges is the responsibility of the Village Clerk/Treasurer and will be billed as indicated in Section 12-2 of Local Law No. 1 for the Year 1981. Such rates are based on revenue requirements of the adopted, approved Sewer Budget and are subject to annual adjustment to accurately reflect sewer expense based on actual revenues received.
2. (a) A Service Unit is defined as any self-contained occupancy, building or portion of a building constituting an activity which generates sewage or process waste requiring transporting and treatment at the Sewage Treatment Facility.
(b) A Vacant Lot is defined as one parcel of undeveloped land meeting the Village Zoning requirements as a building lot and as listed on the Assessment Rolls of the Village as a separate parcel.
3. There are four classes of users in the Village of Lyndonville Sewer District established as follows:
Class 1 - A single service unit with one service

(If additional space is needed, please attach sheets of the same size as this and number each)

connection contributing domestic strength waste not to exceed 150,000 gallons per year (gpy) at a concentration not to exceed limits of Section 5 - 6 as represented by, but not limited to, a single family detached house, cottage, mobile home on private site, single commercial or professional building, church, fire hall, business office, store, private club or other similar occupancy, For one or more buildings grouped together on a single service, each shall be considered a separate parcel or separate parcels, each service unit being separable from the other.

Class 2 - A service unit shall consist of a single occupancy contributing in excess of 150,000 gallons per year of waste or a multiple occupancy a contributing waste to a single service connection of a concentration not to exceed limits in Section 5 - 6. A class 2 unit shall be charged one service unit for the first occupancy plus one-half of a service unit for each additional service unit in the same occupancy. Class 2 service units to be comprised of buildings such as multiple family dwellings, apartment buildings, mobile home park, commercial building with living quarters or apartments.

Class 3 - Industrial or institutional users discharging non-process waste to a sewer connection and not containing any waste as described in Section 5-3 of this Local Law. One service unit charge will be made for each water meter in each building or group of buildings whether on a single parcel or separate parcels or whether owned and/or operated by one or more businesses at the same location. This would include industrial users, schools, hospitals, nursing homes, public housing facility and the like.

Class 4 - Industrial users discharging process and domestic waste to a sewer connection whether or not in excess of 150,000 gallons per year, not containing any waste described in Section 5-3 or when the waste is pretreated by such user prior to discharge to the sewer system to meet the limitations of Section 5-6 of this Local Law. One service unit charge will be made for each water meter in buildings on the same or separate parcels or whether owned or operated by one or more businesses at the same location.

Separate service charges may be made in accordance with Section 12 through 14 of this Local Law and for any special services, equipment or waste monitoring required by such service unit connection to the sewer system.

4. Sewer Use Charges shall consist of the following:

- (a) Availability charge for each service unit.
- (b) Actual water consumption charge based on 90% of metered water use of 100% of metered waste flow to the sewer connection.
- (c) Special charges for treatment of wastes exceeding Local Law limitations in the form of a charge for excess pounds per day of BOD, S.S., C.O.D., acidity, alkalinity and for required chemicals to adjust pH and sampling/testing charges to establish waste characteristics and flow.

SECTION 12A

5. Rate Schedule

Class 1-1 Service Unit
less than 150,000 gpy

Availability charge \$120/yr.
\$2.60 per 1000 gal. of 90% of
metered water

Availability -Vacant
Parcel

\$10.00 per year

Class 2-1st. Service Unit
Each additional Ser-
vice Unit

Availability charge \$120.00 /yr.

Availability charge \$60.00/yr.

Flow charge

\$2.60 per 1000 gal. of 90% of
metered water

Availability-Vacant
Parcel

\$10.00 per year

Class 3-Each Service Unit
Non-process waste in
excess of 150,000 gpy

Availability charge \$360.00/yr.

\$2.60 per 1000 gal. for 90%
of metered water.

Availability-Vacant
Parcel

\$10.00 per year

Class 4-Each Service Unit
Process waste and
sanitary

Availability charge \$480.00/yr.

\$2.60 per 1000 gal. for 90% of
metered water

Plus charge for excess BOD,
S.S., C.O.D., Acidity, pH,
testing per local law.

Availability-Vacant
Parcel

\$10.00 per year

SECTION 2. All local laws, ordinances, rules or regulations, or parts
or portions thereof that conflict or are contrary to any
provision of this local law are hereby repealed.

SECTION 3. This local law shall take effect immediately upon filing
in the office of the Secretary of State.

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein 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.4..... of 19.81..
~~XXXX~~
~~XXXX~~ of Lyndonville.. was duly passed by theTown..Board.....
~~XXXX~~ Village (Name of Legislative Body)
on September 21..... 1981.. in accordance with the applicable provisions of law.

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

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

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

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

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 above.

Beverly M. Bacon

~~XXXXXX~~ Village Clerk ~~XXXXXX~~
~~XXXXXX~~ ~~XXXXXX~~ ~~XXXXXX~~ ~~XXXXXX~~ ~~XXXXXX~~ ~~XXXXXX~~ ~~XXXXXX~~ ~~XXXXXX~~

Date: September 21, 1981

Beverly M. Bacon

(Seal)

(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.


..... Signature

..... Village Attorney
..... Title

Date: September 21, 1981

County of Lyndonville, New York
City of
Town
Village