

Page 201 Spec. for Sidewalks Aug. 10-1987  
B.M.B.

(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~~ LYNDONVILLE, NEW YORK  
~~Town~~  
Village

Local Law No. 2 of the year 19 86

**A local law PROVIDING FOR THE REPAIR OR CONSTRUCTION OF SIDEWALKS IN THE VILLAGE OF**  
(Insert title)

LYNDONVILLE

Be it enacted by the Board of Trustees of the Village of Lyndonville, New York, as follows:

~~County~~  
~~City~~ LYNDONVILLE, NEW YORK  
~~Town~~  
Village

SECTION 1.

It is the purpose of this Local Law to provide for the safety, health, protection and general welfare of persons in the Village of Lyndonville by providing for the construction of sidewalks in appropriate areas and the repair or alteration of sidewalks within the Village of Lyndonville.

SECTION 2.

This Local Law shall be known as "The Village of Lyndonville Local Law Providing for the Repair, Alteration, or Construction of Sidewalks."

SECTION 3.

(a) When, in the opinion of the Board of Trustees of the Village of Lyndonville, a sidewalk is required to be constructed, a notice specifying the place and manner of such construction must be served on the owner of adjoining land either personally or by certified mail, return receipt requested, requiring such owner to construct the same. The said notice shall contain a date by which construction must be completed; said completion date to be determined pursuant to Section 3 (c) of this local law.

(b) When, in the opinion of the Board of Trustees of the Village of Lyndonville, any existing sidewalk should be altered, or repaired, a notice specifying the place and manner of such alteration or repair must be served on the owner of the adjoining land either personally or by certified mail, return receipt requested, requiring such owner to alter or repair the same. The said notice shall contain a date by which the repairs or alterations must be completed; said completion date to be determined pursuant to Section 3 (c) of this local law.

(c) The Board of Trustees shall determine by resolution, the completion date of any construction, repairs, or alterations. The owner shall be afforded a minimum period of thirty (30) days for completion of new construction from the date of service of said notice and seven (7) days for completion of repairs or alterations from the date of service of said notice. The completion date shall be set forth on the notice as required hereinabove, and the Board of Trustees may extend by resolution such completion date for good cause shown.

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

SECTION 4.

In the event of the refusal or neglect of the owner so notified to comply with construction, alteration or repair, on or before the completion date, the Board of Trustees may cause the same to be constructed, altered or repaired and assess the expense thereof against the adjoining land on which sidewalk is located and the cost thereof shall be levied and collected in the same manner as provided in Section 5-518 of the Village Law of the State of New York.

SECTION 5.

All construction, repairs or alterations performed by the owners of adjoining land shall be in accordance with the specifications and under the direction and supervision of the Board of Trustees. Such specifications may be made and adopted by resolution of the Board of Trustees.

SECTION 6.

(a) 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.

(b) If any part or section of this local law shall be held to be unconstitutional, or invalid, the remaining provisions thereof shall not fail but shall remain in full force and effect.

SECTION 7.

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. ....2..... of 19.86...  
~~XXXXXX~~  
~~XXXX~~ of .....Lyndonville... was duly passed by the .....Board of Trustees.....  
~~XXXXXX~~ (Name of Legislative Body)  
Village  
on August 11, ..... 19.86.. 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 of .....  
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 of .....  
Village  
on ..... 19..... not disapproved  
and was approved by the ..... Elective Chief Executive Officer \*  
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  
permissive general  
thereon at the special election held on ..... 19....., in accordance with the appli-  
annual  
cable 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 of .....  
Village  
..... 19..... not disapproved  
and was approved by the ..... Elective Chief Executive Officer \*  
repassed after disapproval  
..... 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.

*Deirdre W. Davis*

Deirdre W. Davis, Village Clerk of Lyndonville, New York

Date: August 11, 1986

(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.

*David R. Schuch*  
Signature

Village Attorney, Lyndonville, New York  
Title

Date: August 11, 1986

County of Lyndonville, New York  
Village