

(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 Lyndonville, Orleans County, New York
~~Town~~
Village

Local Law No. 2 of the year 19 97

A local law Establishing and Adopting a Housing Code for the Village of Lyndonville
(Insert Title)

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

~~County~~
~~City~~ of Lyndonville as follows:
~~Town~~
Village

Section 1. The Code of the Village of Lyndonville is hereby supplemented by the addition of a Chapter to be known as the Lyndonville Housing Code for the purpose of regulating the minimum standards governing the conditions and maintenance of habitable premises within the Village of Lyndonville, which Chapter shall provide as follows:

ARTICLE I
GENERAL PROVISIONS

§ 101-1. Legislative findings.

A. This chapter establishes minimum standards governing the conditions and maintenance of residential premises essential to make them safe, sanitary and fit for human habitation; fixing certain responsibilities and duties; authorizing the inspection of units; and providing penalties for violations of this chapter.

B. This chapter, known as the "Lyndonville Housing Code," and the provisions therein contained are hereby adopted for regulating the minimum standards governing the conditions and maintenance of habitable premises.

§ 101-2. Title.

This code shall be known and may be cited and referred to as the "Lyndonville Housing Code."

§ 101-3. Purpose.

This code is to protect the public health, safety and welfare in all existing and new residential premises as hereinafter provided by:

A. Establishing minimum standards for all habitable structures and premises for basic equipment and facilities for light, ventilation, space heating and sanitation; for safety from fire; for space, use and location; and for safe and sanitary maintenance of all structures now in existence.

B. Fixing the responsibilities of owners, operators and occupants of all habitable structures.

C. Providing for administration, enforcement and penalties.

**ARTICLE II
Terminology**

§ 101-4. Word usage

Unless otherwise stated, the following shall, for the purpose of this chapter, have the meanings herein indicated:

A. Words used in the present tense include the future tense.

- B. Words in the singular include the plural.
- C. The word "building" includes structure.
- D. The word "shall" is always mandatory.

§ 101-5. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ACCESSORY USE OF STRUCTURE - A use or structure subordinate to the principal use of a building on the same lot and serving a purpose customarily incidental to the use of the principal building or land use.

BASEMENT - A portion of a building located partly underground but having less than one-half (1/2) of its clear floor-to-ceiling height below the average grade of the adjoining ground.

CELLAR - A portion of a building located partly or wholly underground and having one-half (1/2) or more of its clear floor-to-ceiling height below the average grade of the adjoining ground.

CODE ENFORCEMENT OFFICER - The official who is charged with the administration and enforcement of this code, or any duly authorized representative.

CONDEMN - A designation by the Code Enforcement Officer that a structure is unsafe, unfit, unsanitary or unlawful as provided for in this code.

DWELLING UNIT - A single unit providing complete, independent living facilities for one (1) or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

EXTERMINATION - The control or elimination of insects, rodents or other pests by eliminating their harborage places, by removing or making inaccessible materials that may serve to harbor pests, by blocking their access to a dwelling or by any other recognized and legal pest elimination methods.

FIRE HAZARD:

- A. Any device or condition likely to cause fire and which is so situated as to endanger either persons or property.

B. The creation, maintenance or continuance of any physical condition by reason of which there exists a use, accumulation or storage of combustible or explosive material sufficient in amount or so located in such a manner as to put in jeopardy, in event of ignition, either persons or property.

C. The obstruction of fire escapes, including ladders, stairways, aisles, exits, doors, windows, passageways or halls, which may be used as escapes in the event of fire, to interfere with the operations of the Fire Department or of the safety and ready egress of the occupants.

FIRST STORY - That story of a dwelling at or next above the average grade of the adjoining ground.

GARBAGE- The animal and/or vegetable waste resulting from the handling, preparation, cooking and consumption of food, including the by-products thereof.

HABITABLE ROOM - A room or enclosed floor space used or intended to be used for living, sleeping, cooking or eating purposes, excluding bathrooms, water closet compartments, laundries, pantries, foyers or communicating corridors, closets and storage spaces.

HABITABLE STRUCTURE - A dwelling or dwelling unit or building space of any kind designed or used for human habitation.

INFESTATION - The presence within or around a dwelling or in or near waste disposal containers of any insects, rodents or other pests.

LIGHT HOUSEKEEPING - The use of a room or rooms for combined living, sleeping, and dining purposes by individuals or groups of persons having part of a dwelling, such as stairs or halls, in common but living independently of each other and doing their cooking upon the premises, whether in the same or in other units, as distinguished from a dwelling unit or apartment having normal kitchen and toilet facilities.

LIGHT HOUSEKEEPING UNIT - The room or rooms occupied for light housekeeping purposes by one (1) individual or group of persons living independently of other such individuals or groups.

NOXIOUS WEED - A weed which, when well-established, is highly destructive and difficult to control. Examples include quack grass, Johnsongrass, bindweed, Canada thistle and Bermuda grass.

OCCUPANT - Any person, including an owner or operator, living or sleeping in a dwelling unit.

OPERATOR - Any person who has charge, care, management or control of a structure or premises which are let or offered for occupancy.

OWNER - Any legally responsible person who, alone or jointly or severally with others:

A. Shall have legal title to any regulated residential properties, with or without accompanying actual possession thereof: or

B. Shall have charge, care or control of any regulated residential properties, as owners or agent of the owner or any executor, administrator, trustee or guardian of the estate of the owner. Any such person thus representing the actual "owner" shall be bound to comply with the provisions of this chapter and of the rules and regulations adopted pursuant thereto, to the same extent as if he were the "owner."

PLUMBING - Includes all of the following supplied facilities and equipment: gas pipes, gas burning equipment, water pipes, garbage disposal units, waste pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes washing machines, catch basins, drains, vents and any other similar supplied fixture and the installation thereof, together with all connections to water, sewer or gas lines.

PREMISES - A lot, parcel, tract or plot of land, together with the buildings and structures thereon.

RUBBISH - Combustible and noncombustible waste materials, except garbage, and the term shall include the residue from the burning of wood, coal and other combustible materials; paper, rags, cartons, boxes, wood, rubber, yard trimmings, tin cans, metal and other similar materials.

VENTILATION - The process of supplying and removing air by natural or mechanical means to or from any space.

A. **MECHANICAL** - Ventilation by power-driven devices.

B. **NATURAL** - Ventilation by opening to outer air through windows, skylights, doors, louvers or stacks without wind-driven devices.

ARTICLE III

Minimum Standards

§ 101-6. Scope.

The provisions of this Article shall govern the minimum standards for maintenance of premises used as residential properties, either single-unit or multi-unit. Premises shall comply with the conditions herein prescribed insofar as they are applicable.

§ 101-7. Responsibility for compliance.

The owner shall maintain such premises in compliance with these requirements. A person shall not rent or let to another for occupancy or use premises which do not comply with the following requirements of this Article.

§ 101-8. Condition of premises.

A. Sanitation. All exterior property areas of the premises shall be maintained in a clean, safe and sanitary condition free from any accumulation of rubbish and garbage.

B. Grading and drainage. All premises shall be graded and maintained by the owner so as to prevent the accumulation of stagnant water thereon or within any structure located thereof.

C. Insect and rat control.

(1) Any owner of a multi-unit structure shall be responsible for the extermination of insects, rats, vermin or other pests in all exterior areas of the premises.

(2) The occupant shall be responsible for such extermination in the exterior area of the premises of a single-family dwelling.

D. Public areas.

(1) All yards shall be maintained by the owner in a neat and orderly condition and in accordance with other ordinances pertaining thereto. (see Chapter 113).

E. Exhaust vent. Pipes, ducts, conductors, fans or blowers discharging water, gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes shall be constructed and operated as to not create a hazard to persons of adjoining properties.

F. Accessory structures. All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair by the owner.

§ 101-9. Exterior structure.

A. General. The exterior of a structure shall be maintained structurally sound and sanitary so as not to pose a threat to the health and safety of the occupants and so as to protect the occupants from the elements.

B. Structural members. All supporting structural members of all structures shall be structurally sound, free of deterioration and capable of safely bearing the dead and live loads imposed upon them.

C. Foundations. All foundations shall be maintained so as to carry the operating dead and live loads and shall be maintained plumb and free from open cracks and breaks.

D. Exterior walls.

(1) Every exterior wall shall be free of holes, breaks, loose or rotting boards or timbers and any other conditions which might admit rain or dampness to the interior portions of the walls of the occupied spaces of the building.

(2) All exterior surface materials, including wood, composition or metal siding, shall be maintained weatherproof and shall be properly surface-coated when required to prevent deterioration. Such maintenance shall consist of painting, installation or repair of walls, copings and flashings, waterproofing of joints, and waterproof coatings.

E. Roofs. The roof shall be structurally sound and tight and not have defects which might admit rain. Roof drainage shall be adequate to prevent water from causing dampness in the walls or interior portion of the building.

F. Decorative features. All cornices, entablatures, belt courses, corbels, terr cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

G. Canopies, signs, marquees and awnings. All canopies, signs, metal awnings, stairways, fire escapes, standpipes, exhaust ducts and similar overhead extensions shall be maintained in good repair and be property anchored. They shall be protected from the elements against decay and rust by periodic application of a weather-coating material such as paint or other protective treatment.

H. Chimneys. All chimneys and similar structures shall be maintained in good repair and structurally safe.

I. Stairs and porches.

(1) Every stair, porch, rail, balcony and all appurtenances attached thereto shall be so constructed and maintained as to be safe to use and capable of supporting the loads to which it may be subjected.

(2) Every window, door and their frames shall be constructed and maintained as to exclude the elements as completely as possible. Where necessary, weather stripping shall be used and maintained in good repair.

J. Glazing. Every required window sash shall be properly glazed with glazing materials without open cracks and holes.

K. Openable windows. Every openable window shall be capable of being easily opened and securely held in an open position.

L. Insect screens. The owner of a rental unit shall supply for every door and window or other outside opening used for ventilation purposes adequate screening, and every swinging screen door shall have a self-closing device in good working condition.

§ 101-10. Interior structure.

A. General. The interior of a structure and its equipment shall be maintained in a structurally sound and sanitary condition.

B. Structural members. The supporting structural members of every building shall be maintained structurally sound, not showing any evidence which would render them incapable of carrying the imposed loads.

C. Interior surfaces.

(1) Floors, wall, including windows and doors, ceilings and other interior surfaces shall be maintained free of serious defects threatening the health and safety of the occupants.

(2) Dirt, sand or gravel floors are not allowed. This shall not apply to basements which are not used as living areas.

D. Bathroom and kitchen floors. Every toilet, bathroom and kitchen floor surface shall be maintained so as to permit such floor to be easily kept in clean and sanitary condition.

E. Cellars, basements and crawl spaces. Cellars, basements and crawl spaces shall be maintained free from conditions posing a threat to the health or safety of the occupants.

F. Sanitation.

(1) Every occupant of a dwelling or dwelling unit shall keep in clean and sanitary condition that part of the premises thereof which he occupies and regularly uses.

(2) Every owner of a dwelling containing two (2) or more dwelling units shall be responsible for maintaining in a clean and sanitary condition in the shared or public areas of the premises thereof.

G. Insect and rodent harborage.

(1) Owner/occupant. The owner shall provide a structure and premises free of insects, vermin or other pests.

(2) Rental properties.

(a) Owner responsibilities. The owner shall provide a structure and premises free of insects, rodents or other pests upon letting of a unit. Whenever infestation occurs in two (2) or more dwelling units in any multidwelling building or in any shared or public parts of such building, extermination thereof shall remain the responsibility of the owner.

(b) Tenant responsibilities. Every tenant of a single-family dwelling shall be responsible for the continuing extermination of any insects, rodents or other pests therein.

(c) Tenants of dwelling units in multidwelling buildings shall be responsible for the continuing extermination wherever the tenant's dwelling unit is the only one infested.

(3) Every occupant shall be responsible for taking all reasonable measures in the occupancy of his or her premises to prevent infestation by insects, rodents or other pests. This shall include but is not limited to proper housekeeping and proper use of the premises.

(4) Where insects or vermin are found, they shall be promptly exterminated by locally acceptable processes which will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.

H. Exit doors. Every door available as an exit shall be capable of being opened easily from the inside.

I. Exit facilities. All interior stairs and railings and other exit facilities of every structure shall be so constructed and maintained as to be safe to use and capable of supporting the anticipated loads.

§ 101-11. Lighting

A. General. All areas of habitable structures shall be provided with sufficient light. All rooms, habitable or not, shall be capable of being lighted by artificial light.

B. Habitable rooms. Every room used for sleeping and at least one (1) other habitable room shall have at least one (1) window or skylight facing directly to the outdoors. The minimum total window area, measured between stops, for every habitable room shall be five percent (5%) of the floor area of such room. Whenever the only window in a room is a skylight-type window in the top of such room the total window area of such skylight shall equal at least ten percent (10%) of the total floor area of such room.

C. Common hallways and stairways. Every common hall and stairway in every multiple dwelling shall be lighted at all times provided that every common hall or stairway in structures containing not more than two (2) dwelling units may be supplied with conveniently located light switches controlling an adequate lighting system which may be turned on when needed.

D. Other areas. All other areas shall be provided with a means of illumination, either natural or artificial, of sufficient intensity and so distributed as to permit the maintenance of sanitary conditions and the safe use of the space and the appliances, equipment and fixtures at all times.

§ 101-12. Ventilation.

A. General. All spaces or rooms shall be provided sufficient natural or mechanical ventilation so as not to endanger health and safety.

B. Mechanical ventilation. Where mechanical ventilation is provided in lieu of the natural ventilation, such mechanical ventilating system shall be maintained in operating condition and not vented into other habitable areas.

C. Natural ventilation. Where natural ventilation is supplied by a window, its total openable window area shall be equal to at least forty-five percent (45%) of the minimum window area size required in § 101-11B.

§ 101-13. Space requirement.

A. Dwelling units.

(1) No dwelling unit shall be so located or arranged that access requires passage through another dwelling unit.

B. Minimum ceiling height.

(1) At least one-half (1/2) of the floor area of every habitable room shall have a ceiling height of not less than six (6) feet six (6) inches.

(2) The floor area of any part of a room, where the ceiling height is less than five (5) feet, shall not be considered as part of the required floor area.

§ 101-14. Plumbing facilities and fixtures.

A. Dwelling units. Every dwelling unit shall include its own plumbing facilities which are in proper operating conditions, can be used in privacy and are adequate for personal

cleanliness and the disposal of human waste. The following minimum plumbing facilities shall be supplied and maintained in sanitary, safe working conditions.

B. Water closet and lavatory. Every dwelling unit shall contain, within its walls, a room separate from habitable rooms, which affords privacy and a water closet supplied with cold running water. The lavatory may be placed in the same room as the water closet, or if located in another room, the lavatory shall be located in close proximity to the door leading directly in to the room in which said water closet is located. The lavatory shall be supplied with hot and cold running water.

C. Bathtub or shower. Every dwelling unit shall contain a room which affords privacy which is equipped with a bathtub or shower supplied with hot and cold running water.

D. Kitchen sink. Every dwelling unit shall contain a kitchen sink apart from the lavatory required under Subsection B and which shall be supplied with hot and cold running water.

E. Access. Bathrooms or water closet compartments shall not be used as a passageway to a hall or other space or to the exterior. A bathroom shall be accessible from the interior of the individual dwelling unit.

F. Connections. Water supply lines, plumbing fixtures, vents and drains shall be properly installed in accordance with state plumbing codes, connected and maintained in working order, and shall be kept free obstructions, leaks and defects.

G. Water-heating facilities. Water-heating facilities shall be installed in an approved manner, properly maintained and connected with hot-water lines to the fixtures required to be supplied. Water-heating facilities shall be capable of heating water to such a temperature as to permit an adequate amount of water to be drawn at every required kitchen sink, lavatory basin, bathtub, shower, laundry facility or other similar units at a temperature of not less than one hundred ten degrees Fahrenheit (110° F.).

§ 101-15. Heating facilities and electrical requirements

A. Heating facilities. Every dwelling unit which has central heating facilities which are properly installed and maintained in safe and good conditions and are capable of safely and adequately heating all habitable rooms and bathrooms in every dwelling until located therein shall be capable of raising the temperature to at least sixty-five degrees Fahrenheit (65° .) at a distance of three (3) feet above floor level when the outside temperature is twenty degrees Fahrenheit (20° F.).

B. Installation and maintenance.

(1) Heating appliances and facilities including central heating and woodburning stoves shall be in accordance with the State Fire Code and other applicable laws and shall be kept in safe working conditions.

(2) All mechanical equipment shall be properly installed and safely maintained in good working conditions and be capable of performing the function for which it was designed and intended.

(3) All fuel-burning equipment designed to be connected to a flue, chimney or vent shall be connected in accordance with the manufacturer's recommendations. All required clearance from combustible materials shall be maintained. All safety controls for fuel-burning equipment shall be maintained in operating condition.

(4) Fireplaces and other devices intended for use similar to a fireplace, including wood and coal-burning stoves, shall be stable and structurally safe and connected to approved chimneys.

D. Electrical requirements. Every habitable room shall conform to NEC codes.

ARTICLE IV

Administration and Enforcement

§ 101-16. Code Enforcement officer.

A. Appointment. The Code Enforcement Officer shall be a person appointed by the Mayor with the approval of the Village Board.

B. Qualifications. The Code Enforcement Officer shall meet the qualifications and training as required by State Uniform Fire Prevention and Building Code.

C. Duties. It shall be the duty of the Code Enforcement Officer to enforce the provisions of this chapter. All questions of interpretation and enforcement shall be first presented to the Code Enforcement Officer. Such questions then may be presented to the Mayor and Board, as hereinafter provided, only on appeal from the decision of the Code Enforcement Officer.

§ 101-17. Notice of violation; eviction; appeals.

A. Notice of violation. Upon a determination by the Code Enforcement Officer that a violation of any provision of this chapter exists or has occurred, he shall promptly serve

(3) Time for appeal. The time for appeal shall be governed by the New York Civil Practice Law and Rules, and shall run from the date of the mailing of the decision and findings of fact to the persons bringing the appeal.

§ 101-18. Demolition

A. Notice. Whenever the Code Enforcement Officer shall determine that the defects or violations existing in a structure render the same unfit for human habitation and the notices required by § 101-17 above have been duly served and the repairs have not been completed within the time set for in said notice, he shall promptly serve upon the owner of the structure a written notice setting forth the following:

(1) That the structure is condemned as a public nuisance by reason of the owner's failure to make the required repairs.

(2) That the structure must be demolished and all debris removed from the site within a stated period which will in no event be more than one hundred twenty (120) days.

(3) That the owner's failure to demolish the building within the stated period shall constitute a violation of this chapter and subject him to the penalties as provided herein, and further, that the Mayor and Board may seek an enforcement of the demolition order through the appropriate court at the expense of the owner.

(4) That the owner may request a hearing before the Mayor and Board as to the demolition order, provided that such request is in writing and is served upon the Village Clerk within ten (10) days of the service of the demolition order upon the owner.

B. At the time of the service of a demolition order as in this section provided, the Code Enforcement Officer shall deliver a copy of the same to the Mayor and Board and/or the Village Clerk.

C. Hearing.

(1) Upon receipt of a timely request for a hearing, the Mayor and Board shall promptly schedule a public hearing and shall give ten (10) days' written notice thereof to the owners and they shall also give public notice thereof once in a newspaper having general circulation in the town.

(2) The public hearing shall be recorded stenographically or electronically.

(3) At said public hearing, testimony may be offered by or on behalf of the owner and the Code Enforcement Officer and by any party with standing. In addition to

such testimony, the Mayor and Board may request the testimony of additional witnesses if they, in their sole discretion, should determine that to be necessary in reaching a proper decision.

(4) The Mayor and Board shall render a written decision setting forth their findings of fact, which said decision and findings shall be mailed to the owner and to such other parties who shall have requested the findings and decisions in writing at the hearing.

D. Enforcement of demolition order. At the termination of the time period set forth in the Code Enforcement Officer's order for demolition or at the end of any period for demolition established by the Mayor and Board in a hearing as hereinabove set forth or at the completion of an appeal if the owner has not demolished the property in accordance with said order, the Mayor and Board may forthwith file an appropriate action with the County Court for Orleans County to have the order for demolition enforced with all costs of such court action, including attorneys fees, to be at the expense of the owner.

§ 101-19. Complaints regarding violations; investigation.

A. Whenever a violation of this chapter occurs or is alleged to have occurred, any person may report the same, in writing, to the Code Enforcement Office or the Code Enforcement Officer may initiate a complaint. Upon the filing of a complaint, the Code Enforcement Officer shall immediately investigate and take action thereon as provided by this chapter.

B. In investigating a complaint, the Code Enforcement Officer may enter any building, structure, dwelling or premises either with the express permission of the owner or the occupant or by proper legal authorization, and such entry shall not constitute a trespass.

§ 101-20. Violations and penalties.

Violations of the provisions of this chapter or failure to comply with any of its requirements shall constitute a municipal violation. Any person who violates this chapter or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than one hundred dollars (\$100). Each and every day such violation occurs may be considered a separate offense without the necessity for additional notice or process.

§ 101-21. Severability, Conformity with state statute and uniform codes.

A. If a term, part, provision, section or paragraph of this chapter shall be held unconstitutional, invalid or ineffective, in whole or in part, such determination shall not be deemed to invalidate the remaining terms, parts, provisions, sections, subdivisions and paragraphs.

B. No provisions of this chapter shall be construed to repeal, modify or constitute an alternative to any provisions of the State Uniform Fire Prevention and Building Code which is more restrictive than this chapter.

C. Where a provision of this chapter is found to be in conflict with a provision of a zoning, building, electrical, plumbing, fire, safety, health, water supply or sewage disposal law or ordinance or a regulation adopted pursuant thereto or another local law ordinance, code or regulation, the provision or requirement which is the more restrictive shall prevail.

D. Installations, alterations and repairs to residential premises and materials, assemblies and equipment utilized in connection therewith shall be reasonably safe to persons and property and in conformity with applicable statutes of the State of New York and orders, rules, and regulations issued by authority thereof.

Section 2. This Local Law shall take effect immediately upon filing with the Department 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. 2 of 1997 of the ~~(County)(City)(Town)(Village)~~ of Lyndonville was duly passed by the Board of Trustees on 1997, 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. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 19____, 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 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19____. 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 _____ 19____, 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 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 19____, 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 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 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 19____ 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 _____ 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 1, above.

Debra D. Miller
Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body

Date: 5-19-97

(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]
Signature

Village Attorney
Title

~~County~~
~~City~~ of Lyndonville
~~Town~~
Village

Date: _____