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COPY

April 19, 2010

CERTIFIED MAIL - RETURN RECEIPT

NYS Department of State  
State Records and Laws Bureau  
99 Washington Avenue, Suite 600  
Albany, NY 12231

Re: Local Law No. 2 for the Year 2010  
Village of Lyndonville, Orleans County, New York

Dear Sir or Madam:

Please find enclosed a certified copy of the above captioned numbered Local Law entitled A Local Law Increasing Sewer Rate Charges By Amending Chapter 190 of the Code of the Village of Lyndonville for filing in your office.

Very truly yours,

David C. Schubel  
Lyndonville Village Attorney

DCS/sm  
Enclosure

cc: Debra D. Miller, Village Clerk

(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**  
Town  
Village

Local Law No. 2 of the year 2010.

A local law entitled A Local Law Increasing Sewer Rate Charges By Amending Chapter 190 of the Code of the Village of Lyndonville, New York  
(Insert Title)

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

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

**A Local Law Increasing Sewer Rate Charges By Amending Chapter 190 of the Code of the Village of Lyndonville**

**Section 1.** Section 190-14 (E) of the Code of the Village of Lyndonville is hereby changed and amended so as to provide for an increase in the rate charged per 1,000 gallons of ninety-five (95%) percent of metered water from \$4.75 to \$5.00. The rate schedule shall be as follows:

Class	Charge
Class 1	
1 service unit, less than 150,00 gpy	Availability charge: \$80.00 per year; \$5.00 per 1,000 gallons of 95% metered water
Class 2	
First service unit	Availability charge: \$80.00 per year
Each additional service unit	Availability charge: \$40.00 per year
Flow charge	\$5.00 per 1,000 gallons of 95% of metered water

Class 3  
Each service unit  
Nonprocess waste in excess of  
150,000 gpy

Availability charge: \$240.00 per year  
\$5.00 per 1,000 gallons of 95%  
of metered water

Class 4  
Each service unit  
Process waste and sanitary

Availability charge: \$320.00 per year  
\$5.00 per 1,000 gallons of 95%  
metered water; plus charge for excess  
BOD, suspended solids, COD, acidity,  
pH and testing per local law

**Section 2.** All local laws or regulation, 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 its proper filing as required by law.

(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 2010, of the ~~(County)~~ ~~(City)~~ ~~(Town)~~ (Village) of Lyndonville, New York was duly passed by the Board of Trustees on April 12, 2010, in accordance with the applicable provisions of law.

**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 20\_\_\_\_ of the ~~(County)~~ ~~(City)~~ ~~(Town)~~ (Village) \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved) (not disapproved) (Name of Legislative Body) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted (Elective Chief Executive Officer\*) on \_\_\_\_\_ 2010, 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 2010 of the ~~(County)~~ ~~(City)~~ ~~(Town)~~ (Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 2010, and was (approved) (not disapproved) (repassed after (Name of Legislative Body) disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 2010. Such local law was submitted to (Elective Chief Executive Officer) 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, designated as local law No. \_\_\_\_\_ of 2010 of the ~~(County)~~ ~~(City)~~ ~~(Town)~~ (Village) of \_\_\_\_\_, New York was duly passed by the Board of Trustees (Name of Legislative Body) on \_\_\_\_\_, 2010, and was (approved) (~~not disapproved~~) (~~repassed after disapproval~~) by the Mayor on \_\_\_\_\_, 2010. Such local law was subject to permissive referendum and (Elective Chief Executive Officer\*) no valid petition requesting such referendum was filed as of \_\_\_\_\_, 2010, 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 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 20\_\_\_\_ 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 \_\_\_\_\_ 20\_\_\_\_, 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 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 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.

(SEAL)

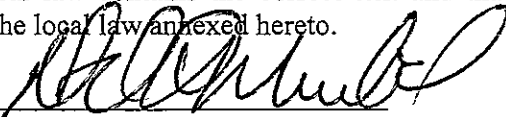
  
Debra D. Miller  
Village Clerk, Village of Lyndonville

Date: April 21, 2010

(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 C. Schubel  
Village Attorney

County \_\_\_\_\_  
City of Lyndonville  
Town \_\_\_\_\_  
Village \_\_\_\_\_

Date: April 21, 2010