

(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. 4 of the year 2013.

A local law entitled A Local Law Providing for Removal, Maintenance and Protection of Trees
Within the Village of Lyndonville
(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

**THE REMOVAL, MAINTENANCE AND PROTECTION
OF TREES LOCAL LAW OF THE VILLAGE OF LYNDONVILLE**

SECTION 1. This Local Law is to revise §240-20 of the Code of the Village of Lyndonville. §240-20 is revised to provide for as hereinafter set forth in Section 2 of this Local Law. §240-20 as currently adopted and all local laws, ordinances, rules or regulations of the Village of Lyndonville or parts or portions thereof that conflict or are contrary to any portion of this Local Law are hereby repealed.

SECTION 2. §240-20 shall provide as follows:

- A. The purpose of this Local Law is to protect the health, safety and welfare of both the public and the trees in the Village of Lyndonville by providing for the removal, maintenance, and protection of trees within the public rights-of-way and public areas by eliminating and by guarding against dangerous conditions which may result in injury to persons as well as to prevent damage to any public sewer or water main, street, sidewalk or other public property.
- B.
 - i) The Village shall have the right to prune, maintain and remove trees, plants and shrubs within the lines of all streets, alleys, lanes and public grounds of the Village of Lyndonville as may be necessary to insure public safety.
 - ii) The Village Board may order to be removed any tree or part thereof in the lines of all streets, alleys, lanes and public grounds which is in an unsafe condition, or which by its nature is injurious to sewers, electric power lines, gas lines, water lines or other public improvement.
- C. The Superintendent of Public Works shall have the right to cause the removal of any dead or diseased trees on private property within the Village of Lyndonville when such trees constitute a

hazard or danger to the public and may cause interference with traffic or damage or injury to pedestrians or property. The Village Clerk will notify, in writing, the owners of such trees by mail to the last known address as shown on the Village tax rolls. Removal shall be done by said owners at their own expense within 30 days of such notice. In the event of failure of owners to comply with such provisions, or in the event of immediate harm or danger to persons or property, the Superintendent of Public Works shall have the authority to remove such trees. The cost of removing or trimming such trees shall constitute a lien and charge upon the real property involved until paid or otherwise satisfied or discharged and shall be collected by the Village Treasurer in the manner provided by law for the collection of taxes.

- D. This local law shall take effect immediately upon filing in the Office of the Secretary 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. 4 of 2013, of the ~~(County)~~ ~~(City)~~ ~~(Town)~~ ~~(Village)~~ of Lyndonville, New York was duly passed by the Board of Trustees on September 9, 2013, 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 _____ 2013, 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 2013 of the ~~(County)~~ ~~(City)~~ ~~(Town)~~ ~~(Village)~~ of _____ was duly passed by the _____ on _____ 2013, and was (approved) (not disapproved) (repassed after disapproval) by the _____ on _____ 2013. 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 2013 of the ~~(County)~~ ~~(City)~~ ~~(Town)~~ ~~(Village)~~ of _____, New York was duly passed by the Board of Trustees (Name of Legislative Body) on _____, 2013, and was (approved) ~~(not disapproved)~~ ~~(repassed after disapproval)~~ by the Mayor on _____, 2013. Such local law was subject to permissive referendum and (Elective Chief Executive Officer*) no valid petition requesting such referendum was filed as of _____, 2013, 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)



Teri Woodworth
Village Clerk, Village of Lyndonville

Date: 09/13/2013