

Local Law Filing

(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.

Village of Minoa

Local Law No. Six (6) of the year 2023.

A local law amending Chapter 124 entitled “Sewers” of the Village Code, specifically the regulations applicable to the payment of sewer rents.

Be it enacted by the Village Board of Trustees of the Village of Minoa, as follows:

Section 1. PURPOSE AND INTENT

This local law amends Chapter 124 entitled “Sewers” of the Village Code, specifically the regulations applicable to the payment of sewer rents to provide for same to be billed as a separate line item on the annual Village tax bill versus the current practice of billing by two separate semi-annual invoices for premises located within the Village territories. Outside users will continued to be billed by two (2) semi-annual invoices sent for the period of February 1st through July 31st and for the period of August 1st through January 31st of each year.

Section 2. Section 124-41C entitled “Sewer Rent Charges; Payment Dates” of the Code of the Village of Minoa is hereby amended as follows:

C. Payment Dates. For premises located within the Village territories, the annual sewer rent due for the village fiscal year of June 1st through May 31st shall be included as a separate line item in the annual Village of Minoa real property tax bill and payable on the same date or dates and otherwise in the same manner and subject to the same penalties for late payment, relevy and lien provisions as are Village property taxes. For all premises located outside the territories of the Village, the rate of sewer rent shall be payable semi-annually on August 1st and February 1st of each year for the periods of respectively for the previous six months (February 1s through July 31st and August 1st through January 31st).

Section 3. Section 124-44 entitled “Payment of Rents; Penalties for Late Payment” of the Code of the Village of Minoa is hereby amended as follows:

§124-44 Outside Users: Payment of Rents; Penalties for Late Payment

For all premises located outside the Village and not within a special district under agreement with the Village providing otherwise, sewer rents shall be paid within thirty (30) days of the due date. After the expiration of the thirty (30) days, a penalty of 10% per month is to be added to the sewer rent and become part of the delinquent sewer rent due Village

Section 4. Section 124-45 entitled "Rent to Become a Lien; Disconnection of Service," of the Code of the Village of Minoa is hereby amended as follows:

§124-45. Sewer Rents to Become a Lien; Remedies

Sewer rents as same shall become due shall constitute a lien as set forth in Section 452 of the General Municipal Law on premises located within the Village and to the extent permitted by such and other applicable laws and/or or per contract with the outside Village customer or special district. In any event at any time after the first date when interest/late fees become due, upon not less than thirty (30) days prior notice sent via regular mail (and which notice requirement may be satisfied by the inclusion of such delinquent sum in a subsequent invoice or County or Village tax bill, the Village may discontinue, disconnect or otherwise suspend or terminate service to any premises located within or outside of the Village or pursue an action or proceeding to recover such sums due, including for any incidental costs reasonably incurred such as for internal or outsourced labor, administrative and/or legal assistance related to such suspension, termination, discontinuance and/or recommencing of service or the collection of sewer rents past due. All such costs and expenses shall be borne by the in Village or outside Village user, customer and/ or property owner.

Section 5. Illegality/Severability.

If any clause, sentence, paragraph, subdivision, section or part of this local law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstances is adjudged invalid, illegal or unconstitutional by any court of competent jurisdiction, such order or judgment shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law or the application thereof to other persons or circumstances. Further, in adjudging such invalid, illegal or unconstitutional provision, the court shall attempt to modify same to a provision which is not invalid, illegal or unconstitutional and which best achieves the intent of the invalid provision.

Section 6. Effective Date.

This Local Law shall take effect immediately upon its 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. 6 of 2023 of the ~~(County)~~(City)(Town)(Village) of Minoa was duly passed by the Board of Trustees of the Village of Minoa on October 16, 2023 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 19 ____ of the ~~(County)~~(City)(Town)(Village) of _____ was duly passed by the _____ on _____, 19 __, and was

~~(approved)(not approved)(repassed~~

~~(Name of legislative body)~~

~~disapproval)~~ by the _____ and was deemed duly adopted on _____, 1178_

~~(Elective Chief Executive Officer*)~~

~~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 1178 of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____, 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____, 19____. Such local law was _____ (Elective Chief Executive Officer*) 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.

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 approved)(repassed after disapproval) by the _____ (Name of Legislative Body) on _____, 19____. Such local law was subject to _____ (Elective Chief Executive Officer*)

permissive referendum and no valid petition requesting such referendum was filed as of _____, 19____, in accordance with the applicable provisions of law.

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 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 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 one (1) above.

Lisa DeVona, Village Clerk

(Seal)

Date: _____, 2023

(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 ONONDAGA

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

Courtney M. Hills

Attorney for the Village

Title

County

City of Minoa

Town Village

Date: October 19, 2023

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a countywide basis or, if there be none, the chairperson 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.