

VILLAGE OF CAYUGA HEIGHTS

PROPOSED LOCAL LAW B OF THE YEAR 2017

**A LOCAL LAW TO RE-ESTABLISH AND MODIFY THE
METHOD FOR DETERMINATION OF SEWER UNITS**

Be it enacted by the Board of Trustees of the Village of Cayuga Heights as follows:

SECTION I PURPOSE AND INTENT.

It is the intent of this Local Law to provide a mechanism for the calculation of the number of sewer units that is attributable to the use by various types of users of the sewer treatment system owned and operated by the Village of Cayuga Heights (the "Village"). It has come to the attention of the Village that when Local Law #8 of 2011 was enacted, and thereby Article XII of the Village's Articles was deleted in its entirety, Section 3 of said Article XII should not have been deleted, because said Section 3 provided a mechanism for the calculation of the number of sewer units that is attributable to the use by various types of user. Further, the Village has determined that the calculation provided in said Section 3 of Article XII is outdated and not an appropriate measure of the use of the sewer system. Therefore, the purpose of this Local Law is to amend Local Law #8 of 2011 to re-establish and modify the method for calculating the number of sewer units attributable to different types of users of the Village's sewer treatment system.

SECTION II AUTHORITY.

This Local Law is enacted pursuant to the grant of powers to local governments provided in Section 10 of the Municipal Home Rule Law to adopt and amend local laws not inconsistent with the provision of the New York State Constitution and not inconsistent with any general law relating to its property, affairs, government or other subjects provided for in said Section 10 of the Municipal Home Rule Law.

SECTION III AMENDMENT OF LOCAL LAW #8 OF 2011.

The text of Section III, Section 6 of Local Law #8 of 2011 (which text currently reads only, "Correction of Errors"), is hereby deleted and replaced by the following text:

SECTION 6. Calculation of the Number of Sewer Units Attributable to Various Types of Users of the Village's Sewer System

A. The basis of the charge for sewer rent shall be the number of units attributable to different types of users of the Village's sewer system, as follow:

1. Any property improved by not more than one single-family residential structure

connected, or to be connected, to the Village's sewer system shall be assessed one (1) unit;

2. Any property improved by a two-family residential structure, an apartment building or buildings or any other multiple residential dwelling, other than a fraternity house, sorority house or dormitory, connected, or to be connected, to the Village's sewer system shall be assessed one (1) unit for each dwelling unit on such property; and
3. Any other property, including but not limited to any property improved by a fraternity house, sorority house, dormitory, or any commercial, business or industrial property, including but not limited to any school, place of worship, office, gas station or store, shall be assessed one (1) unit for each separate structure on such property plus one (1) unit for each two hundred (200) gallons, or part thereof, of water consumed per day on such property, excluding any part thereof not discharged into the Village's sewer system in accordance with a special permit for such property.

SECTION IV SUPERSEDING EFFECT.

All Local Laws, Articles, resolutions, rules, regulations and other enactments of the Village of Cayuga Heights in conflict with the provisions of this Local Law are hereby superseded to the extent necessary to give this Local Law full force and effect. Without limiting the foregoing, to any extent that the terms of Local Law #8 of 2011 of the Village of Cayuga Heights are deemed to be in conflict with the terms of this Local Law, the terms of this Local Law shall govern and control.

SECTION V PARTIAL INVALIDITY.

In the event that any portion of this Local Law is declared invalid by a court of competent jurisdiction, the validity of the remaining portions shall not be affected by such declaration of invalidity.

SECTION VI EFFECTIVE DATE.

This Local Law shall be effective immediately upon filing in the office of the New York State Secretary of State, except that it shall be effective from the date of its service as against a person served with a copy thereof, certified by the Village Clerk, and showing the date of its passage and entry in the Minutes of the Village Board of Trustees.