

## *Local Law Filing*

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**(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   ☐Town   ☒Village  
(select one:)

**of Washingtonville**

**Introductory Local Law No. 4 of the year 2021**

**A LOCAL LAW AMENDING CERTAIN SECTIONS OF CHAPTER 297 OF THE  
VILLAGE OF WASHINTONVILLE CODE RELATED TO FIRE HYDRANTS AND  
PENALTIES**

**Be it enacted by the Board of Trustees of the Village of Washingtonville as follows:**

See attached.

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**(If additional space is needed, attach pages the same size as this sheet, and number each.)**

# **VILLAGE OF WASHINGTONVILLE**

## **INTRODUCTORY LOCAL LAW NO. 4 OF 2021**

### **A LOCAL LAW AMENDING CERTAIN SECTIONS OF CHAPTER 297 OF THE VILLAGE OF WASHINGTONVILLE CODE RELATED TO FIRE HYDRANTS AND PENALTIES**

Be it enacted by the Board of Trustees of the Village of Washingtonville, County of Orange, State of New York as follows:

#### **Section 1. Title.**

This Local Law shall be referred to as “**A LOCAL LAW A LOCAL LAW AMENDING CERTAIN SECTIONS OF CHAPTER 297 OF THE VILLAGE OF WASHINGTONVILLE CODE RELATED TO FIRE HYDRANTS AND PENALTIES**”.

#### **Section 2. Legislative Intent.**

The Board of Trustees of the Village of Washingtonville are further protecting the healthy, safety and general welfare of the public by enacting the below revised changes to its regulations regarding the use of fire hydrants. It is a public health and safety issue to have unauthorized users of the Village’s fire hydrants, and, as such, the within revisions become necessary to protect the public.

#### **Section 3. Amendments.**

Section 297-19 of the Village of Washingtonville Code is hereby repealed and replaced with the following:

**A.** Fire hydrants are provided for the primary purpose of furnishing water for extinguishing fires and are to be used by the Village’s Fire Department, Districts, Department of Public Works and/or Village authorized water operators.

**B.** Any other person or persons who shall open or use any fire hydrant (for any purpose whatever) without a written permit for that purpose shall pay a penalty as set forth in § **297-28** for each offense.

Section 297-28 of the Village of Washingtonville Code is hereby repealed and replaced with the following:

**A.** Any person or persons violating any of the rules, regulations and requirements governing the introduction, supply and consumption of water for which no penalty has otherwise been provided for the distinct violation shall, upon conviction, forfeit and pay as a penalty for such violation a sum not to exceed \$2,500.00 for each offense or be subject to imprisonment for not more than twenty (20) days, or both.

**B.** Whenever any person or persons has incurred any fine or penalty under the provisions of these rules, regulations and requirements, it shall be held to mean the sum designated, together with the cost of prosecution, and the penalties and fines herein referred to shall be in addition to any civil remedy which the Village of Washingtonville, New York, might have in an action of law against the party or parties offending.

**Section 4. Severability.**

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or 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, and the Board of Trustees of the Village of Washingtonville hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

**Section 5. Repeal.**

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

**Section 6. Effective Date.**

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule 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 Introductory Local Law No. 4 of 2021 of the (County)(City)(Town)(Village) of Washingtonville was duly passed by the Board of Trustees of the Village of Washingtonville on December 21, 2021, 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) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_\_\_ 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 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_.

(Name of Legislative body)

(Elective Chief Executive Officer\*)

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 \_\_\_\_\_ 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 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_.

(Name of Legislative body)

(Elective Chief Executive Officer\*)

Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, 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 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.

**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 \_\_\_\_\_ 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 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.



Christine Shenkman, Village of Washingtonville  
Village Clerk

Clerk of the county legislative body, City, Town or Village  
Clerk or officer designated by local legislative body

(Seal)

Date: December 22, 2021