

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.

County City Town Village

(Select one.)

of Sherman

FILED
STATE RECORDS

SEP 10 2018

DEPARTMENT OF STATE

Local Law No. 2 of the year 2018

A local law Amendment of Sewer Rent Law
(Insert Title)

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

County City Town Village

(Select one.)

of Sherman

as follows:

SECTION I. Title

The Village Board of the Village of Sherman hereby amends its Sewer Rent Law 2-1980, as follows:

SECTION II. Findings and Rates

The fees for the Sewer Rent are hereby amended to

- A. ALL properties with water connection are to receive water usage fees and sewer usage fees where applicable
- B. Decrease usage fee to \$4.00 per hundred cubic feet of discharge for Village residents
- C. Decrease usage fee to \$6.00 per hundred cubic feet of discharge for residents outside the Village
- D. Increase the base sewer service charge to \$40/month per EDU (equivalent dwelling unit)
- E. Terms of Payment
 - a. **BILLING:** Bills will be sent out to consumers on a bi-monthly schedule, but failure of consumer to receive a bill promptly shall not excuse non-payment of the same.
 - b. **DISCOUNTS:** No prompt payment discounts.

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

(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 2018 of the ~~(County)(City)(Town)(Village)~~ of Sherman was duly passed by the Village Board on August 15 2018, in accordance with the applicable provisions of law.
(Name of Legislative Body)

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) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 20____, 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 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. *(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) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. 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.)

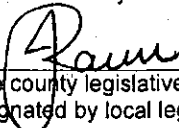
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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 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 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.



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

Date: 08-21-2018

(Seal)



- c. **NONPAYMENT:** If any water/sewer bill is not paid within thirty (30) days from the bill date, a 10% penalty fee is assessed.
- i. **RE-LEVY:** Village properties with outstanding water or sewer balances as of March 30th, the amounts shall be re-levied onto the property owners tax bill.
 - ii. **SHUT OFF:** Outside properties with outstanding water or sewer balances after forty-five (45) days from the bill date are susceptible to shut off without board approved payment arrangements to remedy amounts in arrears. Shut off will commence with five (5) days' notice.
 - iii. **OFF/ON Fees:** Shut off for non-payment will receive a \$50 Shut Off Fee, and an additional \$50 Reconnection Fee when service is returned.
- d. **USAGE CHARGE:** This bill is based on the number of hundred cubic feet (or its equivalent conversion in gallons) of water that have been recorded by the meter as used and discharged into the sewer system. Bills are sent six (6) times a year. Meters are read a minimum of four (4) times a year. All water passing through a meter will be charged for, whether wasted or used.
- i. Properties outside the Village are charged one and one half (x1.5) times the usage fee set for Village property consumption.
- e. **SERVICE CHARGE:** This is a flat rate fee and will be sent regardless of whether or not a dwelling or lot is vacant. It is based on the service provided or available to a dwelling or lot and maintenance on the water/sewer lines, pumps, and plant. The base SERVICE charge for EACH unit within the dwelling or on a lot is determined as specified on the Village Tax Roll.
- i. Village properties and properties outside the Village receive the same charge per EDU (equivalent dwelling unit) allocation.
 - ii. Attached Row Building, Residential Multiple Dwelling, and Apartment property classifications will be evaluated on site to determine the number of EDU's (equivalent dwelling unit) for each property.
 - iii. Residential Vacant properties that are not Landlocked are to be billed one quarter (1/4) or twenty-five (25%) percent of the service charge for an EDU (equivalent dwelling unit) on the tax bill.
 - iv. Commercial Vacant properties that are not Landlocked are to be billed one half (1/2) or fifty percent (50%) of the service charge for an EDU (equivalent dwelling unit) on the tax bill.
 - v. Properties that are classified as Storage without water service connection are to be billed one half or fifty percent of the service charge for an EDU (equivalent dwelling unit) on the tax bill.
 - vi. Barns, Garages, and Pools, where the property owner has elected to have an additional meter installed and read will receive water and sewer base service charges, where applicable, at the rate of one EDU (equivalent dwelling unit).
 - vii. Laundromat(s) are to be billed one and one half (x1.5) times the service charge for an EDU (equivalent dwelling unit).
 - viii. The main school campus is to be billed fifteen (15) EDUs (equivalent dwelling units).
 - ix. Parking lots as classified by the NY State Property Tax Class Code which are specified on the Tax Roll are not subject to water and sewer base service charges and are not included as an EDU (equivalent dwelling unit).

SECTION III. Terms and Conditions

All other terms and conditions of the Village's Sewer Rent Law shall remain in full force and effect, except as may be amended herein.

SECTION IV.

This Local law shall take effect Monday, October 1st, 2018, on all usage and service charges accumulated beginning October of 2018. This Local law shall take effect after the passage by the Village Board and filing with the Secretary of State in the manner provided by law.