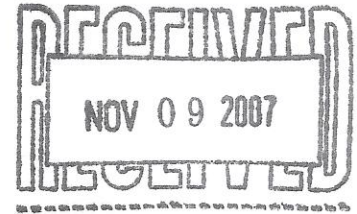




STATE OF NEW YORK
DEPARTMENT OF STATE
41 STATE STREET
ALBANY, NY 12231-0001



ELIOT SPITZER
GOVERNOR

LORRAINE A. CORTÉS-VÁZQUEZ
SECRETARY OF STATE

November 5, 2007

Tammy L Chmielewski
Village clerk
41 North Main Street
Dolgeville NY 13329

RE: Village of Dolgeville, Local Law No. 1, 2007, filed on October 19, 2007

Dear Sir/Madam:

The above referenced material was received and filed by this office as indicated. Additional local law filing forms can be obtained from our website, www.dos.state.ny.us/corp/misc.html.

Sincerely,
Linda Lasch
Principal Clerk
State Records and Law Bureau
(518) 474-2755

LOCAL LAW NO. 1 OF THE YEAR 2007

A Local Law of the Village of Dolgeville establishing and imposing water rents in the Village of Dolgeville:

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

SECTION 1. Definitions.

Unit. A structure or parcel of real property served by the Village of Dolgeville water system, or other applicable designation herein related to the use of such water.

Unclassified. Users of the Village of Dolgeville water system not now categorized in any other user class designated herein.

SECTION 2. Establishment of Water Rents

- A. The Village hereby establishes and imposes water rents for the use of the water system or any part or parts thereof applicable both to users located within the Village and to users located outside the Village, whether within special use districts or otherwise, and establishes and imposes such water rents as an annual charge on all real property located within the Village and being served by such water system.
- B. Water rents will be charged in accordance with class of use as specified herein, inclusive of pro-rata use charges if a **unit** is being utilized in a multiple manner.
- C. The amount of such water rents are fixed as follows:

<u>Class</u>		<u>Unit Charge Per Year</u>
1. Residential	One Family Unit	\$ 231.00
	Two Family Unit	\$ 462.00
	Three Family Unit	\$ 693.00
	Four Family Unit	\$ 924.00
	Five Family Unit	\$ 1,155.00
	Six Family Unit	\$ 1,386.00
	Parkside Courts (D.H.A.)	\$ 8,190.00
2. Restaurants	Per Unit	\$ 286.00
3. Beauty Parlors	Per Unit	\$ 286.00
4. Commerical/Office	Per Unit	\$ 286.00
5. Outside Residential	Per Unit	\$ 286.00
	Outside Commercial	Per Unit
6. Churches	Per Unit	\$ 231.00

7. Greenhouse	Per Unit	\$ 286.00
8. Livestock	Per head per year	\$ 4.00
9. Emergency Wholesale Subject to Section 3	Per Day	\$ 5.00
10. Non-potable use Subject to Section 3	Per 300 gallons	\$ 5.00
11. Unclassified		
	The Dolgeville Mill	\$ 1,123.20
	Gehring Tricot/Miltex	\$ 45,500.00
	North Hudson	\$ 1,820.00
	Central Car Wash	\$ 2,017.60
	Rawlings Sporting Goods	\$ 1,757.60
	Dolgeville Central School	\$ 2,813.20
	Tumble Forms	\$ 1,055.60
	Flocast	\$ 858.00
	Laundromats 0-8 machines	\$ 722.80
	9-16 machines	\$ 1,445.60
	17+ machines	\$ 2,168.40

SECTION 3. Special Rates

The Dolgeville Department of Public Works shall be the designated fill station for outside area resident who are temporarily out of water (Class 9 users). There will be no charge for the first thirty (30) day period in a calendar year. After this (30) day gratis period, there will be the above-described five dollar (\$5.00) charge for a maximum of three hundred (300) gallons of water per day. The designated fill site will only be available during working hours of the Department of Public Works unless prior arrangements are made at the Village Clerk's office. The Village reserves the right to deny this service to outside area residents during periods of water shortage which affect Village users.

Class 10 water purchasers for non-potable use shall pay a charge of five dollars (\$5.00) for each three hundred (300) gallons of water purchased. The Village reserves the right to deny this service during periods of water shortage.

A fee of twenty five dollars (\$25.00) will be due for having water shut-off and for having water turned on at the user's request.

A fee of fifty dollars (\$50.00) shall be due and paid before water is turned back on after being turned off because of non-payment of rent.

SECTION 4. Water Year

For the purposes of this Local law, water rents for users in classes 1 through 8, shall be billed on a quarterly basis with said billings being made on August 1, November 1, February 1, and May 1. Water users in classes 9 and 10 shall pay

the appropriate fee to the Village Clerk before drawing water at the Village water fill station. A receipt for this payment shall be shown to the attendant before water is drawn.

SECTION 5. Collection of Water Rents

Water rents shall be paid within thirty (30) days after the due date thereof.

SECTION 6. Penalties

Penalties for late payment or non-payment of water rents are hereby fixed at a rate of ten percent (10%) which may be amended from time to time upon resolution of the Board of Trustees of the Village of Dolgeville.

SECTION 7. Lien for Water Rents

Unpaid, or delinquent, water rents shall constitute a lien upon the real property within the Village served by the water system to the extent as set forth in Section 11-1118 of the Village Law of the State of New York. Unpaid, or delinquent, water rents for outside of village real property served by the water system shall constitute a lien upon such real property in accordance with any judicial judgment that may be rendered for non-payment.

SECTION 8. Collection of Delinquent Water Rents

The Village may enforce the collection of delinquent water rents by any method authorized by Article 11 of the Village law of the State of New York or other applicable law.

SECTION 9. Pro-Ration of Rents for Cancelled Service

In the event a property owner lawfully ceases or terminates water service to the premises during the rent period, the water charge shall be pro-rated by the Village Clerk on a monthly basis to the month of termination.

SECTION 10. Correction of Errors

If any owner of real property on which water rent is imposed deems himself aggrieved because such real property is not served by the water system, or for an error which has been made in computing such water rent, he may file an application for a refund for all or part of such imposed water rent. Such application shall be presented to the Village Board of Trustees with a recommendation in relation thereto. The Village Board of Trustees may refund all or part of such water rent.

SECTION 11. Water Meters.

The Board of Trustees of the Village of Dolgeville may, by subsequent resolution, require that all water to various types and classes of users shall be measured through meters. Such a resolution shall be made by the Board only

after a public hearing has been held thereon with at least fifteen (15) days notice to the public.

The following regulations shall apply to each water service where meters are specifically ordered by the Board:

- A. When the Board makes a determination that on a certain date all village water provided to a certain type and class of user will be supplied and sold by measurement only, then and thereafter all water used by such customers shall be metered.
- B. The Village shall provide all water meters and the installation and maintenance thereof shall be a charge to the consumer.
- C. If a meter is out of order and fails to register, the consumer will be charged at the average consumption as shown by the meter when in order.
- D. At the written request of a consumer, the Village will test the meter supplying the premises of said consumer. If the meter on testing is found to be registering over three (3) percent more water than actually passes through it, no charge will be made for the test; otherwise a charge as defined in a Village fee schedule to cover the cost of removing, testing and resetting the meter will be made.
- E. No seal place by the Village for the protection of any meter, valve or other water connection shall be tampered with or defaced. If the seal is broken, the Village reserves the right to remove and test the meter at the customer's expense.
- F. Where, after installation, damage to any meter is caused by the negligence of the consumer, the charge for renewing or repairing of same shall be at the expense of the consumer. Tampering with any meter shall be a misdemeanor and punishable as provide for Unclassified Misdemeanors in the Penal Law, or other applicable law, of the State of New York.

SECTION 12. Separability

The invalidity of any section, clause, or provision of this Local law shall not affect the validity of any other part of this Local law, which can be given effect without such invalid part or parts.

SECTION 13. Repeal of Prior Laws

Any prior law, rule or regulation inconsistent herewith is hereby repealed.

SECTION 14. Effective Date

This Local Law shall take effect upon its filing with the Secretary of the State.