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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 MILLERTON

LOCAL LAW NO. C (Proposed) OF 2022

A Local Law to Add a New Section to the Code to be Designated as Section 162-34 entitled “Penalty for Failure to Allow Access to Premises to Install, Connect, Inspect, Maintain, Repair, Alter, or Disconnect a Water Meter”

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

SECTION 1. LEGISLATIVE INTENT

It is the intent of the Village of Millerton to see that our previously stated public policy of requiring the metering of all properties which draw water from the Water District as expressed in Section 162-28 *et. seq.* be followed such that all properties in the Village which draw from the Water District are installed with water meters that are accurate, properly functioning, and are remotely readable.

A small number of property owners have either failed to respond to repeated attempts at contact or have refused to comply with requests to grant access to property which is served by the Water District to allow the installation of Water Meters. As a result, there are certain properties in the Village which continue to be served by antiquated or non-functional meters, or which are not being metered at all, allowing their continued potential use or misuse of water without paying a corresponding price based on their usage as other residents of the Village are required to.

The Village Board finds it is necessary and in the public interest to impose a monetary surcharge on the quarterly water bill for those properties whose owners have either neglected or refused to allow the installation of new water meters.

SECTION 2. AUTHORITY

This local law is adopted pursuant to New York State Village Law Art. 11 which provides Villages with broad discretion in establishing water works and in adopting local laws governing the same including for the enforcement of water rents and relating to the use and supply of the water, as well as Section 10 of the Municipal Home Rule Law which provides Villages broad discretion to enact local laws and to provide for their enforcement.

SECTION 3. CODE AMENDMENT

The Code shall be amended by the addition of a new Section to be designated as Section 162-34 which shall read as follows:

Section 162-34 Penalty for Failure to Allow Access to Premises to Install, Connect, Inspect, Maintain, Repair, Alter, or Disconnect a Water Meter

Any Person(s) who are the owner of premises using water supplied by the Village Water District who do not arrange for or allow for the installation, connection, inspection, maintenance, repair, alteration, or disconnection of a water meter upon or within their property after three months of the requirement for the same arising and being uncompleted shall be liable for a fine of \$250.00 per quarter for each quarter, or portion thereof, that the said owner refuses and/or neglects to allow the installation, connection, inspection, maintenance, repair, alteration, or disconnection of a water meter.

SECTION 4. SEVERABILITY

The provisions of this local law are severable. If any provision of this local law or the application thereof to any person, firm, corporation, or circumstance is adjudged invalid by a court of competent jurisdiction, such order or judgment shall not affect or impair the validity of the other provisions of this local law or the application thereof to other persons and circumstances.

SECTION 5. 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 Municipal Home Rule Law § 27(1).