

Local Law Filing

Village of Croton-on-Hudson

Local Law Introductory No. 1 of the year 2005

A local law to establish sanitary sewer rents in the Village of Croton-on-Hudson

Be it enacted by the Board of Trustees of the

Village of Croton-on-Hudson as follows:

Section 1. Title

The Title of this local Law is Sanitary Sewer Rents

Section 2: Purpose

The purpose of this local law is to establish sanitary sewer rents in the Village of Croton-on-Hudson pursuant to Chapter 14-F of the General Municipal Law, the Municipal Home Rule Law and other applicable laws of the State of New York.

Section 3: Establishment of Sanitary Sewer Rents.

The owner of all premises using the sanitary sewer system or any part thereof shall be required to pay sanitary sewer rents for the payment of the costs of operating, maintaining, repairing, and replacing the sanitary sewer system.

Section 4: Determination of Costs.

The Village of Croton-on-Hudson shall determine the total annual costs of operation and maintenance of the sanitary sewer system which are necessary to maintain the capacity and performance during the life of the sanitary sewer system for which such works were designed and constructed. The total annual cost of operations and maintenance shall include, but need not be limited to, labor, repairs, replacement, equipment replacement, maintenance, necessary modifications, power, sampling, laboratory tests and reasonable miscellaneous costs.

Section 5: Sanitary Sewer System Defined.

The Sanitary Sewer System for which the Sewer Rents are established and imposed is the entire "Sanitary Sewer System" within the Village of Croton-on-Hudson which connects to the Ossining Sanitary Sewage Treatment Facility or is within the Ossining

Sanitary Sewage District, and as defined in Section 451 of the General Municipal Law.

Section 6: Rents

All sanitary sewer rents, charges, fees and penalties shall be established by the Board of Trustees of the Village of Croton-on-Hudson by resolution, and shall be based upon the consumption of Village water on the premises that are connected with and served by the sanitary sewer system. Those premises that do not use Village water but are connected to the sanitary sewer system will be charged a flat fee. Users of the sanitary sewer system will be notified, on their water bill, of the rate and portion of the user charge which are attributable to the sanitary sewer system.

Section 7: Billing.

Sanitary sewer rent charges as shown on the water consumption bill can be obtained at the Village of Croton-on-Hudson's administrative offices. The Village Treasurer may mail bills as an accommodation to the property owner, but the failure to mail any such statement, or the failure of the addressee to receive the same, shall not in any manner affect the validity of the statement or the interest imposed by law with respect thereto. If the property owner does not receive a bill, it is their responsibility to contact the Village Treasurer to obtain one.

Section 8: Billing and Payments.

Sanitary sewer rent bills shall cover the same billing period as covered by the Village water bill.

Section 9: Late Payments, Penalties, Liens and Collection.

All bills for sanitary sewer rents are due and payable to the Village Treasurer. All amounts due for sanitary sewer rents shall be received without penalty during the first thirty days following the biannual billing. After the first month following the billing period, a penalty rate of 5% for the first month and 1% every month thereafter shall be imposed until paid or re-levied. The Village, in its discretion, may elect to send out for collection any sewer rent bills that are due and payable. In accordance with General Municipal Law Section 452, sanitary sewer rents shall constitute a lien upon the real property served by the sewer system. This lien shall have priority and be senior to every other lien with the exception of the lien of an existing tax, assessment, or other lawful charge imposed by the State or of a political subdivision of district thereof. Delinquent accounts, including sanitary sewer rents and penalties shall be collected in a manner provided for in General Municipal Law Section 452 (4).

Section 10: Collected Sanitary Sewer Rents.

All revenues generated from sanitary sewer rents, including penalties shall be kept by the Village Treasurer in a separate bank account. All payments deposited, together with the interest thereon, shall be used in accordance with General Municipal Law Section 453.

Section 11: Severability.

If any provision of this local law of application thereof to any person or circumstance is adjudged invalid by a court of competent jurisdiction, such 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 12: Effective Date.

This Local Law shall be effective upon filing in the office of the Secretary of State.