

TOWN OF GENOA
LOCAL LAW No. 1 of the year 1982

A LOCAL LAW FOR THE AUTHORITY TO SET AND AMEND WATER RATES AND CHARGES TO BE PLACED WITH THE TOWN BOARD OF THE TOWN OF GENOA ACTING AS THE BOARD OF WATER SUPPLY, AMENDING LOCAL LAW NO. 1 OF THE YEAR 1972. Section 5 (a)(3) and Section 27.

Be it enacted by the Town Board of the Town of Genoa, County of Cayuga, State of New York, as follows:

SECTION 1. LEGISLATIVE INTENT

It is recognized that cost of providing water to property owners is not stable and has increased over the past years in all classes of service. SECTION 198 subdivision 3 (d) of THE TOWN LAW provides in relevant part that, the Town Board shall establish from time to time the water rates to be paid by consumers. To provide the public within the GENOA-KING FERRY WATER DISTRICT with a safe wholesome, reliable source of water, rates and charges must periodically be adjusted. Because of the time and expense of amending local laws, it is desirable to place the power to adjust and periodically change water rates and charges with the Town Board.

The text of the TOWN OF GENOA, COUNTY OF CAYUGA, STATE OF NEW YORK LOCAL LAW NO. 1 of the year 1972 SECTION 5(a)(3) and SECTION 27 to be superseded are set forth below in brackets.

SECTION 2. TOWN OF GENOA, COUNTY OF CAYUGA, STATE OF NEW YORK LOCAL LAW NO. 1 of the year 1972 SECTION 5(a)(3) is to be at the effective date of this amendment as follows:

A separate application must be made for each premises, the minimum rate shall be charged in accordance with Section 27 for each premises at which a meter is installed or is in the discretion of the Town Board acting as the Board of Water Supply deemed to be installed. The word "premises" shall be defined for this section as follows:

A. A building under one roof owned or leased by one customer, and occupied as one residence or one place of business; building includes a house trailer but not a recreational vehicle, or,

B. A combination of buildings owned or leased by one customer, and occupied, by one family; or one corporation or firm, as a residence and or place of business operated by the customer. Both the residence and business must be one adjoining real property. For purposes of this paragraph business does not include the rental of real property to others.

C. Each unit of a multiple house or building separated and divided into units being rented out as separate apartments. An apartment shall mean a unit where a private kitchen and bath is included in the unit.

D. A building owned or leased by one customer having a number of offices or rooms or lofts which are rented to tenants, where said offices, rooms or lofts are not provided with private sinks and lavatories.

SECTION 3. TOWN OF GENOA, COUNTY OF CAYUGA, STATE OF NEW YORK LOCAL LAW NO. 1 of the year 1972 SECTION 27 is to be at the effective date of this amendment as follows:

SECTION 27: WATER CHARGES

All charges for water shall be due and payable at the office of the Town Clerk or at such other place as may be designated from time to time by the Board. All unpaid water charges in arrears for thirty (30) days or longer shall be subject to a penalty not exceeding ten per centum (10%) of the amount due and if such charges are not paid within sixty (60) days of the due date the water shall be cut off, and remain cut off until such time as all charges including interest and penalties are paid in full. In addition all water rents and charges shall be a lien upon the real property upon which or in connection with which the water is used.

The water rates and charges shall from time to time be set by resolution adopted by a majority affirmative vote of the total voting power of the Town Board of the Town of Genoa acting as the BOARD OF WATER SUPPLY. No such resolution shall be passed until a public hearing thereon has been had before the Town Board. Such public hearing shall be on public notice of a least five days. Said notice shall describe the proposed rate change and the time and place of hearing.

A rate shall be set for each on thousand gallons or metered usage subject to a minimum rate per quarter for the following:

¾"	meter
1"	meter
1 ¼"	meter
1 ½"	meter
2"	meter
3"	meter

In addition to the foregoing charges a service charge shall be set to be charged for each time the curb cock is turned on or off. Only the water superintendent or other authorized personnel shall turn on or off the curb cocks. Water charges shall also be a lien upon real property upon which on in connection with which the water is used and shall be collected in the same manner as the water rent.

SECTION 4. SAVINGS CLAUSE

The invalidity of any sections, clauses, sentence or provisions of this law shall not affect the validity or any part thereof which can be given effect without such invalid parts. The invalidity of any sections, clauses, sentence or provisions of this law shall not affect the validity of any sections, clauses, sentence or provisions of Local Law No. 1 of the year 1972. If any sections, clauses, sentence or provisions of this law exist invalidating sections 5(a)(3) or Section 27 shall read as it did prior to the adoption of this local law.

SECTION 5: Other sections of LOCAL LAW NO. 1 of the year 1972. This local law of 1982 shall not change, alter, or amend any section, clauses, sentence or provision or LOCAL LAW NO. 1 of 1972 other than Section 5(a)(3) and Section 27, of LOCAL LAW NO. 1 of 1972.

SECTION 6: EFFECTIVE DATE

This local law shall take effect immediately. The first resolution adopted under this local law shall be effective no sooner than for rates and charges for the last quarter of 1982.

Note:

There are spelling and other typographical errors in the document. These are errors that exist in the actual law itself, and have merely been ignored during transferal to electronic format in the interest of continuity. However, if there seems to be an error not present in the law itself, contact the webmaster.