

3 of 1982

A LOCAL LAW AUTHORIZING UTILITY RULES AND REGULATIONS

VILLAGE OF WELLSVILLE

ADOPTED 12-13-82

Local Law Authorizing rules & regs.	3
Article I - Authority of Boards for rules & regs.	5
Article II - Definition of Terms	5
Article III - Application for Service	5
Article IV - Service Location	5
Article V - Notice to Connect Service to Main	6
Article VI - Maintenance of Curb Stops and Boxes	6
Article VII - Leaks	6
Article VIII - Access to Premises	6
Article IX - Meter Installation and Protection	6
Article X - Control of Curb Cock	7
Article XI - Meter Tests	7
Article XII - Meter Reading	8
Article XIII - Liability for Bills	8
Article XIV - Payment of Bills	8
Article XV - Resumption of Service	9
Article XVI - Village Liability	9
Article XVII - Service Interference	9
Article XVIII - Changes in Rules and Regs.	10
Article XIX - Water Tariff	10
Article XX - Amendments, Modifications etc.	10

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF  
WELLSVILLE, NEW YORK AS FOLLOWS:

ARTICLE I

- Section 1. The Wellsville Village Board of Trustees may adopt such rules and regulations as it deems necessary, appropriate or suitable to the operation of Village utilities including electric, water and sewer.
- Section 2. Rules and regulations may include requirements or conditions of service, its installation, maintenance or discontinuance and provide for the setting of rates and the collection of fees, rents or other charges. This is not a paragraph of limitation of the content of rules and regulations established pursuant to this Local Law.
- Section 3. All rates, fees, rents or other charges for utility services in existence on the effective date of this Local Law shall continue until modified or amended by rules or regulations established under the authority provided herein. All new or amended rates, fees, rents or other user charges for utility service shall henceforth be established or set by rules or regulations.
- Section 4. These rules and regulations may supersede, amend or revoke any existing Ordinances heretofore passed by the Village of Wellsville pertaining or relating to utilities and utility service, or any provisions of any Local Laws pertaining to rates, fees, rents or other user charges for utility service.

ARTICLE II

- Section 1. All existing rules and regulations pertaining to electric, water and sewer are hereby ratified and continue in effect until modified or rescinded by the Board.

ARTICLE III

- Section 1. All rules and regulations established by the Board shall be filed in a separate book maintained for that purpose in the office of the Village Clerk. The Village Clerk shall also promptly publish notice of adoption of such rules and regulations.
- Section 2. All rules and regulations shall be effective upon publication of Notice of Adoption, except that any rule or regulation adopted by the Board which is personally served upon any person shall be immediately effective as to that person.

## ARTICLE IV

Section 1. Any rule or regulation adopted pursuant to this Local Law may provide that any person who does not comply with the terms of the rule or regulation, or who willfully attempts in any manner to evade or defeat the application of the rule or regulation, shall be guilty of a violation and, upon conviction thereof, shall be subject to a fine of not more than \$250.00 or imprisonment for not more than fifteen (15) days, or subject to both such fine and imprisonment, or subject to such permissible alternative disposition as the Court may impose.

Section 2. A rule or regulation may provide for continuing penalties for non-compliance.

Section 3. Prosecution of a person for non-compliance of a rule or regulation shall not be a waiver of, nor held to be a waiver of, enforcement of the rule or regulation by means of any civil action or proceeding, by termination of service, or by the imposition of conditions for the establishment of or the continuance of service.

## ARTICLE V

This Local Law shall take effect immediately.

The following rules and regulations for the enforcement of collection of water rents and the use of water, be adopted to take effect from and after midnight on the first day of September, 1939.

#### ARTICLE I - AUTHORITY OF BOARDS FOR PRESCRIBING RULES AND REGS.

Section 1. Authority is granted to the board to prescribe rules and regulations by Section 228 of the Village Law, which reads as follows:

Sec. 228, Ordinances. The board of water commissioners may adopt ordinances, not inconsistent with law, for enforcing the collection of water rents and relating to the use of water, and may enforce observance thereof by cutting off the supply of water, or by the imposition of penalties, or both.

#### ARTICLE II - DEFINITION OF TERMS

Section 2. The term "Village" as hereinafter used shall mean the Village of Wellsville, acting through its Municipal Board of Water and Light Commissioners.

Section 3. The term "board" or "Commission" or "the Commission" as hereinafter used shall mean the Municipal Board of Water & Light Commissioners of the Village of Wellsville.

#### ARTICLE III - APPLICATION FOR SERVICE

Section 4. Written application for water service must be made to the municipal Board of Water and Light Commissioners at its office in the Village of Wellsville, upon forms furnished by the Commission, by the property owner or his agent authorized to act by a power of attorney duly executed and filed at the office of the board.

#### ARTICLE IV - SERVICE LOCATION

Section 5. Written application must be made by the property owner, or his agent authorized to act by a power of attorney duly executed to the Board of Trustees of the Village of Wellsville, for permission to open a street, prior to any excavating in the street, and all work in connection therewith, must be conducted in conformity with all Village regulations. The Board of Water and Light Commissioners reserves the right to designate the location of the water service pipes and the depth of the same from the street main to a point designated for the location of the meter and also reserves the right to designate the location of all appurtenances used in connection with water service upon the property to be used, including the location for meters. Upon receipt of written request from the property owner or his agent duly authorized as stated, the Commission or its agents will designate the same. All excavation, back filling, replacement of street surface, including protection of the same in the street must be done at the sole risk and responsibility of the owner of the property to be served.

Article IV cont.

All connections with the street main, including the service pipes to curb shut-off, curb cock and box, must be of such type and size as the Board or its agents designate and will be furnished and installed by the Village at its own expense, exclusive of the necessary excavating, back filling and protection of the same and the replacement of the street surface over the area excavated.

**ARTICLE V - NOTICE TO CONNECT SERVICE TO WATER MAINS**

Section 6. Written notice must be left at the Office of The Commission twenty-four hours prior to the time service is to be installed, stating the exact time when the trench will be ready for making the tap into the water main.

**ARTICLE VI - MAINTENANCE OF CURB STOPS AND BOXES**

Section 7. All curb stops or cocks and boxes furnished by the Village must be at all times protected by the owner from damage, illegal use or injury of any and every nature.

**ARTICLE VII - LEAKS**

Section 8. When leaks occur in service pipes and appurtenances at any point beyond the curb stop or cock, they must immediately be repaired by the owner or occupant, and if not repaired within a given time after notice, the water will be shut off until the same has been repaired.

**ARTICLE VIII - ACCESS TO PREMISES**

Section 9. The agents of the Village shall at all reasonable hours have free access to the consumer's premises for the purpose of reading, testing and inspecting meters and performing any other necessary act in connection with the service, including inspection of plumbing, fixtures and appliances installed within or about the premises. All employees under jurisdiction of the Board of Water and Light Commissioners who are authorized to enter premises in connection with any matter having to do with the operation of water and electric light equipment, shall be provide with an identification card bearing the photograph and signature of said employee and serial number. Employees are instructed to carry these cards at all times and to display them without question upon demand by any person when entering private property.

**ARTICLE IX - METER INSTALLATION AND PROTECTION**

Section 10. The property owner shall furnish sufficient and proper space for the installation of meter(s). The meter location shall be reasonably convenient and accessible. Meter locations must be approved by the Commission or its agents in every case, and shall be such as to offer adequate protection to the Village equipment.

Article IX cont.

Section 11. The owner shall provide suitable opening in pipe line for the meter. The Commission will furnish a meter or meters together with the couplings and set the same at its own expense.

Section 12. All meters will be sealed by the Commission and the breaking of meter seals without authority will be cause for discontinuance of service.

Section 13. The property owner and/or consumer must not in any manner tamper or interfere with the property of the Village or suffer or allow it in any manner to be tampered or interfered with, and shall be held responsible for any damage to the same. The property owner also is responsible for any damage to any meter through which his premises are served resulting from freezing, hot water, steam, fire or loss by theft, or such as may be caused by his negligence or that of his tenants, agents or by his own or their failure properly to secure and protect said meters. Damages will be repaired by the Commission and charged to the property owner at cost for parts, labor and other items involved and must be paid by the property owner promptly. Failure to pay such charge promptly shall be sufficient cause for refusal of further service. The Commission reserves the right to change its equipment at any time it may deem advisable to do so. Meters remain the property of the Village. The Commission reserves the right to remove them at any time upon discontinuance of water service, or at any other time if it should be found necessary to do so for its protection against fraud or abuse.

#### ARTICLE X - CONTROL OF CURB COCK

Section 14. Where water has been shut off for non-compliance with this ordinance, no person except an employee of the Village, shall be allowed to operate the curb cock without the written permission of the Commission or its duly authorized agent.

#### ARTICLE XI - METER TESTS

Section 15. Upon the request of the property owner or consumer, a water meter may be removed for testing, upon payment of \$50.00 dollars at the office of the municipal Board of Water and Light Commissioners. If upon testing, the meter fails to meet the standard for water meters prescribed by the Public Service Commission of the State of New York, in Case 6816 Schedule B dated February 9, 1932, the deposit will be returned and a new meter installed without charge. Should the meter be found to register correctly or under-register, the deposit will be retained to cover the cost of testing. In the event the meter fails to meet the prescribed standard, adjustment will be made with the consumer for such prior period as the occasion may require but in no instance, for a term longer than one year prior to the date of the complaint.

## ARTICLE XII - METER READING

Section 16. The Village will endeavor to read its meters at regular intervals of three months so that all charges and quantities will be figured on a quarterly basis unless otherwise stated. In the event of inability to read meters, the bill may be estimated from the best available information. All such bills will be marked with an abbreviation of the word estimate in the form "Est."

## ARTICLE XIII - LIABILITY FOR BILLS

Section 17. All bills for the use of water service are charged against the owner of the premises served and the property where the water is used, in accordance with Section 229 of the Village Law which declares all water rents a lien. All bills are due and payable and become such a lien as soon as charged upon the books of the Water and Light Commission. Failure to receive bills for water service or repairs, does not relieve the owner from liability to pay. The burden is upon the owner of the property to keep track of all unpaid water bills. All unpaid bills for water service one year or more delinquent on May 1st of each year, shall be turned over to the Board of Trustees of the Village for attachment to the tax roll and collection with taxes. Upon the written request of the property owner upon forms to be prescribed by the Commission, a tenant or occupant of the property may be billed direct for water service and repairs, but such bill shall not relieve the property or the property owner of his direct responsibility for payment or from his obligation under this ordinance in any way. Property owners will be held liable for all service to the final reading of the meter, provided such reading be taken not less than forty-eight hours (excepting Sundays and holidays) after written notice to discontinue upon forms provided by the Commission has been received by the board at its office and the property owner agrees to keep the property and meters accessible to the Commission or its agents during that time. In the event that the property and meters are not kept accessible, the property owner shall be liable for service up to such time as the Commission or its agents may find the meter and property accessible.

## ARTICLE XIV - PAYMENT OF BILLS

Section 18. All bills are due when rendered and payment is required within twenty days from the date of the said bill. Bills or accounts shall become delinquent at the expiration of the discount period. The Commission will mail bills to the property owner or, upon his request in writing, to the tenant at his last known address as it appears upon the books of the Commission. The Commission is not responsible for the failure of the mail to deliver bills. As stated in Article XIII Section 17 hereof, the burden is upon the property owner to keep track of his water bill.

Article XIV cont.

The Commission reserves the right to discontinue service upon ten days written notice whenever bills are delinquent or when the property owner refuses to comply with the rules and regulations prescribed by this Ordinance, or without notice for improper use of Village property, tampering with equipment or fraud. The net amount shown on the bills will be accepted not later than twenty days after the date of the bill, provided all back bills are paid except as hereinafter provided under "Water Tariff". Remittances mailed will be considered received as of the time and date of postmark. Failure to receive bill does not entitle property owner, or if property owner has designated that bills be mailed to tenant, then the tenant and the property owner, to the net amount.

**ARTICLE XV - RESUMPTION OF SERVICE**

Section 19. No application for water service, except applications required by this Ordinance of present consumers to comply with terms hereof, either to the same or a different property, will be approved and accepted by the Commission unless all moneys due and owing from the property owner for water service or items connected therewith not theretofore charged on the tax roll, have first been paid.

**ARTICLE XVI - NO LIABILITY FOR FAILURE OF SERVICE,  
SHUTTING OFF OR RESTRICTING SERVICE**

Section 20. Neither the Village nor the Commission shall under any circumstances be held liable either to the property owner or to such persons, corporations, associations, partnerships or otherwise, who may have the use of the property through lease from the owner or by other agreement, contract or other wise regardless of the form, or any sufferance, for deficiency or failure of the supply of water, The Commission reserves the right to shut off or restrict the supply of water as follows:

- a) Without notice whenever it may be found necessary to do so in cases of emergency or as herein before stated.
- b) Upon Written notice or otherwise in order to make repairs or extensions to the distribution system or to private services or for the causes herein before stated.

**ARTICLE XVII - SERVICE INTERFERENCE**

Section 21. The property owners and/or consumer's equipment and the operation thereof must be such as not to interfere with the service of other consumers. In case of interference the property owner must take immediate steps to correct the situation or suffer discontinuance of service until normal conditions are restored.

## ARTICLE XVIII - CHANGES IN RULES AND REGULATIONS

Section 22. The Village and the Commission reserve the right to change the rules and regulations and rates for the use of water from time to time in their discretion and to make special rates or contract.

## ARTICLE XIX - WATER TARIFF

The rates and classifications for water service shall be those currently established from time to time by the Board of Water and Light Commissioners of the Village of Wellsville and at the time or times involved on file at the office of the said Board in the Village of Wellsville, New York.

## ARTICLE XX - AMENDMENTS, MODIFICATIONS OR ALTERATIONS OF THIS ORDINANCE

Section 26. No amendment, modification or alteration of the terms of this Ordinance made either by promise or representation of agents of the Commission, individual members of the Commission, or otherwise, shall be binding upon the Village or Commission, and all consumers are hereby given notice to that effect. This Ordinance, except as it may be amended by action of the Commission in the manner described by law, states in full the rules and regulations covering water service, and the Village and the Commission is in no way bound except by the terms of this Ordinance or amendments thereof duly enacted.

(Please Use this Form for Filing your 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 of Wellsville  
Town  
Village  
Local Law No. 2 of the year 1988

A local law establishing requirements for electrical installations in the  
(Short title)  
Village of Wellsville.

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

County  
City of Wellsville, New York as follows:  
Town  
Village

ARTICLE I

Title.

This local law shall be known as the (electrical) code of the Village of Wellsville.

ARTICLE II

Statement of purpose.

Since there is danger to life and property inherent in the use of electrical energy, this Local Law is enacted to regulate the installation, alteration, maintenance or repair of equipment, wiring, and appurtenances thereto for electric light, heat, power or signal system operating on fifty (50) volts or more, in or on real property within the Village of Wellsville.

ARTICLE III

National Code Adopted.

All electrical installations heretofore mentioned shall be made in conformity with the requirements of the National Electrical Code in effect June 1, 1988, except where the provisions of this Local Law or any other local law, ordinance or building code of the Village of

**(If additional space is needed, please attach sheets of the same size as this and number each)**

Wellsville shall specifically differently prescribe, in which event compliance with the provision of such local law, ordinance or building code shall be an affirmative defense and recognized as proper compliance with this ordinance.

The Village Board may adopt, by resolution, subsequent versions of the National Electrical Code as the standard of compliance. A copy of any such resolution will be filed in the Business Office of the Electric Department in a book designated for such purpose. A notice of adoption of such resolution shall also be published. The resolution shall be effective ten (10) days after the filing and the publication.

#### ARTICLE IV

Inspector.

The Chief Inspector, and each of the duly appointed Inspectors of the New York Board of Fire Underwriters and of Atlantic Inland Inc. are hereby authorized and deputized as agents of the Village of Wellsville to make inspections and reinspections of all electrical installations heretofore and hereafter described, and to approve or disapprove the same. In no event, however, will the cost or expense of such inspection and reinspections be a charge against the Village. The Village Board may, by resolution, authorize additional agents.

## ARTICLE V

### Duties of the Inspector.

1) It shall be the duty of the Inspector to furnish written reports to the Director of Public Works, the owners and the lessees of property where defective electrical installations or equipment are found upon inspection as herein after set forth.

2) The Inspector shall make inspections and reinspections of electrical installations in and on properties in the Village of Wellsville upon the written request of the Director of Public Works, at the request of a tenant, or of an owner, or as provided by any other Local Law or ordinance of the Village of Wellsville or as herein provided.

3) The Inspector is authorized to make inspections and reinspections of electrical wiring installations, devices, and equipment, in and on properties within the Village where he deems it necessary for the protection of life and property. The Inspector shall not make inspections of existing installations in owner-occupied single-family dwellings except where such inspections shall have been requested by the Director of Public Works or his authorized agent or by an owner.

4) a.) The Inspector shall authorize the issuing of a Certificate of Compliance when electrical installations an equipment are in

conformity with the National Electrical Code as specified herein or issue a Certificate of non-Compliance when such installations or equipment are not in conformity. A Certificate of Non-Compliance should be sent promptly to: the Director of Public Works; to the person to whom the property is assessed as shown by Village Tax Records; and to any lessee or occupant of the property, or in lieu thereof, posted conspicuously on the premises actual notice by any such person of the issuance of Certificate of Non-compliance shall constitute full satisfaction of notice requirements. A Certificate of Compliance shall be sent to the person to whom the property is assessed. A copy shall be made available to any tenant. A failure to receive a Notice of Non-compliance shall not invalidate the validity of a Certificate of Non-compliance or any action taken thereof pursuant to the intent and provisions of this Local Law.

B.) Non-compliance Certificates shall contain substantially the following information:

1. the identity of the property where the non-compliance exists;
2. specification of each instance of non-compliance;
3. remedial action required to cure each instance of non-compliance;
4. a reasonable time for compliance not to exceed 30 days. Extensions may be granted by the Inspector with consultation of the Director of Public Works for good cause shown.

5. that service will be terminated if remedial action is not taken within time specified.

C.) Where the Inspector finds that any violation poses an imminent danger to life or property, he may order immediate compliance. In such case, he may issue an order immediately terminating electrical service to the premises. The Electric Department of the Village shall comply with any order effecting electrical service that may be issued by an inspector pursuant to this Local Law. In such cases, Inspections shall conspicuously post a copy of his certificate of non-compliance on the premises, in addition to the notices specified in paragraph 4-A.

D.) The owner of the premises or any tenant thereof on behalf of the owner may appeal an order on non-compliance, or an order of termination to the Director of Public Works in writing within five (5) business days. Such appeal shall be in writing, shall state the basis for such appeal, and shall contain such other information as the Director of Public Works may require by regulation. The Director may review any decision of an inspector terminating electric service, and may, for good reason, modify same.

E.) The Director of Public Works may establish rules and regulations implementing the administration of this Local Law. Such rules and regulations shall be effective ten (10) days after they have been filed with the Village Clerk and in the business office of the

Electric Department, which department shall file and maintain such regulations in a book provided therefore.

F.) The powers set forth in this Local Law shall be interpreted broadly to effect the purposes thereof and shall not be construed as a limitation of powers. Any situation for which a Certificate of Compliance has been issued is subject to reevaluation and reinspection which may result in the issue of a Certificate of Non-compliance.

G.) If any clause, sentence, subdivision, paragraph, section or part of this Local Law be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, subdivision, paragraph, section or part thereof directly involved in the controversy in which said judgment shall have been rendered.

#### ARTICLE VI

Violations of this ordinance.

1) A.) It shall be a violation of this Local Law for any person, firm or corporation to install or cause to be installed, or to alter or repair or to cause to be altered or repaired, electrical wiring,

equipment, or systems for light, heat, power, or signal systems designed or intended to operate on fifty (50) volts or more in or on properties in the Village until an application for inspection has been filed with the Inspecting Officer, and approved by an authorized Inspector by the issuance of a temporary certificate or by a Certification of Compliance.

B.) The repair or changing of switches and outlets, not requiring additional wiring, in single-family dwellings shall not require application for inspection.

2) It shall be separate and distinct violation of this ordinance for any person, firm or corporation to connect, or cause to be connected, electrical service to any newly installed, altered or repaired electrical wiring, equipment or systems for light, heat, power, or signal system intended to operate on fifty (50) volts or more in or on properties in the Village prior to obtaining a Certification of Compliance, except for such brief, and incidental connections as may be reasonable and necessary to properly install, alter or repair.

3) It shall be a separate and distinct violation of this **Local Law** for a person, firm or corporation to connect, or cause to be connected, electrical wiring, appliance, equipment or systems, in or on properties, for light, heat, power or signal systems to any source

of electrical energy supply of fifty (50) volts or more if such shall violate a certificate of non-compliance.

#### ARTICLE VII

##### Penalty for violations.

Any person, firm or corporation who shall violate any of the provisions of this local Law for each violation shall be guilty of a petty offense, to wit, a violation as defined by the Penal Law and upon conviction thereof may be punished by a fine of not more than two hundred fifty dollars (\$250.00) or by imprisonment for a period not to exceed fifteen (15) days, or by both such fine and imprisonment.

#### ARTICLE VIII

##### Local Law not applicable in certain cases.

The provisions of this Local Law shall not apply to the electrical installations in mines, ships, railway cars, automotive equipment or the installation of equipment employed by the railway, electrical or communication utility in the exercise of its function as a utility, and located outdoors or in buildings used exclusively for that purpose. This ordinance shall not apply to any work

involved in the manufacture, assembly, test or repair of electrical machinery, apparatus, materials and equipment by a person, firm or corporation engaged in electrical manufacturing as their principal business. It shall not apply to any building which is owned or leased in its entirety by the Government of the United States or the State of New York. Portions of this Local Law which require application for inspection shall not apply to persons, firms or corporations regularly employed in manufacturing in the Village of Wellsville when such persons, firms or corporations shall have certified to the Mayor that they regularly employ one (1) or more journeymen electricians, whose principal duties are installation, maintenance and repair of electrical machinery, appliances, equipment and wiring for electric light, heat or power (hereinafter called "electrical work"), in or upon the premises used by the applicant in the conduct of manufacturing; and by reason of the amount and frequency of electrical work so performed upon the applicant's premises, compliance with the provisions of this Local Law would impose an undue burden on the applicants conduct of manufacturing operations. The term "journeyman electrician" shall mean a person who has completed and apprentice course or received equivalent training, or had equivalent experience of at least three (3) years in electrical work.

ARTICLE IX

No waiver or assumption of liability.

This Local Law shall not be construed to relieve from or lessen the responsibility of any person owning, operating, controlling or installing any electrical wiring, devices, appliance or equipment for loss of life or damage to person or property caused by any defect therein, nor shall the Village of Wellsville, the New York Board of Fire Underwriters, or Atlantic-Inland, Inc. be deemed to have assumed any such liability by reason of any inspection made pursuant to this ordinance.

ARTICLE X

Repealing provisions.

Chapter 9, Electrical Code, of the Ordinances of the Village of Wellsville, Adopted 2-13-61, is hereby repealed.

ARTICLE XI

Effective Date

This local law shall be effective immediately upon its filing with the Secretary of State.

A Local Law Authorizing Utility Rules and Regulations

Adopted 12-13-82

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WELLSVILLE,  
NEW YORK AS FOLLOWS:

ARTICLE I

- SECTION 1. The Wellsville Village Board of Trustees may adopted such rules and regulations as it deems necessary, appropriate or suitable to the operation of Village utilities including electric, water and sewer.
- SECTION 2. Rules and regulations may include requirements or conditions of service, its installation, maintenance or discontinuance,, and provide for the setting of rates and the collection of fees, rents or other charges. This is not a paragraph of limitation of the content of rules and regulations established pursuant to this Local Law.
- SECTION 3. All rates, fees, rents or other charges for utility services in existence on the effective date of this Local Law shall continue until modified or amended by rules or regulations established under the authority provided herein. All new or amended rates, fees, rents or other user charges for utility service shall henceforth be established or set by rules or regulations.
- SECTION 4. These rules and regulations may supercede, amend or revoke any existing Ordinances heretofore passed by the Village of Wellsville pertaining or relating to utilities and utility service, or any provisions of any Local Laws pertaining to rates, fees, rents or other user charges for utility service.

ARTICLE II

- SECTION 1. All existing rules and regulations pertaining to electric, water and sewer are hereby ratified and continue in effect until modified or rescinded by the Board.

ARTICLE III

- SECTION 1. All rules and regulations established by the Board shall be filed in a separate book maintained for that purpose

in the office of the Village Clerk. The Village Clerk shall also promptly publish notice of adoption of such rules and regulations.

SECTION 2. All rules and regulations shall be effective upon publication of the Notice of Adoption, except that any rule or regulation adopted by the Board which is personally served upon any person shall be immediately effective as to that person.

#### ARTICLE IV

SECTION 1. Any rule or regulation adopted pursuant to this Local Law may provide that any person who does not comply with the terms of the rule or regulation, or who willfully attempts in any manner to evade or defeat the application of the rule or regulation, shall be guilty of a violation and, upon conviction thereof, shall be subject to a fine of not more than \$250.00 or imprisonment for not more than fifteen (15) days, or subject to both such fine and imprisonment, or subject to such permissible alternative disposition as the Court may impose.

SECTION 2. A rule or regulation may provide for continuing penalties for non-compliance.

SECTION 3. Prosecution of a person for non-compliance of a rule or regulation shall not be a waiver of, nor held to be a waiver of, enforcement of the rule or regulation by means of any civil action or proceeding, by termination of service, or by the imposition of conditions for the establishment of or the continuance of service.

#### ARTICLE V

This Local Law shall take effect immediately.