

Board of Trustees
Village of Black River, New York



Agenda

Regular Meeting

October 7, 2019

- Call to order.
- Pledge of Allegiance.
- Approval of minutes of the 9/9/19 regular meeting.
- Public Comment.
- Code Enforcement Report & review of related correspondence.
- Superintendent's Report.
- Clerk-Treasurer's Report.
- Police Department Report.

Correspondence Received:

A) William Reichard

Re: Resignation from ZBA

Correspondence Sent:

New Business:

- A) Public Hearing for Solar Energy Systems law.
- B) Public Hearing for Temporary Signs law.
- C) Rt. 3 water hookup.
- D) Water meters.

Unfinished Business:

- Reports from Standing Committees.
- Reports from Special Meetings.
- Authorize payment of bills; adjournment.

Village of Black River
Board of Trustees
Regular Meeting
September 9, 2019

DRAFT

Mayor Carpenter called the regular meeting to order at 6:00 p.m.

Present:

Mayor Leland Carpenter
Trustee Francis Dishaw
Trustee Gary McCullough
Superintendent Les Williams
Clerk Treasurer Kristin Williams
Police Chief Steve Wood

Absent:

Trustee Corey Decillis

A motion was made by Trustee Dishaw, seconded by Trustee McCullough to approve the minutes of the 8/5/19 regular meeting and the 8/12/19 special meeting. The motion was carried.

Public Comments: Joe Paige, 141 E. Remington St. was present to discuss a bill that he received from the Rt. 3 Sewer Board for the replacement of a grinder pump in the amount of \$845.00. He stated that the bill notes that the replacement was due to negligence which he disputes.

Trustee Decillis entered at 6:07 p.m.

Trustee McCullough stated that the sewer board cannot charge fees outside of the operations and maintenance fees. It was agreed that if anyone bills for the grinder pump it should be the village.

Mayor Carpenter stated that the Department of Public Works helped the Development Authority of the North Country excavate for a sewer line replacement in the village. He stated that they should be billed for the time that public works spent working on it.

Code Enforcement Report: Mayor Carpenter stated that he spoke with Code Enforcement Officer James Holland who stated that he would condemn the Gerrard property as soon as it changes ownership. CEO Holland stated that he would be starting the court process for the Bonner property soon.

Superintendent's Report: Superintendent Williams stated that Laborer Cody Schirmer got his permit for his commercial driver's license and fixed the trim on the dugouts. Superintendent Williams stated that the storm drains have been cleaned, the Town of LeRay has delivered 25 yards of sand and that he would like to take the Ram to Ziebart to get it rustproofed. He stated that it will cost \$650, the board agreed. He stated that the study of the electrical system at the Rt. 3 pump station has been completed and it was determined that a 400 amp transfer switch will be sufficient. Superintendent Williams stated that he got a quote for louvers in the amount of \$5300 with installation and he is waiting for a second quote. He stated that the auto start generator cannot be utilized until the louvers are in place.

A motion was made by Trustee Decillis, seconded by Trustee Dishaw to adopt the following resolution:

Resolved, that Superintendent Williams be permitted to have louvers installed at the Route 3 pump station in an amount not to exceed \$10,000. The motion was put to a vote as follows:

Mayor Carpenter	Yes
Trustee Decillis	Yes
Trustee Dishaw	Yes
Trustee McCullough	Yes.

The motion was carried and the resolution duly adopted.

Clerk-Treasurer's Report: Clerk-Treasurer Williams stated that there were eleven residents who stated that they had not received their water bills for the July billing. She stated that they paid with penalty when they got their second notices. The total of the penalties was \$136.62. She stated that the eleven residents have always paid on time and that there have been issues with the mail service recently.

A motion was made by Trustee McCullough, seconded by Trustee Decillis to adopt the following resolution:

Resolved, that the penalties for the eleven accounts mentioned above be waived for the July billing period. The motion was put to a vote as follows:

Mayor Carpenter	Yes
Trustee Decillis	Yes
Trustee Dishaw	Yes
Trustee McCullouch	Yes.

The motion was carried and the resolution duly adopted.

Police Department Report: Police Chief Wood stated that he is having the oil changed on the police vehicle at Fast Lube now and that he would be going to the range in the next couple of weeks. He stated that Brookfield Power donated \$1,500 for the purchase of a plate carrier which more than he had requested.

Correspondence Received: The Board reviewed a letter from the NYS Department of Health regarding a water system inspection.

A motion was made by Mayor Carpenter, seconded by Trustee Dishaw to approve Lucas Pityer as a member of the Black River Fire Department. The motion was carried.

The Board discussed some property that is for sale on LeRay Street next to the Catholic Church. It was discussed that it may be a good site for a new water source.

A motion was made by Trustee Decillis, seconded by Trustee Dishaw to get an appraisal on the LeRay St. properties. The motion was carried.

A motion was made by Trustee Dishaw, seconded by Mayor Carpenter to adopt the following resolution:

Resolved, that the Board hold public hearings regarding solar regulations and temporary signs on October 7, 2019 at 6:00 p.m. The motion was put to a vote as follows:

Mayor Carpenter	Yes
Trustee Decillis	Yes
Trustee Dishaw	Yes
Trustee McCullouch	Yes.

The motion was carried and the resolution duly adopted.

A motion was made by Trustee Dishaw, seconded by Trustee Decillis to adopt the following resolution:

Resolved, that the following abstract of audited vouchers be approved: interim abstract dated 8/14/19 in the amount of \$11,288.49 (General Fund: \$9,590.53 Water Fund: \$1,697.96) and regular monthly abstract dated 9/9/19 in the amount of \$84,631.41 (General Fund: \$6,773.52 Water Fund: \$2,950.14 Sewer Fund: \$74,907.75). The motion was put to a vote as follows:

Mayor Carpenter	Yes
Trustee Decillis	Yes
Trustee Dishaw	Yes
Trustee McCullouch	Yes.

The motion was carried and the resolution duly adopted.

A motion was made by Trustee Decillis, seconded by Trustee Dishaw to adjourn the meeting at 7:59 p.m. The motion was carried.

Respectfully submitted,

Kristin Williams
Clerk-Treasurer

**BLACK RIVER/EVANS MILLS POLICE DEPARTMENT
MONTHLY REPORT
Spetember 2019**

	B/R	E/M	TOTAL	Aug-19	Jul-19
ARRESTS -	3	0	3	1	2
COMPLAINTS -	21	11	32	26	33
VEHICLE STOPS -	28	26	54	49	52
TICKETS ISSUED -	20	6	26	18	20
ACCIDENT REPORTS -	2	1	3	2	0
PARKING VIOLATIONS -	1	0	1	1	0
MOTORIST ASSISTS -	0	0	0	0	1
ASSIST OTHER AGENCY -	4	1	5	6	8
ESCORTS -	0	0	0	1	0
VEHICLES TOWED -	0	0	0	0	0
PROPERTY CHECKS -	10	9	19	8	3
INCIDENT REPORTS -	8	3	11	7	4
DOMESTIC REPORTS -	0	0	0	0	0
OFFENSE REPORTS -	1	1	2	1	5
FOLLOW UP REPORTS -	1	0	1	2	2
CRIMES REPORTED -	0	1	1	0	3

DAYS WORKED PER MONTH - 15/30 DAYS

GAS USED - 51.5 GALLONS

HOURS WORKED - 108.5 HOURS

MILES DRIVEN - 512 MILES

EXTRA DETAILS - LEA MEETING, FORT DRUM RUN IN BLACK RIVER, NEW BAIL TRAINING

**POLICE CHIEF, STEVEN C WOOD #2701
POLICE DEPARTMENT
VILLAGE OF BLACK RIVER/EVANS MILLS NY**

St WOOD #2701

ACC Report by Date

From 9/1/2019 to 9/30/2019

Date	Case Number	OfficerName	Badge	Status	Road	Intersection	Injured	Fatal	Ped	Local Code
09/30/2019	CGC321B1S91Q	WOOD S	01	7	28553 STATE ROUTE 3		0	0	N	19BR00532
09/29/2019	CGC321B1PZTM	WOOD S	01	7	STONE DRIVE		1	0	Y	19BR00528
09/19/2019	CGC321B0M43T	WOOD S	01	7	NOBLE STREET	LERAY STREET	1	0	N	19BR00511

Summary Cases may be listed multiple times if more than one vehicle had the same contributing factor.

Query returned 3 records.

Amended records 0

* Indicates that the report has been amended

UTT Report by Date

From 09/01/2019 to 09/30/2019

Date	Officer Name	Badge	Case Number	Section And Offense	Status	Location	Local Code
09/30/2019	WOOD S	01	C321B1S4CN	1180D SPEED IN ZONE	4	LERAY ST AT HENRY ST EM	19BR00531
09/30/2019	WOOD S	01	C321B1S6D5	5091 UNLICENSED OPERATOR	4	LERAY ST AT HENRY ST EM	19BR00531
09/28/2019	WOOD S	01	SRV1B1LLKC	1172A FLD TO STOP @ STOP SIGN	7	STONE DR @ W REMINGTON S	19BR00527
09/28/2019	WOOD S	01	C321B1LRS	1102 FAILED TO COMPLY W/LAWFUL ORDER	7	STONE DR @ W REMINGTON S	19BR00527
09/28/2019	WOOD S	01	SRV1B1LLZB	1172A FLD TO STOP @ STOP SIGN	7	W REMINGTON ST AT SR 3 B/R	19BR00527
09/28/2019	WOOD S	01	SRV1B1LM33	1180D SPEED IN ZONE	7	SR 3 AT US POST OFFICE	19BR00527
09/28/2019	WOOD S	01	SRV1B1LMBS	1123 IMPROPER PASSING	7	SR 3 NEAR STAFFORD DR	19BR00527
09/28/2019	WOOD S	01	SRV1B1LMMH	1212 RECKLESS DRIVING (MISD)	7	SR 3 NEAR STAFFORD DR	19BR00527
09/28/2019	WOOD S	01	SRV1B1LMSJ	5091 UNLICENSED OPERATOR	7	STONE DR AT W REMINGTON S	19BR00527
09/28/2019	WOOD S	01	SRV1B1LN0V	37535C UNSAFE TIRE, LEFT FRONT	7	STONE DR AT W REMINGTON S	19BR00527
09/28/2019	WOOD S	01	SRV1B1LN56	37535C UNSAFE TIRE, RIGHT FRONT	7	STONE DR AT W REMINGTON S	19BR00527
09/28/2019	WOOD S	01	SRV1B1LNGL	5111A AGGRAVATED UNLIC OP 3RD (MISD)	7	STONE DR AT W REMINGTON S	19BR00527
09/28/2019	WOOD S	01	SRV1B1LP0V	5112A3 AGGRAVATED UNLIC OPER-2ND/MANDATORY SUSP	7	STONE DR AT W REMINGTON S	19BR00527
09/28/2019	WOOD S	01	SRV1B1LMQ3	1172A FLD TO STOP @ STOP SIGN	7	GLASS RD @ RUTLAND HOLLO	19BR00527
09/25/2019	WOOD S	01	C321B190F4	1110A DISOBEYED TRAFFIC CONTROL DEVICE	7	S MAIN ST @ SCHOOL ZONE E	19BR00523
09/25/2019	WOOD S	01	C321B18Q3F	37540B INADEQUATE OR NO STOP LAMPS	7	S MAIN ST NEAR PECK ST E/M	19BR00520
09/24/2019	WOOD S	01	C321B15RBV	5091 UNLICENSED OPERATOR	7	SR 3 @ HUNTINGTON ST B/R	19BR00515
09/24/2019	WOOD S	01	C321B15QMM	37512AB2 SIDEWINGS/SIDEWINDOWS/NON/TRANSPRINT	7	SR 3 @ HUNTINGTON ST B/R	19BR00515
09/19/2019	WOOD S	01	C321B0M5JC	1142A FLD TO YLD RT-OF-WAY @ STOP SIGN	7	NOBLE ST AT LERAY ST	19BR00511
09/13/2019	WOOD S	01	C321B00JF7	1180D SPEED IN ZONE	7	S MAIN ST NEAR DORR FARM	19BR00502
09/13/2019	WOOD S	01	C321B00JQV	512 OPERATING WHILE REGISTRATION SUSP/REVOKED	7	S MAIN ST NEAR DORR FARM	19BR00502
09/06/2019	WOOD S	01	C3219Z73H5	5091 UNLICENSED OPERATOR	7	100 BLK N MAIN ST B/R	19BR00481
09/06/2019	WOOD S	01	C3219Z732Q	1180D SPEED IN ZONE	7	100 BLK N MAIN ST B/R	19BR00481
09/06/2019	WOOD S	01	C3219Z6ZR6	5098 FLD/NOTIFY DMV CHANGE OF ADDRESS	7	LERAY ST 200 BLK	19BR00480
09/06/2019	WOOD S	01	C3219Z73P1	5111A AGGRAVATED UNLIC OP 3RD (MISD)	7	100 BLK N MAIN ST B/R	19BR00481
09/03/2019	WOOD S	01	C3219XXL0N	306B UNINSPECTED MOTOR VEHICLE, JUL 19	7	LERAY ST E/M	19BR00467

Summary

Query returned 26 records.

BLACK RIVER POLICE DEPT

Incidents Reported From 09/01/2019 00:01 hrs. to 09/30/2019 23:59 hrs.

Page 1 of 1

Print Date: 10/02/2019

Print Time: 11:26:51

Selection Criteria

CR: BLACK RIVER POLICE DEPT

Date From: 09/01/2019 00:01

Date To: 09/30/2019 23:59

Sorted By: Incident Number

Incident Number	Incident Type	Status	Div/Pct	Reported	Wkday	Case #	Occurred On	Occurred To	Location Type	Reporting Officer
47	Dmv Suspension Or Revocati	ARREST - ADULT	BR	09/06/2019	Fri	19BR00481	09/06/2019 08:11	09/06/2019 09:06	STREET	CHIEF WOOD, STEVEN #2701
48	Other	CLOSED BY INVESTIG	EM	09/09/2019	Mon	19BR00497	09/09/2019 13:11	09/09/2019 13:16	VARIETY/CONVENIENCE S	CHIEF WOOD, STEVEN #2701
49	Dmv Suspension Or Revocati	ARREST - ADULT	BR	09/13/2019	Fri	19BR00502	09/13/2019 16:00	09/13/2019 16:30	STREET	CHIEF WOOD, STEVEN #2701
50	Dmv Suspension Or Revocati	ARREST - ADULT	BR	09/28/2019	Sat	19BR00527	09/28/2019 14:51	09/28/2019 17:55	STREET	CHIEF WOOD, STEVEN #2701

SEPTEMBER 20, 2019

BLACK RIVER VILLAGE BOARD

I AM RESIGNING FROM
THE Z.B.A AS OF DEC 30, 2019
IF A REPLACEMENT IS
FOUND PRIOR TO THE ABOVE
DATE MY RESIGNATION WILL BE
EFFECTIVE UPON THEIR APPOINTMENT

William Riehlak

COPY TO Z.B.A.
CHAIRMAN

LOCAL LAW FILING

(Use this form to file a 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.

Village of Black River

Local Law No. 2 of the year 2019

A local law to amend Chapter 175 of the Code of the Village of Black River

Be it enacted by the Village Board of the Village of Black River as follows:

Article 1. - Statement of Authority. This Local Law is enacted pursuant to the authority granted it under Article 7 of the Village Law and Section 10 and 20 of the Municipal Home Rule Law.

Article 2. - Statement of Purpose and Findings. The Village Board of the Village of Black River hereby finds that it is necessary to amend Chapter 175 of the Code of the Village of Black River by adding a new Article to the Code of the Village of Black River to provide regulations for Solar Energy Systems

Article 3. - Enactment. Chapter 175 is hereby amended by adding a new Article X Solar Energy System as follows:

§175-81 Definitions.

PRINCIPAL SOLAR ENERGY SYSTEM. A solar energy system consisting of one or more freestanding ground- or roof-mounted solar collector devices, solar related equipment and other accessory structures and buildings including light reflectors, concentrators and heat exchangers, substations, electrical infrastructure, transmission lines and other related structures and facilities which has a rated capacity of more than 25 kilowatts for electricity or rated storage volume of more than 240 gallons or has a collector area of more than 1,000 square feet for thermal. It is noted that any system with a name plate generating capacity of 25 megawatts or more is subject to the requirements, terms, and conditions of Article 10 of the New York State Public Service Law.

SMALL SOLAR ENERGY SYSTEM. A solar collection system consisting of one or more roof- and/or ground-mounted related equipment, which has a rated capacity of less than or equal to 25 kilowatts (for electricity) or rated storage volume of the system of less than or equal to 240 gallons or that has a collector area of less than or equal to 1,000 square feet (for thermal) and is intended to primarily reduce on site consumption of utility power. A system is considered a small solar energy system

only if it supplies electrical or thermal energy solely for on-site use, except when a property upon which the facility is installed also receives electrical power supplied by a utility company and in such case excess electrical power may be used by the utility company.

SOLAR ENERGY SYSTEM. A solar photovoltaic cell, panel, or array, or solar hot air or water collector device, which relies upon solar radiation as an energy source for collection, inversion, storage and distribution of solar energy for electricity generation or transfer of stored heat.

§ 175 -82. Small solar energy systems.

Small solar energy systems are permitted as an accessory use in all zones, in accordance with state and local building, electric and fire code requirements. A combined zoning, building and electrical permit may be issued for grid-tied solar electric systems that meet the requirements of the New York State unified solar permit. Small solar energy systems that do not meet those requirements shall require a zoning permit as well as all other applicable permits.

- A. A system is considered a small solar energy system only if it supplies electrical or thermal power primarily for on-site use, except that when a property upon which the facility is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be used by the utility company. The owner of the small solar energy system shall provide written confirmation with the application that the public utility company has been informed of the customer's intent to install an interconnected customer-owned generator and also approves such connection. Off-grid systems shall be exempt from this requirement.
- B. Any upgrades, modifications, or changes that materially alter the size or placement of an existing solar energy system shall comply with the provisions of this chapter.
- C. Design and installation.
 - (1) The design and installation of Small Solar Energy Systems shall conform to the existing industry standards, including those of the American National Standards Institute (ANSI), Underwriters Laboratory (UL), the American Society for Testing and Materials (ASTM), New York State Energy Research and Development Authority (NYSERDA), or other similar certifying organizations, and shall comply with the Uniform Building and Fire Code and with all other applicable fire and safety requirements. The manufacturer's specifications shall be submitted as part of the application for a zoning permit.
 - (2) All exterior electrical and/or plumbing lines must be buried below the surface of the ground and placed in a conduit unless the panels for electrical or thermal are installed on a structure that is either the main structure or a structure attached to the main structure which is receiving the benefit from the panels.

- (3) Small solar energy systems shall be designed and located in order to prevent reflective glare toward any inhabited structure on adjacent properties as well as adjacent public streets, roads and highways.

D. Height restrictions. Solar energy systems must meet the following requirements:

- (1) Building- or roof-mounted solar energy systems shall not exceed the maximum allowed height in any zone. For purposes of height measurement, solar energy systems other than building integrated systems are considered to be mechanical devices and are restricted consistent with other building-mounted mechanical devices.
- (2) Ground- or pole-mounted solar energy systems shall not exceed 20 feet in height.

E. Setback. Solar energy systems must meet the accessory structure setback requirement for the zone in which the system is located. In addition to the building setback, the collector surface and mounting devices for roof-mounted solar energy systems shall not extend beyond the exterior perimeter of the building on which the system is mounted or built. Ground- or pole-mounted solar energy systems shall not be located in front yards.

F. Plan applications. Plan applications for small solar energy systems shall be accompanied by to-scale horizontal and vertical (elevation) drawings. The drawings must show the location of the system on the building or on the property for a ground-mounted system, including the property lines. Applicants must identify a qualified installer or provide proof that the system they propose to install has been designed as a so-called "plug and play" system so that the applicant can plug the system into an existing PV circuit.

- (1) Pitched-roof-mounted solar systems. For all roof-mounted systems on pitched roofs, the elevation must show the highest finished slope of the solar collector and the slope of the finished roof surface on which it is mounted. Roof-mounted system applications shall include a roof load analysis performed by a structural engineer.

- (2) Flat-roof-mounted solar systems. For flat roof applications, a drawing shall be submitted showing the distance to the roof edge and any parapets on the building and shall identify the height of the building on the street frontage side, the shortest distance of the system from the street frontage edge of the building, and the highest finished height of the solar collector above the finished surface of the roof. Roof-mounted system applications shall include a roof load analysis performed by a structural engineer.

G. Utility notification. The owner of the small solar energy system shall provide written proof that the utility company has been informed of the customer's intent to install an interconnected customer-owned generator and also that the utility approves of such connection. Off-grid systems shall be exempt from this requirement.

§ 175 -83. Principal solar energy systems.

A. A Principal Solar Energy System shall be permitted by special use permit in the Auto Commercial (AC) and Industrial (I) Zones.

B. Acreage. A proposed Principal Solar Energy System may not be installed on a lot smaller than five acres.

C. Height and setback. Panels mounted on the roof of any building will be subject to the height requirements specified for the underlying zone, but in no event shall they stand more than 10 feet above the roofline of the building. Ground- or pole-mounted solar energy systems shall not exceed 20 feet in height. Principal Solar Energy Systems must comply with all minimum yard depth standards established for the underlying zone.

D. Compliance. The construction and operation of a Principal Solar Energy System shall comply with all applicable local, state, and federal requirements including but not limited to all safety, construction, electrical and communications requirements. All buildings and fixtures forming part of the system shall comply with the Uniform Building and Fire Code. No principal solar energy system shall be constructed without first obtaining a building permit.

E. Application.

(1) Applicant shall provide:

(a) A site plan showing property lines and physical features, including roads; proposed changes to the landscaping of the site, grading, vegetation clearing and planting, exterior lighting, screening, vegetation or structures; blueprints or drawings of the proposed system signed by a New York-licensed professional engineer showing the proposed layout of the system; electrical diagram detailing the solar photovoltaic installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and overcurrent devices; documentation of the major system components to be used. All plans and maps shall be prepared and stamped by a professional engineer licensed in the State of New York.

(b) Name and address of the proposed installer.

(c) An operation and maintenance plan.

(d) Proof of liability insurance or the ability to secure same in an amount adequate for the size, scope, and other details of the proposed project.

(2) The Planning Board may waive certain documentary requirements as it deems appropriate.

F. Utility notification. The applicant will provide proof that the local utility company has been informed of the system owner or operator's intent to install an interconnected system. Off-grid systems shall be exempt from this requirement.

G. Signage. The facility shall have a sign which provides a twenty-four-hour emergency contact telephone number.

H. Utility connections. Where at all possible, utility connections and transmission lines shall be underground depending on soil conditions, topography, and requirements of the utility company permitting.

Safety and environmental.

(1) The system owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the local fire chief. Upon request, the owner or operator will cooperate with local emergency services to develop an emergency response plan. All means of shutting down the system will be clearly marked. At all times during the life of the project, the owner or operator shall identify a responsible person for inquiries.

(2) Land clearing, soil erosion. Clearing of natural vegetation shall be limited to what is necessary for the construction and operation of the system or as otherwise governed by applicable law.

J. Monitoring and maintenance. The system owner or operator shall maintain all facilities in good condition. Maintenance shall include but not be limited to painting, structural repairs, and integrity of security measures. Site access shall be maintained in an acceptable manner to local fire and emergency services departments.

K. Abandonment or decommissioning. Any Principal System which has reached the end of its useful life or has been abandoned, which shall mean failure to operate without consent of the Village Board, for more than one year, shall remove all facilities within 180 days of operations being discontinued. Decommissioning shall consist of removal of all installations, structures, equipment, security barriers and transmission lines from the site. All solid and hazardous waste will be disposed of according to applicable law. Stabilization or revegetation of the site will be done as necessary to minimize erosion.

Financial surety. Applicants shall provide prior to approval a form of surety through escrow account, bond, or otherwise in an amount sufficient to pay for removal of the installation and site remediation as set forth above in an amount and form determined to be reasonable by the Planning Board.

Article 4. - Severability. If any part of this local law shall be found to be void, voidable, or unenforceable for any reason whatsoever, it shall not affect the validity or enforceability of any remaining section or provision of this local law.

Article 5. - Effective Date. This local law shall become effective immediately upon filing with the Secretary of State.

LOCAL LAW FILING

(Use this form to file a 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.

Village of Black River

Local Law No. __ of the year 2019

A local law to amend Chapter 175 of the Code of the Village of Black River, Zoning

Be it enacted by the Village Board of the Village of Black River as follows:

Article 1. - Statement of Authority. This Local Law is enacted pursuant to the authority granted it under Article 7 of the Village Law and Section 10 and 20 of the Municipal Home Rule Law.

Article 2. - Statement of Purpose and Findings. The Village Board of the Village of Black River hereby finds that it is necessary to amend Chapter 175 of the Code of the Village of Black River by adding a new Definition and Subsection to the Code of the Village of Black River to provide Temporary Portable Freestanding signs.

Article 3. - Enactment. Chapter 175 of the Code of the Village of Black River is hereby amended s follows:

- A. §175-3 of the Code of the Village of Black River is amended by adding the following definition thereto:

Freestanding or Portable Signs. A sign intended to display either commercial or non-commercial messages of a transitory nature. Portable signs or any sign not permanently embedded in the ground or not permanently affixed to a building or sign structure that is permanent embedded in the ground, are considered temporary signs.

- B. § 175-39A.(1) is hereby amended by adding the following subsection thereto:

(e) Freestanding or Portable Signs. One Temporary Freestanding Sign is allowed per property in non-residential zones for a period no longer than six (6) months and is

not counted in the total square footage of permanent signage allowed on the site. Temporary Freestanding Signs may be up to thirty two (32) square feet in area. If the sign is two-sided, the total combined area of both sides will not exceed thirty two (32) square feet.

Article 4. - Severability. If any part of this local law shall be found to be void, voidable, or unenforceable for any reason whatsoever, it shall not affect the validity or enforceability of any remaining section or provision of this local law.

Article 5. - Effective Date. This local law shall become effective immediately upon filing with the Secretary of State.

Chapter 170

WATER

§ 170-1. Establishing rates and charges authorized.

§ 170-2. Promulgation of rules and regulations authorized.

§ 170-3. Disconnection for failure to pay rates or charges.

§ 170-4. Penalties for offenses.

[**HISTORY:** Adopted by the Board of Trustees of the Village of Black River: 3-7-1977 as Ch. 72 of the 1977 Code. Amendments noted where applicable.]

GENERAL REFERENCES

Sewers and sewage disposal — See Ch. 141.

§ 170-1. Establishing rates and charges authorized.

The Board of Trustees of the Village of Black River is hereby authorized to establish rates and charges to be charged for the consumption of water from any village water system or district, which may exist now or at any time in the future, and to revise such rates from time to time.

§ 170-2. Promulgation of rules and regulations authorized.

The Board of Trustees of the Village of Black River is authorized to promulgate rules and regulations governing the use of water supplied from any village water system or district. Said Board of Trustees may delegate such authority, in whole or in part, at its pleasure to an officer or employee of the village or to a board or commission which said Board may at any time establish.

§ 170-3. Disconnection for failure to pay rates or charges.

Any user of water from any village water system or district who fails to pay any rates or charges imposed for the use of such water or connection to such system shall be subject to having his or her connection to said water system discontinued as the Board of Trustees may direct. Such person shall not thereafter cause such connection to be reestablished without permission of the Board of Trustees or the Board's authorized administering agent.

§ 170-4. Penalties for offenses.¹

Any person who shall violate any of the provisions of any rule or regulation duly promulgated by the Board of Trustees of the Village of Black River, or any village officer or employee or

¹ Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

board or commission authorized so to promulgate, or who shall make a connection with any village water system without permission of the Board of Trustees or the Board's authorized administering agent, shall, upon conviction thereof, in addition to having his or her connection to such village water system discontinued, if he or she is a user of village water, be punishable by a fine of not more than two hundred fifty dollars (\$250.) or imprisonment for a period not exceeding fifteen (15) days, or both, for each offense. Each ten (10) days that an unauthorized connection continues shall constitute a separate offense.

