Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231

(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.

~~County~~ ~~City~~ ~~Town~~ Village of STILLWATER

Local Law No. 2 of the year 20 00

A local law prohibiting the maintenance of an automobile junkyard within the Village of Stillwater

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

~~County~~ ~~City~~ ~~Town~~ Village of Stillwater as follows:

SECTION 1. LEGISLATIVE INTENT

The Village Board of the Village of Stillwater, out of concern for the health, safety and welfare of the citizens of the Village, does find that the operation of an automobile junkyard poses a significant health hazard and danger to the general public, and especially to children, and therefore declares its intent to prohibit this activity within the Village. This Local Law is enacted by the Village of Stillwater in the exercise of its police power pursuant to Section 4-412 of the Village Law of the State of New York.

SECTION 2. DEFINITIONS

The term "person" as used in this Local Law shall include any individual, firm, partnership, corporation, municipality or association of persons.

The term "automobile junkyard" as used in this Local Law shall mean any place of storage or deposit, whether in connection with another business or not, where two or more unregistered, old, or secondhand motor vehicles, no longer in condition for legal use on the public highways, are held, whether for the purpose of resale of used parts therefrom, for the purpose or reclaiming for use of some or all of the materials therein, whether metal, glass, fabric or otherwise, for the purpose of disposing of the same or for any other purpose; such term shall include any place of storage or deposit for any such purposes of used parts or waste materials from motor vehicles, which taken together, equal in buld to two or more such vehicles provided, however, the term junkyard shall not be construed to mean an establishment having facilities for processing iron, steel or nonferrous scrap and whose principal produce is scrap iron, steel or nonferrous scrap for sale for remelting purposes only.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

SECTION 3. PROHIBITION

The creation and/or the operation of any automobile junkyard within the Village of Stillwater is hereby prohibited.

SECTION 4. EXCEPTIONS AND AMORTIZATION PERIOD

This Local Law will not apply to any existing automobile junkyard being operated in conjunction with a commercial business previously established until the expiration of one year from the enactment of this Local Law.

SECTION 5. ENFORCEMENT

Any person violating any of the provisions of this Local Law shall be guilty of a misdemeanor and upon conviction thereof be punished by a fine not exceeding $1,000.00 for each offense or by imprisonment for not more than six months, or by both such fine and imprisonment. When a violation of this Local Law is continuous, each 24 hours thereof shall constitute a separate and distinct offense. The Stillwater Village Board shall also have the power to bring a civil action to restrain by injunction any violation of this Local Law in a court of competent jurisdiction.

SECTION 6. EFFECTIVE DATE

This Local Law shall take effect immediately.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 20 00 of the (~~County~~)(~~City~~)(~~Town~~)(Village) of STILLWATER was duly passed by the BOARD OF TRUSTEES on September 19 20 00, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. ---------- of 20----- of the (County)(City)(Town)(Village) of ---------- was duly passed by the ---------- on ---------- 20 ---, and was (approved)(not approved)(repassed after
(Name of Legislative Body)
disapproval) by the ---------- and was deemed duly adopted on ---------- 20----,
(Elective Chief Executive Officer)*
in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. ---------- of 20----- of the (County)(City)(Town)(Village) of ---------- was duly passed by the ---------- on ---------- 20----, and was (approved)(not approved)(repassed after
(Name of Legislative Body)
disapproval) by the ---------- on ---------- 20----. Such local law was submitted
(Elective Chief Executive Officer)*
to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on ---------- 20---, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. ---------- of 20----- of the (County)(City)(Town)(Village) of ---------- was duly passed by the ---------- on ---------- 20----, and was (approved)(not approved)(repassed after
(Name of Legislative Body)
disapproval) by the ---------- on ---------- 20---. Such local law was subject to
(Elective Chief Executive Officer)*
permissive referendum and no valid petition requesting such referendum was filed as of ---------- 20---, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. ---------- of 20------ of the City of ---------- having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on---------- 20----, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. ---------- of 20------ of the County of ---------- State of New York, having been submitted to the electors at the General Election of November ---------- 20----, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph---1---, above.

Margo L. Gartak

Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body

(Seal)

Date: September 20, 2000

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF SARATOGA

I, the undersigned, hereby certify that the foregoing local law ~~contains~~ the correct text and ~~that~~ all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature

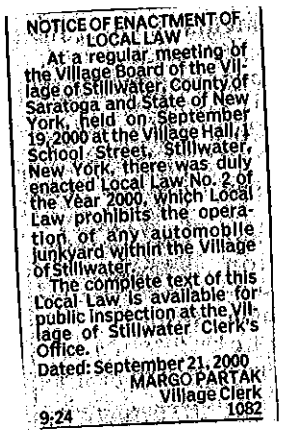
Village Attorney

Title

~~County~~
~~City~~
~~Town~~
Village of STILLWATER

Date: September 19, 2000

State of New York, **ss.:**
City and County of Schenectady



NOTICE OF ENACTMENT OF LOCAL LAW

At a regular meeting of the Village Board of the Village of Stillwater, County of Saratoga and State of New York, held on September 19, 2000 at the Village Hall, 1 School Street, Stillwater, New York, there was duly enacted Local Law No. 2 of the Year 2000, which Local Law prohibits the operation of any automobile junkyard within the Village of Stillwater.

The complete text of this Local Law is available for public inspection at the Village of Stillwater Clerk's Office.

Dated: September 21, 2000
MARGO PARTAK
Village Clerk
1082

9:24

Amy Patrie of the City of Schenectady, being duly sworn, says that he/she is Principal Clerk in the office of the Daily Gazette Co., published in the City of Schenectady and that the notice/advertisement, of which the annexed is a printed copy, has been regularly published in the Daily Gazette and/or Sunday Gazette as follows:

1 insertion September 24, 2000

Amy Patrie

Sworn to me on this 25th day of September 2000

NOTARY PUBLIC

LISA J. BALDWIN
COMMISSIONER OF DEEDS
My commission expires 2-16-02

Lisa J. Baldwin

VILLAGE OF STILLWATER

TRUSTEES:

John M Murphy, DM
Michael J Hanehan
Thomas E Kinisky
John J Treacy

INCORPORATED 1816

1 SCHOOL STREET
PO BOX 507
STILLWATER, NY 12170
(518) 664-6258 FAX 664-2166

ATTORNEY
William F. Reynolds
CLERK -TREASURER
Margo L. Partak
SUPT of PUBLIC WORKS
Randy L. Rathbun

Ernest W. Martin - MAYOR

MEMO

TO VILLAGE OF STILLWATER PROPERTY OWNERS

FROM: MARGO L. PARTAK, CLERK-TREASURER

RE: AUTOMOBILE JUNKYARD LAW

On Tuesday, September 19, 200 the Village of Stillwater Board of Trustees held a public hearing to consider a Local Law prohibiting the maintenance of an automobile junkyard within the Village. This law was adopted and filed with the Secretary of State.

Enclosed you will find a copy of this Law. The Board of Trustees requested that a copy of this law be sent to all property owners where unlicensed vehicles could be located. (Properties identified in the assessment roll as gas stations, auto body repair or residential known to house unlicensed vehicles)

432 - gas station

Milton Aldrich
PO Box 366

Laurence Brainski
92 Fonda Road
Waterford NY 12188

433 - auto body

Christopher Magan
PO Box 486

Clifton Tatum
PO Box 661

Euphrasia Van Arnum
PO Box 516

Pete Russell
PO Box 19

VILLAGE OF STILLWATER

TRUSTEES:

John M Murphy, DM
Michael J Hanehan
Thomas E Kinisky
John J Treacy

INCORPORATED 1816

1 SCHOOL STREET
PO BOX 507
STILLWATER, NY 12170
(518) 664-6258 FAX 664-2166

Ernest W. Martin - MAYOR

ATTORNEY
William F. Reynolds
CLERK -TREASURER
Margo L. Partak
SUPT of PUBLIC WORKS
Randy L. Rathbun

September 22, 2000

State Records & Law Bureau
Department of State
41 State Street
Albany, NY 12231

RE: Village of Stillwater
Local Law Number 2, Year 2000

Dear Sir:

Enclosed please find one (1) original of the above Local law entitled "A Local Law amending a Local Law regulating traffic in the Village of Stillwater", for filing.

Thank you for your attention concerning this matter.

Sincerely,

Margo L. Partak

Margo L. Partak
Village Clerk-Treasurer

Enc.
cc. file copy

STATE OF NEW YORK
DEPARTMENT OF STATE
41 STATE STREET
ALBANY, NY 12231-0001

ALEXANDER F. TREADWELL
SECRETARY OF STATE

October 4, 2000

MARGO L. PARTAK
1 SCHOOL STREET
PO BOX 507
STILLWATER, NY 12170

RE: Village of Stillwater, Local Law 2, 2000, filed 09/25/2000

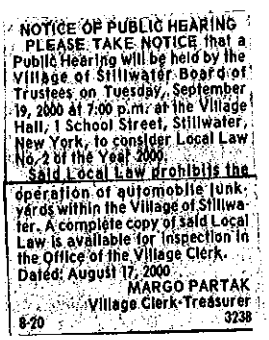
The above referenced material was received and filed by this office as indicated. Additional local law filing forms will be forwarded upon request.

Sincerely,

Joseph P. Brozowski

Joseph P. Brozowski
State Records & Law Bureau
(518) 474-2755

State of New York, **ss.:**
City and County of Schenectady



NOTICE OF PUBLIC HEARING
PLEASE TAKE NOTICE that a Public Hearing will be held by the Village of Stillwater Board of Trustees on Tuesday, September 19, 2000 at 7:00 p.m. at the Village Hall, 1 School Street, Stillwater, New York, to consider Local Law No. 2 of the Year 2000.
Said Local Law prohibits the operation of automobile junkyards within the Village of Stillwater. A complete copy of said Local Law is available for inspection in the Office of the Village Clerk.
Dated: August 17, 2000
MARGO PARTAK
Village Clerk-Treasurer
8-20 3238

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1 insertion August 20, 2000

Amy Patrie

Sworn to me on this 21st day of August 2000.

NOTARY PUBLIC

LISA J. BALDWIN
COMMISSIONER OF DEEDS
My commission expires 2-16-02

Lisa J. Baldwin

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MARGO PARTAK
Village Clerk