

# Local Law Filing

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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.

STATE OF NEW YORK  
DEPARTMENT OF STATE  
**FILED**

JUN 25 2009

- County
- City of German
- Town
- Village

MISCELLANEOUS  
& STATE RECORDS

Local Law No. 1 of the year 20 09

A local law A LOCAL LAW REGULATING THE DISPOSAL OF SEWAGE AND LIQUID WASTES IN  
(Insert Title)  
THE TOWN OF GERMAN

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

- County
- City of German as follows:
- Town
- Village

SECTION 1 - INTRODUCTION'

1.1 - APPLICABILITY

This local law shall govern the treatment of sewage and the design of all sewage treatment systems within the town except that this order shall not govern the design of, installation of or treatment of sewage by means of a community or public sewerage system.

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

1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

## SECTION 1.2 - AUTHORITY

Enactment of this local law is pursuant to Article 16 of the Town Law, Article 3 of the Public Health Law, and Article 27 of the Executive Law of the State of New York.

## SECTION 1.3 - PURPOSE AND OBJECTIVES,

The purpose of this local law is to promote the health, safety and general welfare of the community. This is to be accomplished through oversight of the planning and inspection of the construction of sewage treatment systems in German by the Town Sanitary Inspector. It is hoped that the location, construction and use of properly designed facilities will insure that sewage and other household wastes are disposed of in a manner that will not create a health hazard, adversely affect the environment, or impair the enjoyment and use of property. In addition, it is intended that holding contractors as well as property owners responsible for violations of this law will reduce the construction of systems in contravention of this law. It is further intended that the filing with the Town Clerk of design plans, after permitting and approval by the Sanitary Inspector, (4.b below) will create a data base available to residents to facilitate later repairs.

## SECTION 2- DEFINITIONS

"Chemical Toilet" is a lightweight portable unit in which chemicals are used for odor control, emulsification and disinfection of the contents in the holding tank.

"Contractor" as used herein is any individual, partnership, corporation, limited liability company, limited liability partnership or other entity whose employee(s), agent(s), servants or principal(s), actually perform the excavation of or installation of, in whole or in part, an Individual Sewage Treatment Facility, repairs, or alterations thereto as herein defined, either with or without monetary remuneration on behalf of a person as herein defined upon lands located within the Town of German. The term "contractor" shall include a subcontractor, but shall exclude any person or entity solely supplying equipment or materials for use in the installation of or the making of repairs or alterations to an Individual Sewage Treatment Facility.

"Emergency Repairs" are repairs designed to prevent or abate an imminent threat to the public health, safety or welfare caused or about to be caused by an individual sewage treatment facility.

"Individual Sewage Treatment Facility" means a complete system of piping, tanks or other facilities for the on-site collection, transport and treatment of sewage, which is not connected to a community or public sewerage system. For the purposes of this law, this term shall be interchangeable with "Septic System".

"Leaching Facility" means any structure that is designed to distribute effluent from a septic tank into the soil.

"Major Repair" means any replacement or reconstruction of the septic tank, any extension of the leaching facility or repair of more than one half (1/2) of the leaching facility of an individual sewage treatment system.



"Minor Repair" is any remedial measure not defined as a major repair, or extension. **Such actions as replacing the cover on a septic tank, pumping out a septic tank or inspecting a system are permitted at any time without prior notification of the Town Clerk or Sanitary Inspector.**

"Percolation" is the movement of water downward through the pores of a soil or other medium following infiltration through the soil surface.

"Percolation Test" a standard procedure for testing soil permeability to determine the application rate for septic tank effluent.

"Person" as used herein shall include any individual, partnership, corporation, limited liability company, limited liability partnership, unincorporated association, voluntary association, society, club, trustee, executor, executrix, legal representative of an individual or other entity.

"Privy" a building fixed to a vault or pit, equipped with seating to allow for excretion of human waste.

"Sanitary Inspector" means the person appointed by the Town Board whose duty and authority is to administer and enforce the provisions of this local law.

"Septic Tank" large watertight chambers which promote the growth of anaerobic bacteria for the biological decomposition of solids associated with domestic sewage

"Seepage Pit" a covered pit with an open jointed or perforated lining through which septic tank effluent seeps into the surrounding soil.

"Sewage" the combination of human and household waste with water which is discharged to the home plumbing system; the waste from a flush toilet, bath, sink, lavatory, dishwashing or laundry machine, or the water carried waste from any other fixture, equipment or Machine.

"Toilet Wastes" means human excretion and toilet flushing liquid.

### SECTION 3 - DUMPING IN WATERWAYS

A person shall not place, discharge, deposit, fall or flow, nor permit the same by any process, or in any manner, sewage, garbage, animal or vegetable refuse, dead animals, carrion, offal, swill, boxes, papers, debris, ashes, cinders, sludge, acid, oil, or any other similar matter or any deleterious or offensive matter in any river, creek, stream, waterway, lake, pond or any other body of water situated and located within the Town of German. This does not apply to the spreading of manure by farmers in accordance with accepted agricultural practice.

### SECTION 4 - SEWAGE DISPOSAL, PERMIT APPLICATION AND PROCEDURES

(a) No septic tank, dry well, holding tank, leaching pit, chemical toilet, privy, pipe or other means for the disposal or discharge of sewage, sink wastes or other liquid wastes shall be installed anywhere in the Town of German, nor repair of an existing septic system be made, except as herein provided.

(b) No installation of any septic tank, dry well, holding tank, leaching pit, chemical toilet, privy, pipe or other means for disposal or discharge of sewage, sink wastes or other liquid wastes shall be begun, no septic system major repair started, no construction, placement or erection of any



structure, building, single wide or double wide mobile home or manufactured home, intended for human occupancy or use shall be commenced, and no contractor work shall be begun on any above named project until an application for a Town Septic System Construction Permit filled out by the applicant on forms supplied by the Town Clerk, including drawings showing the intended location, plan and design of the disposal system proposed to be constructed or repaired and any structures existing or planned, has been filed in the Town Clerk's Office and approved by the Town Board or Sanitary Inspector. No sewage disposal system, nor major repair thereto, shall be closed, covered, or otherwise rendered impossible to inspect until it has been inspected and approved by the Town Board or Sanitary Inspector. At the time of the inspection by the Town Board or Sanitary Inspector, the applicant will be given a written, signed report of the inspection which may be in the form of an annotated copy of the application.

(c) If the Sanitary Inspector or Town Board does not render a decision within a period of forty-five (45) days from the date the application is submitted to the Town Clerk, the application shall be deemed approved.

(d) A fee, as determined by the Town Board, shall be paid to the Town Clerk simultaneously with the filing of the permit application, which fee shall be the property of the Town.

**(e) The permit shall expire one year from the date of issue. It may be renewed for one further year at no cost. Thereafter, or if the property changes hands at any time during the permit period, a new permit application must be filed and the fee paid.**

(f) All buildings and structures, single wide and double wide mobile homes or manufactured homes and homes presently occupied or used by human beings, or to be used by human beings in the future, shall provide for the discharge of sewage, sink wastes or other liquid wastes by the means of an appropriate septic tank, holding tank, leaching pit, chemical toilet, privy, pipe or by a community or municipal sewerage disposal system.

(g) The Town Board may appoint a Sanitary Inspector who shall have the duty to administer and enforce the provisions of this local law, including the approval or denial of applications. The Sanitary Inspector shall be appointed and may be removed by the Town Board. Persons adversely affected by an action, commission, decision or ruling by the Sanitary Inspector may appeal to the Town Board, which shall render a decision regarding the appeal only after conducting a hearing on the matter.

(h) The original or a certified copy of all findings, decisions, permits, certificates or other rulings of the Sanitary Inspector, or Town Board under this local law shall be retained in the files of the Town Clerk as a permanent public record.

(i) An application need not be filed for a chemical toilet whose holding tank is periodically emptied and/or replenished by a person authorized by the New York State Department of Environmental Conservation and/or the New York State Department of Health to service such chemical toilet. Installation of a permanent chemical or composting toilet does require permit.

(j) Site Inspections.

(1) In filing an application for a sewage treatment system, an applicant shall be deemed to have consented to the Sanitary Inspector, and/or other person(s) designated by the Town Board, conducting examinations, tests and other inspections of the treatment system site. Entrance upon the





applicant's property shall be made only at reasonable times and with advance notice to the applicant where possible.

(2) The Sanitary Inspector, or his designee, upon a written complaint (Section 10.2), or if he or she determines by other means that sewage treatment system construction is being performed without permit, may inspect any individual sewage treatment system to insure that it is being maintained in proper working order or constructed according to the requirements of this law. (See Section 6.2-b, below.) It shall be unlawful for the owner or occupant of the property to deny such inspector or designee access to the property at reasonable times for the purpose of making such inspections. Where practical, inspections shall be made only after reasonable notice to the owner and/or occupant. If the owner or occupant does not grant the sanitary inspector, or his designee, access to the property, the sanitary inspector shall use due legal process to obtain the necessary access. Where the Sanitary Inspector determines that a system is not being constructed or maintained in compliance with this local law, he may order that the construction or use of the system cease, and/or that the defects be corrected, and/or misuse abated within a reasonable time. If the prescribed action is not taken within the time fixed by the Sanitary Inspector he shall refer the matter to the Town Board for appropriate corrective action.

(3) The applicant shall notify the sanitary inspector at least two business days prior to the planned closure of the excavation for the sanitary system.

## SECTION 5 - DISTANCES

No septic tank, leaching pit, dry well, holding tank, chemical toilet, privy or other device for the storage or disposal of human excreta, sink waste or other liquid waste shall be installed unless every part of such installation is more than ten (10) feet from the boundary line of the property upon which it is located and more than fifty (50) feet from any lake, reservoir, stream, or water course not protected by rules enacted by the State Commissioner of Health. In addition, the absorption field must be at least one hundred (100) feet from any lake, reservoir, stream or water course; nor shall any such installation be located on the direct line of drainage to, nor less than one hundred (100) feet (one hundred fifty (150) feet for a seepage pit) in a horizontal direction from any well, spring, or any other source of water supply. The sewage system will also comply with the separation distances contained in the most recent edition and all amendments thereto of Waste Treatment Handbook Individual Household Systems, New York State Department of Health (10NYCRR Appendix 75-A), and Standards for Waste Treatment Works - Institutional and Commercial Sewerage Facilities, New York State Department of Environmental Conservation. If these publications specify a greater separation distance than this local law, the distances in the publications will govern. Systems located on watersheds of public water supplies must comply with the rules and regulations enacted by the State Department of Health for the protection of such supplies. The Town Board may grant a variance from the provisions of this section.

## SECTION 6 - STANDARDS

### SECTION 6.1 - DESIGN STANDARDS

(a) The design, plan, construction and installation of any septic tank, dry well, leaching, pit, holding tank, chemical toilet, privy, pipe or other means for the disposal or discharge of sewage, sink



wastes, or other liquid wastes, shall substantially comply with the orders, rules, regulations, bulletins and recommended standards of the New York State Department of Health (contained in the most recent edition and all amendments thereto of Waste Treatment Handbook Individual Household Systems, New York State Department of Health (10NYCRR Appendix 75-A) and Standards for Waste Treatment Works - Institutional and Commercial Sewage Facilities, New York State Department of Environmental Conservation) and shall promote a sanitary, safe and healthful atmosphere for the Town of German and its residents.

(b) In a special flood hazard area, a new or replacement water supply system and/or sanitary sewage system, or the design, plan, construction and installation of any septic tank, dry well, holding, leaching pit, chemical toilet, privy, pipe or other means for the disposal or discharge of sewage, sink wastes, or other liquid wastes, shall also minimize or eliminate infiltration of flood waters into the systems and discharges from the system into flood waters and require on-site waste disposal systems to be located so as to avoid impairment of them, or contamination of them during flooding. Special flood hazard area means that maximum area in the Town of German of the flood plain that on the average is likely to be flooded once every 100 years (i.e., that has a 1% chance of being flooded each year - 100 year flood) and is delineated on the flood hazard boundary maps issued by the Federal Insurance Administration, Department of Housing and Urban Development, now or hereafter issued and filed with the German Town Clerk.

(c) The Town Board may grant a variance from the provisions of this section.

#### SECTION 6.2 - PREEXISTING SYSTEMS

(a) Subject to the provisions of this local law, the use or maintenance of a properly functioning preexisting individual sewage treatment system may be continued. However, it shall be unlawful to alter, enlarge, conduct a major repair, or extend such systems except in conformity with the provisions and inspections required herein. This article shall not be construed to permit any unsafe use or structure, or permit such structures or their use when such structure or use constitutes a threat to public health, safety, welfare or environmental quality, permits the seepage of sewage waters to ground surface, permits the discharge of sewage to a surface water body, or interferes with the enjoyment or use of property.

(b) When undertaking to repair, alter, enlarge or extend a preexisting, individual sewage treatment system the following regulations apply:

(1) Any Major Repair, as defined above, of an existing Individual Sewage Treatment Facility requires application for and approval of a Town Septic System Construction Permit, payment of the fee and oversight by the Town Sanitary Inspector.

(2) A Minor Repair or Emergency Repair may be initiated without permit. (However, it is recommended that an owner or contractor who intends to start a Minor Repair or who must make an Emergency Repair notify the Sanitary Inspector directly or through the Town Clerk so that he may consult and know that Major Repair or septic construction is not being done without permit.) Should what is thought initially to be a Minor Repair become a Major Repair, or should an Emergency Repair require Major Repair, application for a permit with payment of the fee, together with notification of the Sanitary Inspector, must be made within twenty four (24) hours after it becomes clear that the repair has become a Major Repair.

The judgment that a repair meets the definition of Major or Minor Repair is to be made



by the Town Sanitary Inspector or the Town Board.

(3) The distances and standards contained in sections 5 and 6.1 of this local law are objectives when a preexisting system requires repair, is updated or is replaced. If all of the criteria cannot be met, the Sanitary Inspector and/or the Town Board shall approve a system that complies with the criteria to the extent that is reasonable under the circumstances, providing that the intent of this local law, as stated in section 1.4, is accomplished.

#### SECTION 7 - EXPOSURE OF SEWERAGE

No person, either as owner, lessee or tenant of any property, dwelling, building, single wide, double wide mobile home or manufactured home or place, shall construct or maintain any privy, sewage disposal system, pipe, dry well, drain pipe or other device so as to expose or discharge the contents or other liquid or matter there from to the atmosphere or on the surface of the ground in a manner that endangers any source of drinking water. This section does not apply to normal agricultural practices.

#### SECTION 8 - VIOLATIONS

(a) A breach of this Local Law is designated a violation.

(b) Issuance of a summons may be made to either the "person" or to the "contractor" as defined in Section 2 above, or to both the "person and the "contractor", alleged to have committed a violation of this Local Law. Failure to obtain a permit when required and meet the other provisions and specifications of this law shall be the responsibility of both the "person" on whose property, or at whose request, the violation occurred and the "contractor" performing the work in question.

(c) A violation of this Local Law, not corrected or actions acceptable to the court (including a schedule) initiated, within fifteen (15) days of the issuance of a summons, shall be punishable by a maximum fine of \$250 and/or 15 days in jail. If an action is pending with the Town Board (or initiated within the fifteen (15) day period after issuance of the summons) in accordance with the procedures in section 11.5 of this local law, the fifteen (15) day period for correction of the violation will start the day after the action by the Town Board.

(d) Each such violation shall be deemed a separate offense for each day that such violation, disobedience, omission, neglect, or refusal shall continue. Where the person committing such violation is a partnership, association or corporation the principal executive officer, partner, agency or manager may be considered the person for the purpose of this section.

#### SECTION 9 - ENFORCEMENT

This Local Law may be enforced by the Town of German or any person aggrieved by a violation of this Local Law by the means of the commencement of an injunction action in the Supreme Court of the State of New York, to abate any violation of this Local Law in addition to any other method of enforcement provided for in this Local Law.

#### SECTION 10 - MISCELLANEOUS



### SECTION 10.1 - VALIDITY

The invalidity or unconstitutionality of any provision of this Local Law shall not invalidate any other provision thereof.

### SECTION 10.2 – COMPLAINTS – DISCOVERY OF VIOLATIONS

Signed complaints by any person against any person responsible for property in the Town of German, for violation of this local law, must be submitted in writing to the Town Board for consideration. The Town Board shall direct the Sanitary Inspector to determine whether or not the existing facility on a property is adequate or does not function properly. In such cases the Sanitary Inspector shall notify the owner of said premises in writing that a complaint has been formally made and he or she has been authorized by the Town Board to inspect the sanitary system on such premises to determine whether the system is functioning properly. A copy of such notice shall be sent to the Town Clerk. Upon receipt of such notice, the described procedures for site inspections on premises (Section 4. 0)) shall be followed.

### SECTION 10.3 - BUILDING PERMITS

When the Town Clerk or Supervisor processes an application for a Chenango County building permit, the following procedures will be followed.

(a) If the applicant indicates, or Chenango County Building Codes indicates, that the construction will require installation, connection or modification of a septic system the applicant will be required to file a Town application for septic construction permit, paying the appropriate fee, with the Town Clerk.

(b) If the applicant indicates that the proposed construction will not require installation, connection or modification of a septic system, the applicant shall fill out a form provided by the Town Clerk including a description of the construction together with the applicant's name, address and telephone number. The applicant will be required to certify that the construction will not impact an existing septic system or require a new septic system. There will not be a fee for this form. The Town Board, or if so directed, the Sanitary Inspector, shall review these applications for confirmation that sewage systems will not be impacted by this construction. If it is determined that there will be an impact on sewage systems or that a new sewage system will be required, the applicant will be notified in writing and advised that an application for a sewage system must be filed.

### SECTION 10.4 - INTERPRETATION

Where the conditions imposed by any provision of this local law are less restrictive than comparable conditions imposed by any other provisions of this local law or any other statute, ordinance, local law, order, rule or regulation, the provisions which are more restrictive shall govern.

### SECTION 10.5 - APPEAL TO THE TOWN BOARD

(a) In any situation where a concerned party disagrees with the decisions of the Sanitary





Inspector, or a variance from this local law is requested, the following procedure will be used.

(1) A letter shall be sent, or delivered, to the Town Clerk summarizing, the nature of the disagreement or the need for a variance and stating the reasons why the writer feels the Town Board should grant the request. If an application is not on file the letter should contain the technical information normally included in an application. The letter must be received by the Town Clerk within ninety (90) days of the day the Sanitary Inspector made the decision resulting in the disagreement or the need for a variance to this local law.

(2) Upon receipt of such a letter the Town Clerk shall consult with the Town Supervisor to determine whether a regular or special meeting of the Town Board shall consider the matter. The Town Clerk shall then arrange the date, time and place for the hearing on the matter and arrange for publication of a notice announcing the meeting. The notice shall be published at least seven (7) days prior to the meeting at which the hearing on the request will take place. The Town Clerk shall also notify, in writing, the letter writer, members of the Town Board and the Sanitary Inspector of the meeting and the matters to be heard.

(3) At the hearing, which shall be open to the public, all concerned shall be permitted to speak and present evidence. The Town Board may direct that additional evidence be obtained or investigations conducted. A decision does not have to be rendered at the hearing. The Town Board may adjourn the hearing to a later date and/or time or close the hearing, and make their decision at any special meeting at which the matter is on the agenda, or at any regular Town Board meeting.

(4) The Town Board shall render a decision within forty five (45) days of the date the Town Clerk received the letter initiating the action. If a decision is not rendered within this time frame the relief requested in the letter will automatically be approved.

(5) After a decision by the Town Board (or if automatically approved after 45 days) the Town Clerk shall notify the concerned parties, in writing of the action within ten (10) days of the meeting, where the action was taken. This notice may be in the form of a copy of the minutes of the meeting.

(b) In rendering their decision the Town Board will consider the purpose of this local law (Section 1.4) and the impact of the proposed action on that purpose as well as the reasonableness of the applicant's efforts.

#### SECTION 11 - EFFECTIVE DATE

This local law shall take effect upon its filing in the office of the New York State Secretary of State.

#### SECTION 12 – AMENDMENT OF LOCAL LAW #1 of 2006 ENTITLED: A LOCAL LAW REGULATING THE DISPOSAL OF SEWERAGE AND LIQUID WASTES IN THE TOWN OF GERMAN

Local Law number one (1) of 2006 is hereby amended.



(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. 1 of 20 09 of the (County)(City)(Town)(Village) of GERMAN was duly passed by the TOWN BOARD on MAY 12 20 09, in accordance with the applicable provisions of law.

~~**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) (Name of Legislative Body) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted (Elective Chief Executive Officer\*) on \_\_\_\_\_ 20 \_\_\_\_\_, 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) (Name of Legislative Body) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_ (Elective Chief Executive Officer\*)

Such local law was submitted 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) (Name of Legislative Body) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_. Such local law was subject to 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.

*Allen J. Maroney*  
Clerk of the county legislative body, City, Town or Village Clerk or  
officer designated by local legislative body

Date: 6/17/2009

(Seal)

(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 CHENANGO

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.

*John C. Brown*  
Signature

Title ATTORNEY FOR TOWN OF GERMAN

~~County~~  
~~City~~ of GERMAN  
Town  
Village

Date: 6/22/09

