Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
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(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.

[redacted] Hopewell
[redacted] **of**
Town
[redacted]

Local Law No. 1 **of the year 20**00

A local law entitled "On-Site Individual Wastewater Treatment System Law"
(Insert Title)

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

[redacted] Hopewell
[redacted] **of** **as follows:**
Town
[redacted]

Section 1. The Town of Hopewell hereby repeals Local Law #2 of 1979.

Section 2. The Town of Hopewell hereby adopts a Wastewater Treatment Law which will read as follows:

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ARTICLE 1 INTRODUCTORY PROVISIONS

Section 101 Title

1. This local law shall be known as the "On-Site Individual Wastewater Treatment System Law of the Town of Hopewell.

Section 102 Applicability

1. This local law shall govern the treatment of sewage by regulating all on-site individual wastewater treatment systems (hereinafter referred to as a wastewater treatment system).

Section 103 Purpose

1. The purpose of this local law is to promote the health, safety, and general welfare of the community, including the protection and preservation of the property of its inhabitants, by regulating wastewater treatment systems so that human sewage and other wastes are disposed of in a manner that will not create a health hazard, adversely affect the environment, create a nuisance, or impair the enjoyment or use of property.

Section 104 Authority

1. Enactment of this local law is pursuant to *Article 2 of Municipal Home Rule Law*, and *Article 3 of the Public Health Law*.

ARTICLE 2 DEFINITIONS

Section 201 Words and Terms

1. In addition to the definitions contained in the *New York State Public Health Law and Uniform Fire Prevention and Building Code*, which are incorporated herein by reference, the following words and terms shall be defined as follows:

ADEQUATELY FUNCTIONING shall mean a wastewater treatment system inspected pursuant to section 502 of this local law that is determined by the authority having jurisdiction as not posing a public health threat by virtue of above ground seepage, or contamination of surface or ground water. For the purpose of this local law an "adequately functioning" system shall always include a watertight vessel.

AUTHORITY HAVING JURISDICTION shall be the Code Enforcement Officer, Health Officer, Watershed Inspector, any Ontario County Soil & Water Conservation District Inspector and any New York State licensed professional engineer or architect or other official(s) designated by resolution of a local municipality, or other regulatory agency, having the responsibility to enforce the provisions of this local law.

CHANGE OF USE shall mean a use of land with an associated building and wastewater treatment system that is modified so as to likely cause an increase in hydraulic loading (e.g. – change from an existing commercial use to residential use; change of an existing residential use to commercial use; change of a commercial use to a different type of commercial use). A change of use shall also include the removal and replacement of a manufactured or mobile home dwelling.

CONVEYANCE OF REAL PROPERTY shall mean the transfer of the title of real estate from one to another, in the form of a deed or other legal instrument, filed in the Office of the Ontario County Clerk.

DESIGN PROFESSIONAL shall mean a person licensed or registered in the State of New York and authorized by *New York State Education Law* to design the systems described in *10NYCRR-Appendix 75-A.*

LOCAL GOVERNING BODY shall mean the municipal corporation charged with authority to act as the Local Board of Health as defined by *New York State Public Health Law.*

MINOR ALTERATIONS shall mean routine maintenance and repairs to the wastewater treatment system, including but not limited to the following: replacement of septic tank covers or baffles, replacement of distribution box covers, replacement of cracked pipes, pumping of the septic tank, and replacement of mechanical pumps and devices. "Minor alterations" shall not include replacement of a septic tank, distribution box, or any addition, alteration or rearrangement of water distribution or drainage piping. Like examples of "minor alterations" not specifically listed in this definition shall be determined by the authority having jurisdiction.

NEW CONSTRUCTION shall mean any building constructed or placed on an undeveloped site requiring the installation of a wastewater treatment system and currently not utilizing the same.

ON-SITE WASTEWATERTREATMENT SYSTEM PERMIT shall mean a written permit issued by the authority having jurisdiction.

ON-SITE WASTEWATER TREATMENT SYSTEM shall mean a complete system of piping, watertight vessels or other facilities for the on-site collection, transport and treatment of sewage.

SEWAGE shall mean the combination of human and household waste with water which is discharged to the plumbing system, including the waste from a flush toilet, bath, shower, sink, lavatory, dishwashing or laundry machine, or the water-carried waste from any fixture, equipment or machine.

ARTICLE 3 GENERAL REGULATIONS AND REQUIREMENTS

Section 301 Prohibitions

1. It shall be unlawful to install, construct, alter, replace, enlarge, extend, or otherwise modify any wastewater treatment system unless a wastewater treatment permit is issued by the authority having jurisdiction, except as specifically exempted in section 304 of this local law.

2 It shall be unlawful to change the use of real property or expand a building or dwelling,

including its use, by greater than fifty (50) percent, without an inspection of the wastewater treatment system by the authority having jurisdiction, pursuant to sections 501 and 502 of this local law.

3. It shall be unlawful to use or maintain any wastewater treatment system that is not adequately functioning.

4. It shall be unlawful to discharge anything but sewage into a wastewater treatment system. Surface and subsurface water including roof, cellar, foundation and storm drainage shall not be discharged into the wastewater treatment system and shall be disposed of so as to in no way affect the proper functioning of the system.

Section 302 Design Standards for Wastewater Treatment Systems – New Systems

1. Individual Household Systems

(a) Any wastewater treatment system for new individual household construction shall be designed and built according to the requirements of this local law and the requirements, as they may from time to time be amended, of the NYSDOH standards for sewage disposal for individual household systems. Those design requirements are found in *Appendix 75-A of Part 75 of Title 10 of the New York Code of Rules and Regulations (10 NYCRR).*

2. Intermediate-sized Sewerage Systems

(a) Any wastewater treatment system for new commercial or institutional construction, as well as cluster housing or other multi-home developments, shall be designed and built according to the requirements of this local law and the requirements, as may be from time to time be amended, of the NYSDEC standards for sewage disposal for intermediate-sized sewerage facilities. Those design requirements are found in *NYSDEC manual "Design Standards for Wastewater Treatment Works: Intermediate-sized Sewerage Facilities."*

Section 303 Design Standards for Wastewater Treatment Systems – Existing Systems

1. Individual Household Systems

(a) Any installation, construction, alteration, replacement, enlargement, extension, repair, or other modification of an existing on-site individual household wastewater treatment system shall be designed and built according to the requirements of this local law and the requirements, as they may from time to time be amended, of the NYSDOH standards for sewage disposal for individual household systems. Those design requirements are found in *Appendix 75-A of Part 75 of Title 10 of the New York Code of Rules and Regulations (10 NYCRR).*

2. Intermediate-sized Sewerage Systems

(a) Any installation, construction, alteration, replacement, enlargement, extension, repair, or other modification of an existing intermediate-sized sewerage system, shall be designed and built according to the requirements of this local law and the requirements, as may be from time to time be amended, of the NYSDEC standards for sewage disposal for intermediate-sized sewerage facilities. Those design requirements

are found in *NYSDEC manual "Design Standards for Wastewater Treatment Works: Intermediate-sized Sewerage Facilities."*

Section 304 Exemptions

1. Minor alterations to wastewater treatment systems shall not require a wastewater treatment permit provided such repairs are made with like or similar materials so as to replace existing conditions in need of repair, and are done in a safe and sanitary manner.

2. The design standards found in section 303 of this local law shall not apply to existing wastewater treatment systems legally installed, repaired or approved by the authority having jurisdiction, prior to the date of adoption of this local law and after the dates identified in *Paragraphs a and b* identified below, or those systems determined by the authority having jurisdiction to be adequately functioning.

(a) Individual Household Wastewater Treatment Systems legally installed or repaired prior to December 1, 1990.

(b) Intermediate-sized Wastewater Treatment Systems legally installed or repaired prior to January 1, 1988.

Section 305 Site Limitations

1. On sites with topographic, physiographic or other limitations, the authority having jurisdiction shall utilize current technology and design methods to remedy failed or improperly functioning systems, provided that applicable state standards, to the greatest extent possible, are complied with. In considering site limitations, the authority having jurisdiction shall take the following into consideration:

   (a) Distance separations to drinking water supplies and watercourses;

   (b) The imminent health hazards resulting from a currently failed system;

   (c) Existing lot line setbacks and area requirements as related to individual properties; and

   (d) The extent to which the limitations are self-created.

Section 306 Maintenance and Protection

1. Wastewater treatment systems shall be maintained in good working order. There shall be no activities or conditions permitted which would interfere with the proper operation of wastewater treatment systems. It is specifically prohibited to construct or place buildings, to install paving, to plant trees or shrubs, to regrade or place fill, to allow crossing by vehicles, to install above ground pools, or to install driveways or parking areas over sanitary disposal fields.

Section 307 State or Other Agency Approvals

1. In addition to approvals required herein, a review and approval by the New York State Department of Health (NYSDOH) or the New York State Department of Environmental Conservation (NYSDEC), if appropriate, shall be required for the following conditions:

   (a) Any realty subdivision as defined by *Article 11, Title II of the NYS Public Health Law or*

Article 17, Title 15 of the NYS Environmental Conservation Law;

(b) Any alternative system as defined by *Appendix 75-A of Part 75 of Title 10 of the New York Code of Rules and Regulations (10 NYCRR)*;

(c) Any facility required to be permitted by the NYSDOH; and

(d) Any on-site individual wastewater treatment system or other system with effluent in excess of 1,000 gallons per day.

2. In addition to approvals required herein, wastewater treatment systems are subject to review and approval by the Canandaigua Lake Watershed Inspector pursuant to *New York State Public Health Law, Section 132.1 of Part 132 of Title 10 of the New York Code of Rules and Regulations (10 NYCRR)*.

Section 308 Use of Design Professionals and the Ontario County Soil and Water Conservation District c

1. The authority having jurisdiction shall have the right to require that the property owner retain the services of a design professional to conduct site and soil appraisals (percolation tests and deep holes) and to design and certify that the wastewater treatment system meets the requirements of this local law and the standards of applicable state laws.

2. The local governing body shall have the right to contract with the Ontario County Soil and Water Conservation District through its *Uniform Inspection Procedures Program* for site and soil appraisals and inspections performed pursuant to section 501of this local law.

3. Wastewater treatment systems that are defined as an alternative system pursuant to *10 NYCRR Appendix 75-A* shall be certified by a design professional.

Section 309 Access

1. The authority having jurisdiction shall be permitted by the property owner to make a physical inspection of the lands and premises for which a wastewater treatment system permit or inspection has been requested, in order to determine that all of the requirements of this local law have been complied with.

2. The authority having jurisdiction, upon complaint or show of cause, shall be permitted by the property owner to make a physical inspection of the lands and premises for which a wastewater treatment system is believed to be a cause or potential cause of pollution, or health hazard.

ARTICLE 4 REQUIREMENTS FOR NEW WASTEWATER TREATMENT SYSTEMS

Section 401 Application Material

1. Applications for wastewater treatment system permits shall be by the property owner or a duly authorized agent, accompanied by the appropriate fee, to the authority having jurisdiction, which shall include the following information:

(a) The name, address and telephone number of the applicant;

(b) Specific location of the property on which the wastewater treatment system is located

or proposed, including the tax map number for said property;

(c) A sketch plan on a tape location map or survey map of the premises on which the wastewater treatment system is located or proposed, showing the location of wells, springs and other sources of water supply, and the location of all watercourses on the premises;

(d) Evidence to demonstrate that there is no public sewer available into which the sewage can be discharged or that it is impractical to discharge sewage into a community sewerage system;

(e) Documentation of substantiating data relating to site conditions, percolation tests, deep hole data, and topography of land; and

(f) The authority having jurisdiction may conduct such investigations, examinations, tests and site evaluations as it deems necessary to verify information contained in the application.

Section 402 Administrative Review

1. The authority having jurisdiction shall not issue a wastewater treatment system permit unless:

(a) All pertinent site data has been submitted, verified and certified as required by this local law; all permit fees have been paid and that the wastewater treatment system complies with all specifications of state and local laws.

2. The authority having jurisdiction may disapprove an application if it is determined that any of the following requirements have not been met:

(a) That the wastewater treatment system, as proposed, will not conform to the requirements of state and local laws;

(b) That the applicant has failed to supply all the data necessary to make a determination as to whether or not such wastewater treatment system conforms to state and local laws; and

(c) The applicant has failed to pay all necessary fees.

3. When the authority having jurisdiction shall deny the application for a wastewater treatment permit, within seven (7) working days after taking such action, the authority having jurisdiction shall furnish the applicant with a written notice of denial setting forth in detail the reason for such action.

4. No Certificate of Occupancy shall be issued and no persons shall occupy any building unless the wastewater treatment system has been approved in accordance with the provisions of this local law.

Section 403 Inspection Certifications

1. Installation of the wastewater treatment system shall be under the direct supervision of the authority having jurisdiction.

2. The applicant shall be prohibited from covering any component of the system without proper authorization. Any change of construction approved by the authority having jurisdiction shall be noted on the original drawings before the system is back filled. As built plans shall be provided to the authority having jurisdiction.

3. The authority having jurisdiction may, by written notice, order all work stopped on any wastewater treatment system, which is in violation of this local law.

Section 404 Fees

1. The fees for any permit or inspection performed pursuant to this local law shall be determined from time to time by the local governing body.

ARTICLE 5 REQUIREMENTS FOR EXISTING WASTEWATER TREATMENT SYSTEMS

Section 501 Circumstances Requiring Inspection of Existing Systems

1. The authority having jurisdiction shall conduct an on-site inspection of an existing wastewater treatment system as follows:

(a) Prior to a change of use - The owner of the property shall arrange for a wastewater treatment system inspection before any change of use is undertaken. The authority having jurisdiction shall determine whether the change represents an increased hydraulic loading to the system. In instances where a site plan approval, special use permit, or variance is required the authority having jurisdiction shall incorporate the wastewater treatment system inspection report into the review process of the appropriate Planning Board, Zoning Board of Appeals, or Board of Appeals;

(b) Prior to a conveyance of real property where an inspection is required by a financial institution, attorney or a party to the conveyance - The owner of the property shall arrange for a wastewater treatment system inspection prior to the conveyance of real property. In addition, property owners shall request a wastewater treatment inspection for real estate transactions or other certifications to lending institutions, purchase offer conditions of buyers of real property, or other requests, or investigations; and

(c) Expansion greater than fifty (50) percent - The owner of the property shall arrange for a wastewater treatment system inspection as an integral part of the building permit application process. The authority having jurisdiction shall determine whether expansion of the building or dwelling, including its use, represents an increased hydraulic loading to the system. For the purpose of this local law an existing wastewater treatment system shall be defined as an accessory structure and as such subject to regulation pursuant to *Part 1230 of Subchapter E, Conversions, Alterations, Additions and Repairs to Existing Buildings of the New York State Uniform Fire Prevention and Building Code.*

Section 502 Inspection Procedure

1. All existing on-site wastewater treatment systems requiring an inspection pursuant to this local law shall be performed by the authority having jurisdiction in accordance with the specifications established as follows:

(a) The septic tank, inspection ports, distribution boxes, or other distribution devices shall be uncovered and accessible to the inspector. In the event any component of the system cannot be reasonably located, the inspector shall so note on the inspection report;

(b) Sanitary disposal fields shall be staked out or otherwise identified by general area of location;

(c) At the discretion of the authority having jurisdiction, the septic tank shall be pumped at the expense of the property owner, in order to ensure that the tank is not leaking, and that the inlet and outlet baffles are in place and properly functioning;

(d) At the discretion of the authority having jurisdiction, drop and distribution boxes shall be checked for blockages and function;

(e) The authority having jurisdiction shall visually inspect buildings on the property noting the number of bedrooms, plumbing, including but not limited to drains, overflows, laundry equipment, floor drains, sump pumps, water softeners, and related systems that may impose an improper or potential adverse hydraulic loading on the disposal field;

(f) Verify connection of all drains to an appropriate disposal system;

(g) All outside areas, to include nearby lawns, slopes, hillsides, ditches and watercourses, swales, and the shoreline of ponds, lakes and wetlands shall be observed for above ground seepage and to note the quantity and general quality of surface water where it occurs;

(h) Conduct dye testing, and other methods as may be necessary to determine system function.

Section 503 Report of Findings

1. Upon completion of the inspection, the authority having jurisdiction shall document all procedures and furnish the owner with a report of findings.

2. The report of findings shall contain, at a minimum, the location, address, name of owner, representative present, dates of testing/inspection, procedures used, observations and sketches showing fixture, drain and system layout to adequately document the wastewater treatment system inspection.

ARTICLE 6 COMPLIANCE AND REPORTING

Section 601 Deficiencies and Corrections

1. Upon discovery of a wastewater treatment system which is not adequately functioning or determined to have been illegally installed, the authority having jurisdiction, shall immediately notify the property owner in writing of the failure or unacceptable condition. It shall be the responsibility of the property owner to forward notice of such report to other involved or interested parties. As part of the report, the authority having jurisdiction shall determine a

course of corrective action and establish a reasonable time frame for completion of necessary remedies.

2. Upon receipt of such notice the property owner shall be given thirty (30) days to obtain a wastewater treatment permit.

3. Remedy of a wastewater treatment system, which is not adequately functioning or determined to have been illegally installed, shall require the property owner to submit an application for a wastewater treatment permit in accordance with section 401 of this local law.

ARTICLE 7 COMPLAINTS

Section 701 Notification

1. Complaints shall be made to the authority having jurisdiction with supporting information that a wastewater treatment system may be deficient (i.e. - observed failure to ground water, surface water, or aboveground seepage, odor, or otherwise creating a public nuisance).

2. Upon receipt of a bonafide complaint or upon personal observation of said wastewater treatment system, the authority having jurisdiction shall notify the property owner and the inhabitants of said property in writing, within seven (7) business days of receipt of the complaint or personal observation, that an inspection pursuant to section 502 of this local law is required. A copy of such notice shall be sent to the Clerk of the local governing body.

ARTICLE 8 ADMINISTRATIVE RELIEF

Section 801 Appeals

1. Appeals of any actions, omissions, decisions or rulings of the authority having jurisdiction shall be made to the Clerk of the local governing body and must be instituted within (30) days of the act, omission, decision, or ruling from which relief is sought.

2. Within thirty (30) days of receipt of a written appeal of an action, omission, decision, or ruling of the authority having jurisdiction the local governing body, convening as the Local Board of Health, shall give notice of a public hearing to be held on the appeal.

3. Within thirty (30) days of final adjournment of a public hearing, the local governing body shall affirm, modify or deny the action, decision or ruling of the authority having jurisdiction or correct any omission, approve, or approve with conditions or disapprove the appeal.

4. The decision of the local governing body shall be in writing and shall contain findings and the factual basis for each finding from the record of the hearing, which shall support the decision of the local governing body. The local governing body's discretion in considering an appeal under this local law shall not extend to granting variances from this local law but shall rather be limited to reviewing the authority having jurisdiction's interpretation or applications of the terms hereof. Variances from the substantive requirements (e.g. septic tank sizes, setback distances, etc.) remain under the jurisdiction of the NYSDOH and the NYSDEC.

ARTICLE 9 ENFORCEMENT

Section 901 Violation

1. In any instance where a wastewater treatment system is located, installed, constructed, altered, enlarged, or extended in violation of this local law, or in any instance where this local law is otherwise violated, the Code Enforcement Officer or the Town Board acting in its capacity as a Board of Health may maintain an action or proceeding in the name of the municipality in a court of competent jurisdiction to compel compliance with the terms of this local law or to restrain by injunction, the violation of this local law.

Section 902 Alternative Remedies

1. Any violation or threatened violation of any of the provisions of this local law, in addition to other remedies herein provided, the Code Enforcement Officer or the Town Board acting in its capacity as a Board of Health may institute any appropriate action or proceeding to prevent unlawful construction, alteration, repair, or reconstruction, to restrain, correct or abate such violation to prevent the use of the wastewater treatment system or to prevent any illegal act, conduct, business or use regarding such wastewater treatment system.

Section 903 Misrepresentation

1. Any permit or approval granted under this local law which is based upon or is granted in reliance upon any material misrepresentation, or upon failure to make material fact or circumstances known, by or on behalf of an applicant, shall be void.

Section 904 Penalties

1. Any person who violates any provision of this local law shall be subject to a fine not to exceed the sum of $250 or by imprisonment of not more than seven (7) days, or both. Each week such violation continues after notification to the person in violation shall constitute a separate violation. Such violation notice shall be served by certified mail, return receipt requested, or by personal service.

ARTICLE 10 MISCELLANEOUS PROVISIONS

Section 1001 Conflict of Law

1. In any case where a provision of this local law is found to be in conflict with a provision of any ordinance or local law, or with a provision of any statute, rule, regulation, or order of the State of New York, the provision which established the higher standard for the promotion of the health, welfare and safety of the citizens of the municipality shall prevail. In any case where a provision of this local law is found to be in conflict with a provision of any other ordinance or local law existing on the effective date of this local law, which established a lower standard for the promotion of the health, welfare and safety of the citizens of the municipality, the provisions of this local law shall be deemed to prevail.

Section 1002 Savings Clause

1. The adoption of this local law shall not affect or impair any act done, offense committed or right accrued or acquired or liability, penalty, forfeiture or punishment incurred prior to the time this local law takes effect.

Section 3. Severability

The provisions of this local law shall be several, and if any clause, sentence, paragraph, subdivision, section, or part of this local law shall be judged by competent jurisdiction as being invalid, such judgement shall not affect, impair, or invalidate the remainder thereof, but shall be confined to the part thereof directly involved in the controversy in which such judgement shall have been rendered.

Section 4. Effective Date

This local law shall take effect immediately upon filing with the New York State Secretary of State pursuant to *Article 3 of Municipal Home Rule Law.*

(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 2000 of the (~~County~~)(~~City~~)(Town)(~~Village~~) of Honewell was duly passed by the Town Board on 2000, 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 disapproval) by the ----------
(Name of Legislative Body) *(Elective Chief Executive Officer*)*
and was deemed duly adopted 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)(repassed after disapproval) by the ----------
(Name of Legislative Body) *(Elective Chief Executive Officer*)*
on ---------- 20----. 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)(repassed after disapproval) by the ----------
(Name of Legislative Body) *(Elective Chief Executive Officer*)*
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....., above.

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

(Seal)

Date: August 16, 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 Ontario

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

Counsel to the Town
Title

[redacted]
Town of Hopewell

Date: August 21, 2000