

[This is an unofficial copy of the Local Law. This was re-typed for publication and/or archival purposes, and is believed to be an accurate and complete copy of the Local Law, as originally passed. The official copy of this Local Law is on file at the Village Office.

Also note that this law, specifically the water rates listed, has been revised over the years by Board Resolutions, and that this entire Local Law was repealed by Local Law # 2 of 2011].

Village of Port Henry Local Law No. 1 of 1975

A local law relating to the use of village water in the Village of Port Henry, New York

Be it enacted by the Board of Trustees of the Village of Port Henry as follows:

SECTION 1. The Board of Trustees of the Village of Port Henry, located in the Town of Moriah, Essex County, State of New York is hereby designated as the Board of Water Commissioners which is hereinafter referred to as Board.

SECTION 2. Applications for the use of water must be made to the Board and no person has a right to the use thereof until permission shall be granted and then only for the purposes authorized in said permission. A penalty of \$25.00 is imposed for a violation hereof.

SECTION 3. All applicants will be held accountable for damages to persons or property resulting from ditches left open or for any leak in the main or pipe connected therewith.

SECTION 4. All supply pipes connecting with main shall not exceed 1/2" in diameter, except by permission of the Board, and shall be laid and kept in repair at the expense of the owner or the occupant. Such pipes shall be laid at least three feet below the surface of the ground and can be connected with the mains only after permission and under the direction of the Board.

SECTION 5. There shall be a stop or waste cock upon the supply pipe within the walls of the building and no person shall, without permission of the Board, interfere with or alter the same in any manner, except to shut off the water when necessary.

SECTION 6. Each supply pipe must be furnished with a valve at or near the curb covered with a suitable iron valve box leading to the surface of the ground and which shall be at all times subject to the control of the Board and no person shall open or interfere with the same in any way without permission of the Board.

SECTION 7. A member of the Board or its authorized agent, may at any time enter a building upon premises where water is used from supply pipes and make necessary examinations and inspections.

SECTION 8. In case of extensions, repairs, or from other necessity, the Board has the right to shut off any and all consumers and neither the Board nor the Village of Port Henry shall be liable for any claims for damages for deprivation of water caused thereby.

SECTION 9. The expense of repairing damages to supply pipes or street mains caused by undermining, repacking or filling of excavation for private drain, sewer or other purpose shall be chargeable to the person causing such damage.

SECTION 10. Except for water users who are on a flat rate established by the Board, meters shall be furnished and installed by the Board and the ownership thereof shall continue to be and remain in the Village of Port Henry.

SECTION 11. Water rent shall be payable semi-annually in May and November.

SECTION 12. The Village Clerk of the Village of Port Henry shall mail to each consumer an itemized bill containing a direction to pay the amount thereof to the Village Collector of the Village of Port Henry and shall keep a roll of all water rents for the period. If the consumer shall fail and omit to pay the same, within thirty days he or she shall be charged interest thereon as a penalty at the rate of 6% from the date payable, and, if not paid within 60 days of said date, he or she shall be charged interest at the rate of 10% until paid and the Board may after the expiration of said sixty days, cut off the supply of water until the said amount and interest shall be fully paid.

SECTION 13. The rates per 1,000 gallons of water consumed during each semi-annual billing period as set forth in Section 11 herein and which is measured by meters are as follows:

First 100,000 gallons	50 cents
Gallage in excess of 100,000	20 cents
Minimum charge per each semi-annual billing period	\$5.00

[These, and the other rates below, have been changed by Board Resolutions]

No claims for adjustment shall be considered unless presented within 30 days of billing date.

FLAT RATE SCHEDULE:

Family per year \$22.00
 (\$11.00 billed semi-annually)

Single consumer \$16.00
 (\$8.00 billed semi-annually)

Flat Rate Schedule for business places, churches, etc. shall be determined and fixed by the Board of Trustees of the Village of Port Henry.

SECTION 14. If a meter becomes out of repair or for any reason fails to register correctly the consumer shall immediately report the same to the Village Clerk of the Village of Port Henry. If a meter is found not to be registering, an estimated bill based on the water used for the same period of the previous year will be mailed to the customer.

SECTION 15. No person shall in any manner tamper with, disconnect, damage or otherwise impair the usefulness and correctness of any meter and a violation hereof shall entail a penalty of \$100.00.

SECTION 16. No person, except persons of the Fire Department of the Village of Port Henry, or others acting under their direction in the exercise of their duties as firemen, shall open or shut or otherwise interfere with any public fountain, hydrant, stop cock, water gauge, blow off or air vent, under a penalty of \$25.00, and no person shall trespass in or upon any reservoir, lands or property belonging to or connected with the water works system under a like penalty.

SECTION 17. The act of any person which pollutes or tends to pollute the Village Water, shall, unless punishment is otherwise prescribed by law, subject the offender to a penalty of \$100.00 for each offense.

SECTION 18. The use of water not measured by a meter or for which a Flat Rate Schedule has not been determined by the Board of Trustees of the Village of Port Henry is hereby forbidden under a penalty of \$100.00 unless the Board of Trustees of the Village of Port Henry shall grant permission prescribing the time, terms and conditions of such water use.

SECTION 19. The use of metered water for other than household and domestic purposes is prohibited under a penalty of \$50.00, but the Board may grant permission for other uses at such times and upon such conditions as it shall prescribe.

SECTION 20. All persons who may intend to discontinue use of the water must give notice to the Village Clerk of the Village of Port Henry before the discontinuance thereof.

SECTION 21. All meter rates are subject to revision during the months of May or November in any year to take effect with the billing for the following semi-annual period.

SECTION 22. The Village Clerk of the Village of Port Henry shall act as the Clerk and Agent of the Board and shall perform the duties prescribed in and by these articles and such additional duties as may be required, including the collection of water rents.

SECTION 23. The Mayor of the Village shall be the president of the Board of Water Commissioners and regular meeting thereof shall be held at the time and place of the regular meetings of the Board of Trustees of the Village of Port Henry.

SECTION 24. Special meetings of the Board may be called by the President at any time upon the giving of two hours notice, oral or written, to the members and any two members of the Board may issue a like call upon twenty-four hours notice.

SECTION 25. Where no penalty has been specifically prescribed for a violation of any section of these articles, a violation thereof shall entail a penalty of not less than \$25.00 or more than \$100.00 in the discretion of the Board.

SECTION 26. In addition to the penalty imposed for the violation of any section of these articles, it is hereby also ordained that a violation thereof shall constitute disorderly conduct.

SECTION 27. All rules, regulations and ordinances relating to the use of Village water and assessments for fire protection in the Village of Port Henry, New York, which existed prior to this local law are hereby repealed.