



**VILLAGE OF DOBBS FERRY**  
112 Main Street  
Dobbs Ferry, New York 10522  
TEL: (914) 231-8500 • FAX: (914) 693-3470

March 11, 2020

NYS Department of State  
Division of Corporations, State Records and Uniform Commercial Code  
One Commerce Plaza, 99 Washington Avenue  
Albany, New York 12231

**Re: Village of Dobbs Ferry  
Local Law Filing 2-2020**

Dear Sir/Madam:

Local Law 2-2020 was adopted by the Board of Trustees of the Village of Dobbs Ferry on March 10, 2020. A copy of the local law filing is attached.

Sincerely,

Elizabeth A. Dreaper, RMC  
Village Clerk

Enc.

# 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.

County  City  Town  Village  
(Select one:)

of Dobbs Ferry, New York

Local Law No. 2-2020 of the year 2020

A local law amending Chapter 256 of the Code of the Village of Dobbs Ferry to provide a program  
(Insert Title)  
for more equitably distributing the costs of owning, operating and maintaining the  
sanitary sewer system to all real property within the Village

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

County  City  Town  Village  
(Select one:)

of Dobbs Ferry, New York as follows:

LOCAL LAW 2-2020

(See attached Local Law 2-2020)

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

**LOCAL LAW NO. 2-2020**

**A LOCAL LAW TO ESTABLISH A PROGRAM FOR  
IMPOSING AND COLLECTING SEWER RENTS FROM AMONG ALL BENEFITTED  
PROPERTIES IN THE VILLAGE OF DOBBS FERRY**

A LOCAL LAW amending Chapter 256 of the Code of the Village of Dobbs Ferry to provide a program for more equitably distributing the costs of owning, operating and maintaining the sanitary sewer system to all real property within the Village.

BE IT ENACTED by the Board of Trustees of the Village of Dobbs Ferry as set forth herein:

SECTION ONE: The Code of the Village of Dobbs Ferry is hereby amended by adding Article III to Chapter 256 to be entitled "Sewer Rents" as follows:

**ARTICLE III  
Sewer Rents**

**§ 256-1. Purpose; authority.**

The purpose of this Article is to more equitably distribute the cost of owning, operating and maintaining the Village of Dobbs Ferry sanitary sewer system by allocating such expenses among all properties in the Village that use the sewer system. Pursuant to the authority derived from Article 14-F of the General Municipal Law, the Village of Dobbs Ferry hereby creates a program for establishing and collecting sewer rents as a means of funding the costs associated with the Village of Dobbs Ferry sewer system. Such program shall consist of annual charges against all properties that use the Village's sanitary sewers. The sewer rents as provided for in this Article shall be segregated into a special purpose fund and applied toward defraying the cost of operation, maintenance, upkeep, repair, replacement and otherwise improving the sewer system.

**§ 256-2. Sewer Rent Program.**

**A. Establishment.**

The Village of Dobbs Ferry hereby establishes a sewer rent program. All sewer rent shall be used by the Village for the expense of operation, maintenance, repairs and improvements to the Village sewer system. The record owner of all real property using the Village sewer system, or any part thereof, shall be liable to the Village for the payment of sewer rent notwithstanding that said property owner may charge a fee or seek reimbursement from a lessee, licensee or other occupant of the real property. The failure to collect fees or obtain reimbursement shall not be a defense to the property owner's absolute obligation. All sewer rents and penalties shall be a charge against the property for which the property owner and any successor in interest shall be liable.

The Village Board shall have the authority by resolution to promulgate rules and procedures, and make revisions thereto, for the efficient administration and operation of the sewer rent program. Such rules and procedures shall be made available to the public as with any record of the Village.

In the event water consumption to a particular property is not indicative of equivalent usage of the sewer system, the Village may establish a procedure for consumption evaluation and make adjustments for good cause shown on a case-by-case basis.



**B. Applicability.**

The system for which the sewer rents are established and imposed is the entire sewer system within the Village of Dobbs Ferry as defined in Section 451 of General Municipal Law as such system does now or as it may from time to time exist.

**C. Setting of Rates.**

The initial sewer rent rate and any later adjustments shall be (i) based upon the consumption of water on the property connected with and served by the sewer system and (ii) established in accordance with Section 452 of General Municipal Law by a resolution of the Village Board of Trustees following a public hearing on notice. Once established, the rent rate shall be set forth in the Fee Schedule maintained by the office of the Village Clerk.

**D. Payments.**

Sewer rents shall be payable on the schedule set by the Village Board of Trustees pursuant to its authority to promulgate rules and procedures.

**E. Billing.**

Sewer rent bills shall be issued on the basis set forth by the Village Board of Trustees pursuant to its authority to promulgate rules and procedures. The Village is authorized to obtain the services of a third-party billing company to generate and send out all Sewer rent bills. Such bills shall be sent to the address of the property owner as set forth on the assessment rolls and at a frequency and in accordance with a billing period set the by the Village Board. Delivery of such bills to the proper party is not guaranteed. If the property owner does not receive a bill on or before the fifth day following the end of each billing period, the property owner will be provided with contact information of the third-party billing company designated by the Village.

**F. Late Payment penalties, liens and collection.**

All bills for sewer rents are due and payable at the address given on the bill and the time set forth by the Village Board of Trustees. All amounts due for sewer rents will be received without penalty during the first month following the billing. Penalty shall be charged at a rate set forth by the Village Board of Trustees on all bills that remain unpaid past thirty days from the date of billing. Such penalties will be added to the bill, in accordance with the provisions of the Village Law. The Third party billing company shall send to the Village Treasurer all delinquent accounts which in accordance with General Municipal Law section 452 the delinquent sewer rents shall constitute a lien upon the real property served by the sewer system. The lien shall be prior and superior to every other lien or claim except the lien of an existing tax, assessment or other lawful charge imposed by or for the state or a political subdivision or district thereof. Delinquent accounts, including sewer rents and penalties shall be collected in a manner provided in General Municipal Law Section 452(4).

**G. Sewer Rent Fund.**

All revenues derived from sewer rents, including penalties, shall be credited by the Treasurer to a special fund to be known as the "Sewer Rent Fund." Monies in such fund shall be used in accordance with section 53 of the General Municipal Law.

**H. Sole Exemption.**

All property of the Village shall be exempt from the obligation to pay sewer rent.



**I. Agreement with water source.**

The Village has received authorization from the New York State Public Service Commission (Matter Number/Case No.: 19-01610) to contract with the water source to utilize its water consumption data and provide any other services necessary to administer this Article.

**J. Severability.**

Should any section or provisions of this Article be adjudged by a court of competent jurisdiction to be unconstitutional or otherwise invalidated, such judgment shall not affect, impair or invalidate the remainder of this Article, and it shall be construed to have been the legislative intent to enact the local law without such unconstitutional or invalid parts therein.

**SECTION TWO:** Except as provided for herein, all other provisions of Chapter 256 shall remain the same.

**SECTION THREE:** This local law shall take effect immediately upon compliance with filing and publication as required by applicable law, including filing in the Office of the Secretary of State.

(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 2020 of the ~~(County)(City)(Town)(Village)~~ of DOBBS FERRY was duly passed by the VILLAGE BOARD OF TRUSTEES on MARCH 10, 2020, 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) (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.)**

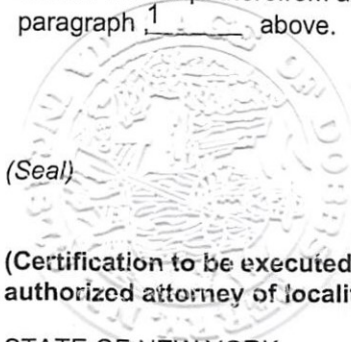
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority 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.



(Seal)

[Signature]  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 3/10/2020

**(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 WESTCHESTER

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]  
Signature  
LoriLee Dickson, Attorney for the Village  
Title

County  
City of DOBBS FERRY, NEW YORK  
Town  
Village

Date: MARCH 10, 2020