

10-66-02

LOCAL LAW NO. 3, 1972, COUNTY OF LIVINGSTON, ESTABLISHING
AND IMPOSING SEWER RENTS IN THE CONESUS LAKE COUNTY
SEWER DISTRICT, IN ACCORDANCE WITH THE PROVISIONS OF
ARTICLE FOURTEEN-F OF THE GENERAL MUNICIPAL LAW.

BE IT ENACTED by the Board of Supervisors of the County of Livingston,
as follows:

Section 1. SEWER RENTS ESTABLISHED. Pursuant to Article Fourteen-F
of the General Municipal Law of the State of New York, there is hereby established
and imposed sewer rents as a means of producing revenue for the sewer system of
the Conesus Lake County Sewer District.

Section 2. DEFINITIONS: As used in this local law, the following terms shall
mean and include:

Sewer rents: A unit method of annual charges established and imposed
in the Conesus Lake County Sewer District for the use of the sewer system
or any part or parts thereof.

Sewer System: All sewer pipes and other appurtenances which are
used or useful in whole or in part in connection with the collection, treat-
ment or disposal of sewage, industrial waste, and other wastes and which
are owned and operated or maintained by the Conesus Lake County Sewer
District, including sewage pumping stations and sewage treatment and
disposal works.

Part: As used in relation to the term of "sewer system" all lateral
sewers and any sewage treatment and disposal works each part with necessary
appurtenances including sewage pumping stations.

Sewage: The water carrying human or animal waste and permissible
industrial waste from residences, buildings, industrial establishments or
other places.

Residential Unit: A residential unit shall mean one or more persons
maintaining separate living quarters and having separate plumbing facilities
of the persons occupying such separate living quarters, irrespective of
whether or not such separate living quarters may be part of what is commonly
known as two-family or multiple-dwelling house. Such unit shall include a
home, cottage, trailer, or apartment, whether it is occupied on a seasonal
or yearly residency basis.

Seasonal or Recreational Camp: A tract of land which is arranged,
intended and equipped, as a camp site for mobile homes, travel campers,
recreational vehicles, and/or non-vehicular camping of a transient or
seasonal nature.

Business-Commercial Unit: A business-commercial unit shall consist
of any business or commercial facility having plumbing and shall include any
use not otherwise defined herein.

Sewer District: Sewer District, shall mean the Conesus Lake County
Sewer District, A County Sewer District located in the Towns of Geneseo,
Livonia, Conesus and Groveland, County of Livingston and State of New York,
including the Village of Livonia, New York.

Section 3. RENTAL CLASSIFICATION AREAS: Rental Classification Areas are established for the Sewer District as follows:

Rental Classification Area Number One shall consist of that part of the Conesus Lake County Sewer District lying without the Village limits of the Village of Livonia.

Rental Classification Area Number Two shall consist of that part of the Conesus Lake County Sewer District lying within the Village limits of the Village of Livonia.

Section 4. UNIT METHOD: Sewer rents shall be based upon a determination of the number of units assigned to various properties in the sewer district as follows:

<u>One family residence</u>	One unit
<u>Two family residence</u>	Two units
<u>Multiple Residence</u>	One unit per residential unit
<u>Seasonal or Recreational Camp</u>	One unit for each multiple of six sites for seasonal or recreational camp use. Any automatic laundry facility provided for the users of a seasonal or recreational camp, or others, shall constitute a business-commercial use.
<u>Business-Commercial</u>	One unit plus an additional one-tenth of a unit for each 2,700 gallons of metered water consumed in excess of 27,000 gallons of metered water consumed during each quarter of a year for which sewer rents are computed as due and payable hereunder. Water consumed, but which shall not enter the sewer system, shall be deducted in computing the unit charge.

Section 5. ESTABLISHMENT AND IMPOSITION: The sewer rents are hereby established and imposed for the sewer system in the Conesus Lake County Sewer District now existing, hereafter created or extensions thereof, as follows:

Rental Classification Area Number One: Annual rental in the amount of One Hundred Sixty-five Dollars (\$165.00) per unit.

Rental Classification Area Number Two: Annual rental in the amount of Thirty-eight Dollars (\$38.00) per unit.

Section 3. LIVY AND COLLECTION OF SEWER RENTS: The annual sewer rental imposed hereunder shall be due and payable in equal quarterly installments payable February 1, May 1, August 1, and November 1.

A. If such sewer rents are not paid within thirty (30) days from due date, a penalty of ten per cent (10%) shall be added.

B. Sewer units connecting to the sewer system for less than a full quarterly period for which sewer rents are computed as due and payable hereunder, shall pay a sewer rental of a sum of money equal to one sixth of the quarterly installment due hereunder for each fifteen (15) day period for which connection to the sewer system has been made.

C. Sewer rents shall constitute a lien upon the real property served by the sewer system or such part or parts thereof for which sewer rents shall have been established and imposed. 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. Such law may be enforced in accordance with provisions of Article Fourteen-B of the General Municipal Law of the State of New York.

Section 7. SEVERABILITY: If any clause, sentence, paragraph section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 8. SEWER RENT FUND: Revenues derived from sewer rents shall be credited to a special fund known as the "sewer rent fund". Moneys in such fund shall be used only in the manner and for the purpose specified by the Sewer Rent Law of the State of New York.

Section 9. EFFECTIVE DATE: This local law shall take effect on the fifteenth day of November, Nineteen Hundred Seventy-two.

