

12/8/14

LOCAL LAW NO. 3 OF 2014

A LOCAL LAW TO AMEND SECTION 231-48 OF CHAPTER
231 OF THE CODE OF THE CITY OF SARATOGA SPRINGS

BE IT ENACTED by the City Council of the City of Saratoga Springs, New York, as follows:

SECTION 1. Short Title and Applicability. This Local Law shall apply to certain provisions of Chapter 231 of the Code of the City of Saratoga Springs. It is enacted in accordance with the provisions of the Municipal Home Rule Law.

SECTION 2. Declaration of Policy. The City Council of the City of Saratoga Springs has reviewed the provisions contained in Chapter 231 of the Code of the City of Saratoga Springs, specifically Section 231-48. After due deliberation on said provisions, the City Council finds that certain amendments and updates to them are reasonable, necessary, and in the best interest of the residents of the city.

SECTION 3. Amendments. Section 231-48 of Chapter 231 of the Code of the City of Saratoga Springs, entitled "Water and Sewer – Application for service; connection fees" is hereby amended to read (new material underlined, old material in brackets):

" 231-48. Application for service; connection fees

- A. Application for a new service connection shall be made at the office of the Utilities Department on the form provided. [The application fee shall be paid directly to the Department of Finance upon submittal of the application] The City Council shall have authority to establish from time to time, by resolution, fees for such applications. The application shall state the name of the owner of the property to which the new service will be connected, [which] and that person or legal entity shall be responsible for the payment of all water rents and related payments, fees, and charges as the City Council may establish from time to time, and shall also state the location of the connection, the time the work will be started and completed and the category of the service. The application must be signed by a licensed plumber who will perform the work involved.

B. Repealed. [During the construction of any improvement to any real property in the City which requires the installation of a new service connection to a City main, the person or legal entity so installing such new service may connect to the City system to use City water only after making application to the Department of Public Works as heretofore provided, and paying the fees as hereinafter prescribed.

(1) For a service connection to the City water system, a fee of \$3,000 for each unit, which unit is defined as any estimated usage of 15,000 cubic feet of water per year. Any such person shall supply to the Department of Public Works information setting forth reasonably anticipated water needs for such improvement. All funds received by the City under this section shall be placed in an account designed for the purposes outlined in the preamble to this legislation and for no other purposes.

(2) For each additional unit of water use per year there shall be charged \$1000 for each additional unit.]

C. Any [development which shall require a new service connection or connections] person or legal entity making any application under this section [shall make application to connect to the City water system to the Department of Public Works for approval of such connection and shall,] shall obtain approval of that application from the Department of Public Works] prior to submitting any other application, in which a new service connection is required or sought, to any City official, board or office, including but not limited to the Zoning and Building Inspector or the Planning Board. [, enter into an agreement with the department of Public Works for payment of all connection fees imposed herein.] “

SECTION 4. Severability. If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this Local Law, or its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 5. Effective Date. This Local Law shall take effect immediately upon filing in the office of the Secretary of the State of New York, in accordance with section 27 of the Municipal Home Rule Law.

ADOPTED: