

**TOWN OF PINE PLAINS**

**LOCAL LAW NO. A OF THE YEAR 2022**

**A LOCAL LAW AMENDING CERTAIN PORTIONS OF SECTIONS 263-14  
AND 263-16 OF THE TOWN CODE**

**BE IT ENACTED** by the Town Board of the Town of Pine Plains as follows:

**SECTION 1: TITLE.**

This Local Law shall be entitled: "A Local Law Amending the Provisions of Sections 263-14 and 263-16 of the Town Code with regard to the Payment of Rentals; Liability for Unpaid Charges; and Delinquent Payments for the Use of Water".

**SECTION 2: LEGISLATIVE INTENT.**

The Town of Pine Plains Water Engineer, Ray Jurkowski, has recommended certain changes to Sections 263-14 of the Town Code with regard to payment of rentals and liability for unpaid charges for the use of water and Section 263-16 with regard to delinquent payment of water use charges to ensure that the provisions are fair and equitable both to the water users and to the Town of Pine Plains Water Improvement Area.

**SECTION 3: STATEMENT OF AUTHORITY.**

This Local Law is enacted pursuant to the authority of General Municipal Law §10 and General Municipal Law §50-e. The provisions of this Local Law are intended to supersede the inconsistent sections of Local Law No. 6 of 2007.

**SECTION 4: AMENDMENTS TO CHAPTER 263 OF THE TOWN CODE.**

- A. Section 263-14(A) of the Town Code is hereby amended to eliminate the words "and sewer" contained in the first sentence of that section.
- B. Section 263-14(D) of the Town Code is hereby eliminated in its entirety and a new subsection 263-14(D) is hereby enacted, which shall read as follows:

"D. All water accounts shall be held by the property owner, not the agent or tenant of the property. The water improvement area will send bills and notices to the owner of the property and they shall be responsible for all water rents, charges and penalties. All charges and penalties are a

lien upon the property where the water is supplied and property owners are responsible for payment thereof.”

- C. Section 264-16. Delinquent Payments, of the Town Code is hereby rescinded and a new Section 264-16 is hereby enacted which shall read as follows:

“Water use charges which are not paid within 30 days shall bear a penalty of 10% per annum; if such amount remains unpaid, the Superintendent shall certify the amount due and payable to the Town Board, which shall levy the same as taxes and add such water user charge and penalties to the succeeding tax roll of the Town. Such tax shall be collected and enforced in the same manner and at the same time as provided for the collection and enforcement of Town taxes, and it shall be the duty of the Superintendent to charge and collect interest thereon at the same rate specified for the collection of Town taxes. Such water user charge shall constitute a lien upon the real property served by such waterworks, and such lien shall be prior and superior to any other lien or claim except the lien of an existing tax, assessment or other lawful charge.”

**SECTION 5. SEVERABILITY.**

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this Local Law shall not affect the validity of any other part of this Local Law, which shall be given effect without such part or parts.

**SECTION 6: EFFECTIVE DATE.**

This local law shall take effect immediately after its filing with the State Secretary of State as provided in §27 of the Municipal Home Rule Law.