

**Code
of the
Village of Chaumont**

COUNTY OF JEFFERSON

STATE OF NEW YORK

SERIAL NO. 41

GENERAL CODE PUBLISHERS CORP.
Spencerport, New York 14559

1978

**Code
of the
Village of Chaumont**

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STATE OF NEW YORK

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**OFFICIALS
OF THE
VILLAGE OF CHAUMONT**

**Municipal Building
Chaumont, New York 13622**

1986

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SPENCE DONALDSON**

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PREFACE

Like many municipalities, the Village of Chaumont has passed through a process of legislative change. While only a few simple laws were necessary at the time of the incorporation of the village, subsequent growth of the community, together with the complexity of modern life, has created the need for more and detailed legislation for the proper function and government of the village. The recording of local law is an aspect of municipal history, and as the community develops and changes, review and revision of old laws and consideration of new laws, in the light of current trends, must keep pace. The orderly collection of these records is an important step in this ever-continuing process. Legislation must be more than mere chronological enactments reposing in the pages of old records. It must be available and logically arranged for convenient use and must be kept up-to-date. It was with thoughts such as these in mind that the Board of Trustees ordered the following codification of the village's legislation.

Contents of Code

The various chapters of the Code contain all currently effective legislation (local laws, ordinances and certain resolutions) of a general and permanent nature enacted by the Board of Trustees of the Village of Chaumont. In accordance with recognized codification procedures used in the State of New York, any revisions or amendments made in existing legislation in the course of the codification were enacted by separate legislation prior to the enactment of the local law adopting the Code.

Reserve Chapters

Space has been provided for the convenient insertion, alphabetically, of later enactments. In the Table of Contents such space appears as Chapters titled "(Reserved)." In the body of the Code, reserved space is provided by breaks in the page-numbering sequence between chapters.

Grouping of Ordinances and Arrangement of Chapters

The legislation of the village is organized into chapters, the order being an alphabetical progression from one subject to another. Wherever there are two or more items of legislation dealing with the same subject, they are combined into a single chapter. Thus, for example, all legislation pertaining to traffic may be found in the chapter entitled "Vehicles and Traffic." In such chapters, use of Article designations has preserved the identity of the individual items of legislation.

Table of Contents

The Table of Contents details the arrangement of material by chapter as a means of identifying specific areas of legislation. Wherever two or more items of legislation have been combined by the editor into a single chapter, titles of the several Articles are listed beneath the chapter title in order to facilitate location of the individual item of legislation.

Pagination

A unique page-numbering system has been used, in which each chapter forms an autonomous unit. One hundred pages have been allotted to each chapter, and the first page of each is the number of that chapter followed by the numerals "01." Thus, Chapter 10 begins on Page 1001, Chapter 40 on page 4001, etc. By use of this system, it is possible to add or to change pages in any chapter without affecting the sequence of subsequent pages in other chapters, and to insert new chapters without affecting the existing organization.

Numbering of Sections

A chapter-related section-numbering system is employed, in which each section of every item of legislation is assigned a number which indicates both the number of the chapter in which the item of legislation is located and the location of the section

within that chapter. Thus, the first section of Chapter 10 is § 10-1, while the sixth section of Chapter 40 is 40-6.

Scheme

The Scheme is the list of section titles which precedes the text of each chapter. These titles are carefully written so that, taken together, they may be considered as a summary of the content of the chapter. Taken separately, each describes the content of a particular section. For ease and precision of reference, the Scheme titles are repeated as section headings in the text.

Chapter Histories

At the end of the Scheme in each chapter is located the legislative history for that chapter. This History indicates the specific legislative source from which the chapter was derived, including the local law number, if pertinent, and date of adoption. In the case of chapters containing Articles derived from more than one item of legislation, the source of each Article is indicated in the History.

Amendments and Revisions; New Enactments

Sections of this Code amended or revised during the process of codification are specifically enumerated in chapter Histories with reference to "Ch. 1, General Provisions, Art. II," where a table listing the legislation effecting all such changes will appear after final enactment. Sections so amended or revised are also indicated in the text by means of editor's notes referring to the Article of Chapter 1 described above. The history of other amendments to each chapter appears where pertinent in the text.

Chapters derived from new legislation approved for enactment during codification are similarly noted in chapter Histories with reference to "Ch. 1, General Provisions, Art. II." The legislation comprising such chapters will also be listed in the table described above with respect to sections which were amended or revised during codification.

General References

In each chapter containing material related to other chapters in the Code, a table of General References is included to direct the reader's attention to such related chapters.

Index

The Index is a guide to information. Since it is likely that this Code will be used by persons without formal legal training, the Index has been formulated to enable such persons to locate a particular section quickly. Each section of each chapter has been indexed. The Index should be supplemented and revised from time to time as new legislation is added to the Code.

Appendix

Certain forms of local legislation do not fit into the main body of legislation composing the Code, but are of such significance that their application is community-wide or their provisions are germane to the conduct of municipal government. The Appendix of this Code is reserved for such legislation and for any other material that the village may wish to include.

Supplementation

Supplementation of the Code will follow the adoption of new legislation. New legislation and amendments to existing legislation will be included and repeals will be indicated as soon as possible after passage. Supplemental pages should be inserted as soon as they are received, and old pages removed, in accordance with the instruction page which accompanies each supplement.

Acknowledgment

The preparation of this Code has required much time and effort on the part of village officials, particularly in the review and approval of proposed legislation. Valuable assistance was given

by the Mayor, Lawrence E. Comins, and by Geraldine Brass, Clerk-Treasurer. The contribution of these and other village officials is gratefully acknowledged.

The codification of the legislation of the Village of Chaumont reflects an appreciation of the needs of a progressive and expanding community. As in many other municipalities, officials are faced with fundamental changes involving nearly every facet of community life. Problems increase in number and complexity, and range in importance from everyday details to crucial areas of civic planning. It is the profound conviction of General Code Publishers Corp. that this Code will contribute significantly to the efficient administration of local government. As Samuel Johnson observed, "The law is the last result of human wisdom acting upon human experience for the benefit of the public."

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GENERAL PROVISIONS

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ARTICLE II Legislation Enacted During Codification

[HISTORY: Adopted by the Board of Trustees of the Village of Chaumont: Art. I, 10-10-78 as L.L. No. 9-1978. Amendments noted where applicable.]

ARTICLE I
Adoption of Code
[Adopted 10-10-78 as L.L. No. 9-1978]

Be it ordained by the Board of Trustees of the Village of Chaumont, as follows:

§ 1-1. Legislative intent.

The local laws, ordinances and resolutions of the Village of Chaumont referred to in § 1-2 of this local law shall be known collectively as the "Code of the Village of Chaumont," and the various parts and sections of such local laws, ordinances and resolutions shall be distributed and designated as provided and set forth in § 1-2 of this local law.

§ 1-2. Distribution of local laws, ordinances and resolutions.

Derivation Table

New Number (chapter, title, Article, section)	Old Number (source)	Adoption Date
Chapter 6, Beaches	Miscellaneous ordinance	7-11-67
§ 6-1	Section 805	Amended 10-10-78 by L.L. No. 1-1978
§ 6-2		Added 10-10-78 by L.L. No. 8-1978
Chapter 10, Bingo	Unnumbered ordinance	4-7-75
§ 10-1	Section 1	
§ 10-2	Section 2	
§ 10-3	Section 3	
§ 10-4	Section 4	

New Number (chapter, title, Article, section)	Old Number (source)	Adoption Date
Chapter 15, Curfew	Unnumbered ordinance	10-3-45
§ 15-1	Section 1	
§ 15-2	Section 2	
§ 15-3	Section 3	Amended 10-10-78 by L.L. No. 8- 1978
Chapter 20, Dogs	Ord. No. 20	11-23-76
§ 20-1	Section 1	
§ 20-2	Section 2	
§ 20-3	Section 3	
§ 20-4	Section 4	
§ 20-5	Section 5	
	Section 6	Omitted*
	Section 7	Omitted*
Chapter 26, Ethics, Code of	Unnumbered resolution	12-28-70
§ 26-1	Section 1	
§ 26-2	Section 2	
§ 26-3	Section 3	
§ 26-4	Section 4	
§ 26-5	Section 5	
§ 26-6	Section 6	
Chapter 30, Fire Prevention	Unnumbered ordinance	12-4-17
§ 30-1	Section 1	
§ 30-2	Section 1	
§ 30-3	Section 1	
§ 30-4	Section 1	

*Note: These omitted sections pertain to repeal, severability or when effective provisions, which are covered by provisions of this local law.

New Number (chapter, title, Article, section)	Old Number (source)	Adoption Date
§ 30-5	Section 2	Amended 10-10-78 by L.L. No. 8- 1978
	Section 3	Omitted*
	Section 4	Omitted*
Chapter 33, Flood Control		
Article I	L.L. No. 1-1975	4-7-75
§ 33-1	Section 1	
§ 33-2	Section 2	
§ 33-3	Section 3	
§ 33-4	Section 4	
§ 33-5	Section 5	
Article II	Unnumbered resolution	4-18-75
§ 33-6	1	
§ 33-7	2	
§ 33-8	3	
§ 33-9	4	
Chapter 38, Garbage, Rubbish and Refuse	Unnumbered ordinance	10-10-72
Article I	Article I	
§ 38-1	18-1	
§ 38-2	18-2	
§ 38-3	18-3	
Article II	Article II	
§ 38-4	18-4	
§ 38-5	18-5	
§ 38-6	18-6	

*Note: These omitted sections pertain to repeal, severability or when effective provisions, which are covered by provisions of this local law.

New Number (chapter, title, Article, section)	Old Number (source)	Adoption Date
Article III	Article III	
§ 38-7	18-7	
§ 38-8	18-8	
Article IV	Article IV	
§ 38-9	18-9	
§ 38-10	18-10	
Article V	Article V	
§ 38-11	18-11	
§ 38-12	18-12	Amended 10-10-78 by L.L. No. 8- 1978
	Article VI	
	18-13	Omitted*
	18-14	Omitted*
Chapter 40, Gasoline Stations and Storage Tanks	Miscellaneous ordinance	5-29-58
§ 40-1	Section 301	
§ 40-2	Section 901	Amended 10-10-78 by L.L. No. 8- 1978
Chapter 45, Junkyards	Miscellaneous ordinance	5-29-58
§ 45-1	Section 201	Amended 10-10-78 by L.L. No. 2- 1978
§ 45-2	Section 901	Amended 10-10-78 by L.L. No. 8- 1978

*Note: These omitted sections pertain to repeal, severability or when effective provisions, which are covered by provisions of this local law.

New Number (chapter, title, Article, section)	Old Number (source)	Adoption Date
Chapter 50, Loitering	L.L. No. 7-1978	10-10-78
§§ 50-1 through 50-7	§§ 50-1 through 50-7	
	§ 50-8	Omitted*
	§ 50-9	Omitted*
	§ 50-10	Omitted*
	§ 50-11	Omitted*
Chapter 53, Manure	Unnumbered ordinance	7-19-56
§ 53-1	Unnumbered section	
§ 53-2	Unnumbered section	
§ 53-3	Unnumbered section	Amended 10-10-78 by L.L. No. 8- 1978
Chapter 60, Peddling and Soliciting	L.L. No. 6-1978	10-10-78
§§ 60-1 through 60-9	§§ 60-1 through 60-9	
	§ 60-10	Omitted*
	§ 60-11	Omitted*
	§ 60-12	Omitted*
	§ 60-13	Omitted*
Chapter 68, Signs and Billboards	Unnumbered ordinance	4-28-61
§ 68-1	Section 401	Amended 10-10-78 by L.L. No. 3- 1978

*Note: These omitted sections pertain to repeal, severability or when effective provisions, which are covered by provisions of this local law.

New Number (chapter, title, Article, section)	Old Number (source)	Adoption Date
§ 68-2		Added 10-10-78 by L.L. No. 8- 1978
Chapter 71, Snowmobiles	Ord. No. 17	1-15-72
§ 71-1	Section 1	
§ 71-2	Section 2	
§ 71-3	Section 3	
§ 71-4	Section 4	
§ 71-5	Section 5	Amended 10-10-78 by L.L. No. 8- 1978
	Section 6	Omitted*
Chapter 75, Streets and Sidewalks	L.L. No. 4-1978	10-10-78
§§ 75-1 through 75-13	§§ 75-1 through 75-13	
	§ 75-14	Omitted*
	§ 75-15	Omitted*
	§ 75-16	Omitted*
	§ 75-17	Omitted*
Chapter 80, Trailers and Trailer Camps	Unnumbered ordinance	11-19-63
§ 80-1	Section 1	
§ 80-2	Section 2	
§ 80-3	Section 3	
§ 80-4	Section 4	
§ 80-5	Section 5	
§ 80-6	Section 6	
§ 80-7	Section 7	
§ 80-8	Section 8	

*Note: These omitted sections pertain to repeal, severability or when effective provisions, which are covered by provisions of this local law.

§ 1-2

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§ 1-2

New Number (chapter, title, Article, section)	Old Number (source)	Adoption Date
§ 80-9	Section 9	
§ 80-10	Section 10	
§ 80-11	Section 11	
§ 80-12	Section 12	Amended 10-10-78 by L.L. No. 8- 1978
	Section 13	Omitted*
Chapter 85, Vehicles and Traffic		
Article I	Miscellaneous ordinance	5-29-58
§ 85-1	Section 501	
§ 85-2	Section 502	
§ 85-3	Section 503	
§ 85-4	Section 504	
§ 85-5	Section 505	
§ 85-6	Section 506	
§ 85-7	Section 507	
§ 85-8	Section 508	
§ 85-9	Section 509	Amended 8-11-59
§ 85-10	Section 510	
§ 85-11	Section 511	Amended 7-11-67; 10-15-71
Article II	Unnumbered ordinance	7-19-66
§ 85-12	Unnumbered section	
Article III	Unnumbered ordinance	5-27-40
§ 85-13	Unnumbered section	

*Note: These omitted sections pertain to repeal, severability or when effective provisions, which are covered by provisions of this local law.

New Number (chapter, title, Article, section)	Old Number (source)	Adoption Date
Article IV	Miscellaneous ordinance	5-29-58
§ 85-14	Unnumbered section	Amended 10-10-78 by L.L. No. 8- 1978
Chapter 88, Water Regulations	Unnumbered ordinance	4-12-63
§ 88-1	1	
§ 88-2	2	
§ 88-3	3	
	4	Omitted during codification by L.L. No. 5-1978
§ 88-4	5	Amended 10-10-78 by L.L. No. 5- 1978
§ 88-5	6	
§ 88-6	7	
§ 88-7	8	Amended 10-10-78 by L.L. No. 5- 1978
§ 88-8	9	
§ 88-9	10	
§ 88-10	11	
	12	Omitted during codification by L.L. No. 5-1978
	13	Omitted during codification by L.L. No. 5-1978
	14	Omitted during codification by L.L. No. 5-1978

§ 1-2

CHAUMONT CODE

§ 1-3

New Number (chapter, title, Article, section)	Old Number (source)	Adoption Date
	15	Omitted during codification by L.L. No. 5-1978
	16	Omitted during codification by L.L. No. 5-1978
§ 88-11	17	Amended 10-10-78 by L.L. No. 5- 1978
§ 88-12	18	
§ 88-13	19	
§ 88-14	20	Amended 10-10-78 by L.L. No. 5- 1978
§ 88-15	21	
	22	Omitted during codification by L.L. No. 5-1978
§ 88-16	23	
§ 88-17	24	
§ 88-18	25	
§ 88-19	26	

§ 1-3. Repeal of local laws, ordinances and resolutions not contained in Code.

All local laws, ordinances and resolutions of a general and permanent nature adopted by the Board of Trustees of the Village of Chaumont and in force on the date of the adoption of this local law and not cited in the table in § 1-2 hereof are hereby repealed as of the effective date of this local law, except as hereinafter provided.

§ 1-4. Local laws, ordinances and resolutions saved from repeal; matters not affected.

The repeal of local laws, ordinances and resolutions provided for in § 1-3 of this local law shall not affect the following classes of local laws, ordinances, resolutions, rights and obligations, which are hereby expressly saved from repeal:

- A. Any right or liability established, accrued or incurred under any legislative provision of the Village of Chaumont prior to the effective date of this local law or any action or proceeding brought for the enforcement of such right or liability.
- B. Any offense or act committed or done before the effective date of this local law in violation of any legislative provision of the Village of Chaumont or any penalty, punishment or forfeiture which may result therefrom.
- C. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered prior to the effective date of this local law brought pursuant to any legislative provision of the Village of Chaumont.
- D. Any franchise, license, right, easement or privilege heretofore granted or conferred by the Village of Chaumont.
- E. Any local law, ordinance or resolution of the Village of Chaumont providing for the laying out, opening, altering, widening, relocating, straightening, establishing grade, changing name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place within the Village of Chaumont or any portion thereof.
- F. Any ordinance or resolution of the Village of Chaumont appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond of the Village of Chaumont or other instruments or evidence of the village's indebtedness.

- G. Local laws, ordinances or resolutions authorizing the purchase, sale, lease or transfer of property or any lawful contract or obligation.
- H. The levy or imposition of special assessments or charges.
- I. The dedication of property.
- J. Any local laws, ordinances or resolutions relating to salaries.
- K. Any ordinance or resolution establishing a water, sewer, lighting, garbage or other special purpose district.
- L. Any local law, ordinance or resolution adopted subsequent to August 9, 1977.

§ 1-5. Severability.

If any clause, sentence, paragraph, section, Article or part of this local law or of any local law, ordinance or resolution cited in the table in § 1-2 hereof 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, Article or part thereof directly involved in the controversy in which such judgment shall have been rendered.

§ 1-6. Copy of Code on file.

A copy of the Code of the Village of Chaumont, in loose-leaf form, has been filed in the office of the Village Clerk and shall remain there for use and examination by the public until final action is taken on this local law; and if this local law shall be adopted, such copy shall be certified to by the Village Clerk of the Village of Chaumont by impressing thereon the Seal of the Village of Chaumont, and such certified copy shall remain on file in the office of said Village Clerk, to be made available to persons desiring to examine the same during all times while said Code is in effect.

§ 1-7. Amendment to Code.

Any and all additions, deletions, amendments or supplements to any of the local laws, ordinances and resolutions known collectively as the "Code of the Village of Chaumont" or any new local laws, ordinances or resolutions, when enacted or adopted in such form as to indicate the intention of the Board of Trustees to be a part thereof, shall be deemed to be incorporated into such Code so that reference to the Code of the Village of Chaumont shall be understood and intended to include such additions, deletions, amendments or supplements. Whenever such additions, deletions, amendments or supplements to the Code of the Village of Chaumont shall be enacted or adopted, they shall thereafter be printed and, as provided hereunder, inserted in the loose-leaf book containing said Code as amendments and supplements thereto.

§ 1-8. Code book to be kept up-to-date.

It shall be the duty of the Village Clerk or someone authorized and directed by the Village Clerk to keep up-to-date the certified copy of the book containing the Code of the Village of Chaumont required to be filed in the office of the Village Clerk for use by the public. All changes in said Code and all local laws, ordinances and resolutions adopted by the Board of Trustees subsequent to the enactment of this Article in such form as to indicate the intention of said Board of Trustees to be a part of said Code shall, when finally enacted or adopted, be included therein by temporary attachment of a copy of such changes or local laws, ordinances or resolutions until such change or local laws, ordinances or resolutions are printed as supplements to said Code book, at which time such supplements shall be inserted therein.

§ 1-9. Sale of Code book; supplementation.

Copies of the Code book containing the Code of the Village of Chaumont may be purchased from the Village Clerk of the Village of Chaumont upon the payment of a fee to be set by resolution of the Board of Trustees, which may also arrange by resolution for procedures for the periodic supplementation thereof.

§ 1-10. Publication; filing.

The Village Clerk of the Village of Chaumont, pursuant to law, shall cause to be published, in the manner required, notice of the introduction and adoption of this local law in the official newspaper of the village. A copy of the Code of the Village of Chaumont shall be maintained in the office of the Village Clerk for inspection by the public at all times during regular office hours. The enactment and application of this local law, coupled with the availability of a copy of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

§ 1-11. Penalties for offenses.

Any person who, without authorization from the Village Clerk, changes or amends, by additions or deletions, any part or portion of the Code of the Village of Chaumont or who alters or tampers with such Code in any manner whatsoever which will cause the legislation of the Village of Chaumont to be misrepresented thereby or who violates any other provision of this local law shall, upon conviction thereof, be subject to a fine of not more than two hundred fifty dollars (\$250.) or by imprisonment for a term not exceeding fifteen (15) days, or by both such fine and imprisonment.

§ 1-12. Incorporation of provisions into Code.

The provisions of this local law are hereby made part of Chapter 1 of the Code of the Village of Chaumont, to be entitled "General Provisions, Article I, Adoption of Code," and the sections of this local law shall be numbered 1-1 to 1-13, inclusive.

§ 1-13. When effective.

This local law shall take effect immediately upon filing with the Secretary of State of the State of New York.

GENERAL PROVISIONS

ARTICLE II Legislation Enacted During Codification

[During the process of codification, certain substantive revisions, changes and/or additions to various existing ordinances and local laws and certain complete new local laws were approved by the Board of Trustees for inclusion in the Code of the Village of Chaumont. Such amendments and new enactments are noted in the histories of individual chapters as "...amended (adopted) during codification; see Ch. 1, General Provisions, Art. II." During the course of normal supplementation, specific dates of amendment (adoption) will be inserted where pertinent in the text of the various chapters.

The enumeration appearing below lists each chapter and, where applicable, each section affected by any such legislation adopted during codification. The complete text of any amendments and new enactments is on file in the office of the Village Clerk where it may be inspected during office hours.]

Chapter and/or Section	Date of Adoption	Local Law Number
Ch. 6, Beaches		
§ 6-1	10-10-78	1-1978
§ 6-2	10-10-78	8-1978
Ch. 15, Curfew		
§ 15-3B	10-10-78	8-1978
Ch. 30, Fire Prevention		
§ 30-5	10-10-78	8-1978
Ch. 38, Garbage, Rubbish and Refuse		
§ 38-12	10-10-78	8-1978
Ch. 40, Gasoline Stations and Storage Tanks		
§ 40-2	10-10-78	8-1978
Ch. 45, Junkyards		
§ 45-1B	10-10-78	2-1978
§ 45-2	10-10-78	8-1978

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Chapter and/or Section	Date of Adoption	Local Law Number
Ch. 50, Loitering	10-10-78	7-1978
Ch. 53, Manure § 53-3	10-10-78	8-1978
Ch. 60, Peddling and Soliciting	10-10-78	6-1978
Ch. 68, Signs and Billboards		
§ 68-1B	10-10-78	3-1978
§ 68-2	10-10-78	8-1978
Ch. 71, Snowmobiles § 71-5	10-10-78	8-1978
Ch. 75, Streets and Sidewalks	10-10-78	4-1978
Ch. 80, Trailers and Trailer Camps		
§ 80-12	10-10-78	8-1978
Ch. 85, Vehicles and Traffic		
§ 85-14	10-10-78	8-1978
Ch. 88, Water Regulations (Original Sections 4, 12, 13, 14, 15, 16 and 22 omitted)	10-10-78	5-1978
§ 88-4	10-10-78	5-1978
§ 88-7	10-10-78	5-1978
§ 88-11	10-10-78	5-1978
§ 88-14	10-10-78	5-1978

Chapter 6

BEACHES

§ 6-1. Hours for use to be posted.

§ 6-2. Penalties for offenses.

[HISTORY: Adopted by the Board of Trustees of the Village of Chaumont 7-11-67. Sections 6-1 and 6-2 amended during codification; see Ch. 1, General Provisions, Art. II. Other amendments noted where applicable.]

§ 6-1. Hours for use to be posted.¹

The village beach and recreation areas will be open during the hours as posted by the village. No person shall use such beaches or recreation areas during the hours that such areas are closed.

§ 6-2. Penalties for offenses.²

Any person committing an offense against any provision of this chapter shall, upon conviction, be guilty of a violation pursuant to the Penal Law of the State of New York, punishable by a fine not exceeding two hundred fifty dollars (\$250.) or by imprisonment for a term not exceeding fifteen (15) days, or by both such fine and imprisonment.

¹ Editor's Note: Amended during codification; see Ch. 1, General Provisions, Art. II.

² Editor's Note: Amended during codification; see Ch. 1, General Provisions, Art. II.

Chapter 10

BINGO

§ 10-1. License required.

§ 10-2. Conduct restrictions.

§ 10-3. Matters to conform to statute.

§ 10-4. When effective.

[HISTORY: Adopted by the Board of Trustees of the Village of Chaumont 4-7-75. Amendments noted where applicable.]

§ 10-1. License required.

It shall be lawful for any authorized organization, upon obtaining a license therefor as provided in the Bingo Licensing Law, to conduct the game of bingo within the Village of Chaumont, subject to the provisions of this chapter, the provisions of the Bingo Licensing Law and the provisions of the State Lottery Control Law.

§ 10-2. Conduct restrictions.

Bingo games authorized hereby shall be subject to the following restrictions:

- A. No person, firm, association, corporation or organization other than an authorized organization licensed under the provisions of this chapter shall be permitted to conduct such games.
- B. The entire net proceeds of any game shall be exclusively devoted to the lawful purposes of the organization permitted to conduct the same.
- C. No single prize shall exceed the sum or value of two hundred fifty dollars (\$250.).

- D. No series of prizes on any one (1) occasion shall aggregate more than one thousand dollars (\$1,000.).
- E. No person except a bona fide member of any such organization shall participate in the management or operation of such game.
- F. No person shall receive any remuneration for participating in the management or operation of any such game.
- G. The unauthorized conduct of a bingo game and any willful violation of any provisions of this chapter shall constitute and be punishable as a misdemeanor.

§ 10-3. Matters to conform to statute.

The conduct of such bingo games, the application for a license therefor, the investigation of qualifications of applicants, matters to be determined, issuance of licenses, fees and duration of licenses, amendments to licenses, form and contents and display thereof, control and supervision, suspension of licenses, inspection of premises, participation of persons under eighteen (18) frequency of games, sale of alcoholic beverages, persons operating and conducting games, equipment, expenses, compensation, charge for admission and participation, amount of prizes, award of prizes, advertising games, statements of receipts, expenses, etc., examination of books and records, examination of managers, etc., disclosure of information, appeals from governing body to Control Commission, immunity from prosecution, exemption, offenses, forfeiture of license, ineligibility to apply for license, amendment and repeal of ordinances, delegation of authority, severability and all other related matters shall be in conformity with the provisions of the Bingo Licensing Law of the State of New York and the State Lottery Control Law.

§ 10-4. When effective.

This chapter shall take effect ten (10) days after publication and posting of notice thereof in accordance with the provisions of Section 20-2002 of the Village Law of the State of New York.

§ 12-1

BUILDING CONSTRUCTION

§ 12-1

Chapter 12

BUILDING CONSTRUCTION

ARTICLE I

Building Permit Fee

§ 12-1. Fee.

[HISTORY: Adopted by the Board of Trustees of the Village of Chaumont: Art. I, 4-9-85. Amendments noted where applicable.]

GENERAL REFERENCES

Fire prevention — See Ch. 30.
Flood control — See Ch. 33.

ARTICLE I

Building Permit Fee

[Adopted 4-9-85]

§ 12-1. Fee.

The building permit fee shall be set at five dollars (\$5.).

§ 15-1

CURFEW

§ 15-1

Chapter 15

CURFEW

§ 15-1. Loitering by minors.

§ 15-2. Responsibility of parents.

§ 15-3. Penalties for offenses.

[HISTORY: Adopted by the Board of Trustees of the Village of Chaumont 10-3-45. Section 15-3B amended during codification; see Ch. 1, General Provisions, Art. II. Other amendments noted where applicable.]

GENERAL REFERENCES

Loitering — See Ch. 50.

§ 15-1. Loitering by minors.

It shall be unlawful for any minor under the age of sixteen (16) years to loiter, idle, wander, stroll or play in or upon the public streets, highways, roads, alleys, parks, public buildings, places of amusement and entertainment, vacant lots of other unsupervised places between the hours of 9:00 p.m. and 6:00 a.m. of the following day; provided, however, that the provisions of this section shall not apply to a minor accompanied by his or her parent, guardian or other adult person having the care and custody of the minor, or where the minor is upon an emergency errand or legitimate business directed by his or her parent, guardian or other adult person having the care and custody of the minor.

§ 15-2. Responsibility of parents.

It shall be unlawful for the parent, guardian or other adult person having the care and custody of a minor under the age of sixteen (16) years to permit such minor to loiter, idle, wander, stroll or play in or upon the public streets, highways, roads, alleys, parks, playgrounds or other public grounds, public places and public buildings, places of amusement and entertainment, vacant lots or other unsupervised places between the hours of 9:00 p.m. and 6:00 a.m. of the following day; provided, however, that the provisions of this section do not apply when the minor is accompanied by his parent, guardian or other adult person having the care or custody of the minor, or unless the minor is upon an emergency errand or legitimate business directed by his or her parent, guardian or other adult person having the care and custody of the minor.

§ 15-3. Penalties for offenses.

- A. Any minor violating the provisions of this chapter shall be held in some private room in the fire station until the parents, guardian or other adult person having the control of such child or minor is personally notified of such detention and, further, said minor apprehended for the violation of this chapter shall be dealt with therein under the Children's Court Act of the State of New York in the Children's Court Act.
- B. Any parent, guardian or other adult person having the care and custody of a minor violating § 15-2 hereof, upon conviction of a violation of the provisions of this chapter, shall be guilty of a violation pursuant to the Penal Law of the State of New York, punishable by a fine not exceeding two hundred fifty dollars (\$250.) or by imprisonment for a term not exceeding fifteen (15) days, or by both such fine and imprisonment.¹

¹ Editor's Note: Amended during codification; see Ch. 1, General Provisions, Art. II.

Chapter 18

DEFENSE AND INDEMNIFICATION OF
OFFICERS AND EMPLOYEES

§ 18-1. Village to provide insurance benefits.

§ 18-2. Authorization to purchase insurance policy.

§ 18-3. When effective.

[HISTORY: Adopted by the Board of Trustees of the Village of Chaumont 11-12-85 as L.L. No. 3-1985. Amendments noted where applicable.]

GENERAL REFERENCES

Personnel — See Ch. 62.

§ 18-1. Village to provide insurance benefits.

The Village Board of Chaumont, New York, does hereby agree and determine that:

A. The benefits of § 18 of the Public Officers Law shall be benefits which are conferred upon officers and employees of the Village of Chaumont as such officers and employees are defined by § 18 of the Public Officers Law.

B. The Village of Chaumont shall be liable for all costs incurred under these provisions.

§ 18-2. Authorization to purchase insurance policy.

The Village of Chaumont shall be hereby authorized and empowered to buy a suitable policy of insurance from any insurance company created by or under the laws of this state or authorized by law

§ 18-2

CHAUMONT CODE

§ 18-3

to transact business in this state against any liability imposed by the provisions of § 18 of the Public Officers Law and the enactment of this resolution.

§ 18-3. When effective.

Sections 18-1 and 18-2 of this chapter shall not take effect until such time as the Chaumont Village Board has received notification that such insurance policy is in full force and effect within the Village of Chaumont.

§ 20-1

DOGS

§ 20-3

Chapter 20

DOGS

§ 20-1. Running at large prohibited.

§ 20-2. Leash required.

§ 20-3. Committing nuisances on private or public property.

§ 20-4. Habitual barking or crying.

§ 20-5. Penalties for offenses.

[HISTORY: Adopted by the Board of Trustees of the Village of Chaumont 11-23-76. Amendments noted where applicable.]

§ 20-1. Running at large prohibited.

No person owning, keeping, harboring or having the custody and control of a dog shall permit such dog to be at large in the Village of Chaumont elsewhere than on the premises of said person, except it be on the premises of another person with the knowledge, consent and approval of such other person.

§ 20-2. Leash required.

The owner, harbinger, keeper or person having custody and control of a dog in the Village of Chaumont shall control and restrain such dog and shall be of such physical ability as to be able to control and restrain such dog by an adequate collar and leash not exceeding six (6) feet in length, except when such dog is on the premises of said person.

§ 20-3. Committing nuisances on private or public property.

No person owning, harboring, keeping or having custody and control of a dog shall suffer, permit or allow such dog to urinate,

defecate or to commit any other nuisance in any park, in any public building, in any store, parking lot or upon any public sidewalk or on private property.

§ 20-4. Habitual barking or crying.

No person shall keep, harbor or maintain any dog which habitually barks or cries so as to disturb and interfere with the peaceful living of any person.

§ 20-5. Penalties for offenses.

Each and every violation of this chapter shall be punishable by a fine of not more than twenty-five dollars (\$25.) for any offense.

Chapter 26

ETHICS, CODE OF

§ 26-1. Purpose.

§ 26-2. Definitions.

§ 26-3. Standards of conduct.

§ 26-4. Claims against village not barred.

§ 26-5. Distribution of copies.

§ 26-6. Penalties for offenses.

[HISTORY: Adopted by the Board of Trustees of the Village of Chaumont 12-28-70. Amendments noted where applicable.]

§ 26-1. Purpose.

Pursuant to the provisions of § 806 of the General Municipal Law, the Village Board of the Village of Chaumont recognizes that there are rules of ethical conduct for public officers and employees which must be observed if a high degree of moral conduct is to be obtained and if public confidence is to be maintained in our unit of local government. It is the purpose of this chapter to promulgate these rules of ethical conduct for the officers and employees of the Village of Chaumont. These rules shall serve as a guide for official conduct of the officers and employees of the Village of Chaumont. The rules of ethical conduct of this chapter, as adopted, shall not conflict with but shall be in addition to any prohibition of Article 18 of the General Municipal Law or any other general or special law relating to ethical conduct and interest in contracts of municipal officers and employees.

§ 26-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

INTEREST — A pecuniary or material benefit accruing to a municipal officer or employee, unless the context otherwise requires.

MUNICIPAL OFFICER OR EMPLOYEE — An officer or employee of the Village of Chaumont, whether paid or unpaid, including members of any administrative board, commission or other agency thereof. No person shall be deemed to be a "municipal officer or employee" solely by reason of being a volunteer fireman or civil defense volunteer, except a Chief Engineer or Assistant Chief Engineer.

§ 26-3. Standards of conduct.

Every officer or employee of the Village of Chaumont shall be subject to and abide by the following standards of conduct:

- A. Gifts. He shall not, directly or indirectly, solicit any gift, or accept or receive any gifts having a value of twenty-five dollars (\$25.) or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him or could reasonably be expected to influence him in the performance of his official duties or was intended as a reward for any official action on his part.
- B. Confidential information. He shall not disclose confidential information acquired by him in the course of his official duties or use such information to further his personal interest.
- C. Representation before one's own agency. He shall not receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any municipal agency of which he is an officer, member or employee or before any municipal agency over which he has jurisdiction or to which he has the power to appoint any member, officer or employee.

- D. Representation before any agency for a contingent fee. He shall not receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any agency of this municipality, whereby his compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this subsection shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered.
- E. Disclosure of interest in legislation. To the extent that he knows thereof, a member of the Village Board and any officer or employee of the Village of Chaumont, whether paid or unpaid, who participates in the discussion or gives official opinion to the Village Board on any legislation before the Village Board, shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he has in such legislation.
- F. Investments in conflict with official duties. He shall not invest or hold any investment directly or indirectly in any financial, business, commercial or other private transaction which creates a conflict with his official duties.
- G. Private employment. He shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or services creates a conflict with or impairs the proper discharge of his official duties.
- H. Future employment. He shall not, after the termination of service or employment with such municipality, appear before any board or agency of the Village of Chaumont in relation to any case, proceeding or application in which he personally participated during the period of his service or employment or which was under his active consideration.

§ 26-4. Claims against village not barred.

Nothing herein shall be deemed to bar or prevent the timely filing by a present or former municipal officer or employee of any

claim, account, demand or suit against the Village of Chaumont or any agency thereof on behalf of himself or any member of his family, arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

§ 26-5. Distribution of copies.

The Mayor of the Village of Chaumont shall cause a copy of this Code of Ethics to be distributed to every officer and employee of the village within thirty (30) days after the date this chapter is adopted. Each officer and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his office or employment.

§ 26-6. Penalties for offenses.

In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate any of the provisions of this Code of Ethics may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

Chapter 30

FIRE PREVENTION

ARTICLE I

Inspections and Removal of Hazards

- § 30-1. Duty to make inspections.
- § 30-2. Order to remove or remedy hazards; appeal.
- § 30-3. Noncompliance with orders.
- § 30-4. Service of orders.
- § 30-5. Penalties for offenses.

ARTICLE II

Adoption of Standards

- § 30-6. State standards accepted.

[HISTORY: Adopted by the Board of Trustees of the Village of Chaumont: Art. I, 12-4-17; Art. II, 8-14-79. Section 30-5 amended during codification; see Ch. 1, General Provisions, Art. II. Other amendments noted where applicable.]

ARTICLE I

Inspections and Removal of Hazards

[Adopted 12-4-17]

- § 30-1. Duty to make inspections.

It shall be the duty of the Chief of the Fire Department to inspect or cause to be inspected by Fire Department officers or members, as often as may be necessary, but not less than once a year in outlying districts and twice a year in the closely built

portions of the village, all buildings, premises and public thoroughfares, except the interiors of private dwellings, for the ascertaining and causing to be corrected of any conditions liable to cause fire or of any violations of any ordinance of the village affecting the fire hazard.

§ 30-2. Order to remove or remedy hazards; appeal.

Whenever any officer or member shall find in any building or upon any premises or other place combustible or explosive matter or dangerous accumulation of rubbish or unnecessary accumulation of wastepaper, boxes, shavings or any other highly flammable materials especially liable to fire and which are so situated as to endanger property, or any other hazardous condition liable to cause fire, or shall find obstructions to or on fire escapes, stairs, passageways, doors or windows, liable to interfere with the operations of the Fire Department or egress of occupants in case of fire, he shall order the same to be removed or remedied, and such order shall forthwith be complied with by the owner or occupant of such premises or buildings, subject to appeal within twenty-four (24) hours to the Mayor, who shall within ten (10) days review such order and file his decision thereon, and unless the order is revoked or modified, it shall remain in full force and be obeyed by such owner or occupant.

§ 30-3. Noncompliance with orders.

Any owner or occupant failing to comply with such order within ten (10) days after said appeal shall have been determined, or if no appeal is taken, then within ten (10) days after the service of the said order, shall be liable to a penalty as hereinafter stated.

§ 30-4. Service of orders.

The service of any such order shall be made upon the occupant of the premises to whom it is directed, by either delivering a true copy of same to such occupant personally or delivering the same to and leaving it with any person in charge of the premises, or in

case no such person is found upon the premises, by affixing a copy thereof in a conspicuous place on the door to the entrance of the said premises. Whenever it may be necessary to serve such an order upon the owner, of said premises, such an order may be served either by delivering to and leaving with the said person a true copy of the said order or, if such owner is absent from the jurisdiction of the officer making the order, by mailing a copy to the owner's last known post office address.

§ 30-5. Penalties for offenses. [Amended 10-10-78 by L.L. No. 8-1978]

Any person committing an offense against any provision of this chapter shall, upon conviction, be guilty of a violation pursuant to the Penal Law of the State of New York, punishable by a fine not exceeding two hundred fifty dollars (\$250.) or by imprisonment for a term not exceeding fifteen (15) days, or by both such fine and imprisonment.

ARTICLE II
Adoption of Standards
[Adopted 8-14-79]

§ 30-6. State standards accepted.

The Village of Chaumont accepts the applicability of the New York State Uniform Fire Prevention and Building Code.

Chapter 33

FLOOD CONTROL

ARTICLE I
Special Flood Hazard Areas

- § 33-1. Legislative intent.
- § 33-2. Building permits.
- § 33-3. Subdivisions and new developments.
- § 33-4. Water supply and sanitary sewage systems.
- § 33-5. Precedence of provisions.

ARTICLE II
Flood Control Measures

- § 33-6. Legislative intent.
- § 33-7. Responsibilities of Trustees.
- § 33-8. Duties of Clerk.
- § 33-9. Additional actions.

[HISTORY: Adopted by the Board of Trustees of the Village of Chaumont: Art. I, 4-7-75 as L.L. No. 1-1975; Art. II, 4-18-75 by resolution. Amendments noted where applicable.]

ARTICLE I
Special Flood Hazard Areas
[Adopted 4-7-75 as L.L. No. 1-1975]

- § 33-1. Legislative intent.

The Village of Chaumont having been identified by the Federal Insurance Administration as having a special flood hazard area,

which area is shown on a map received February 28, 1975, and designated as "FIA Flood Hazard Boundary Map No. H36 045 1110 01," it is the intent of the Village of Chaumont to comply with the provisions of Section 1910.3(b) of the criteria of Land Management and Use as determined pursuant to Title 24 - Housing and Housing Credit, Chapter 7, Federal Insurance Administration, Department of Housing and Urban Development. This Article shall apply to the area described in said map as a special flood hazard area.

§ 33-2. Building permits.¹

The Board of Trustees of the Village of Chaumont shall review all building permit applications for construction or substantial improvements to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a location that has a flood hazard, any proposed new construction or substantial improvement (including prefabricated and mobile homes) must: be designed (or modified) and anchored to prevent flotation, collapse or lateral movement of the structure; use construction materials and utility equipment that are resistant to flood damage; and use construction methods and practices that will minimize flood damage.

§ 33-3. Subdivisions and new developments.

The Building Inspector and the Board of Trustees of the Village of Chaumont shall review subdivision proposals and other proposed new developments to assure that all such proposals are consistent with the need to minimize flood damage; that all public utilities and facilities, such as sewer, gas, electrical and water systems, are located, elevated and constructed to minimize or eliminate flood damage; and that adequate drainage is provided so as to reduce exposure to flood hazards.

¹ Editor's Note: Permit applications are available in the office of the Village Clerk, and requests for building permits must be approved by the Village Board prior to construction.

§ 33-4. Water supply and sanitary sewage systems.

The Building Inspector and the Board of Trustees of the Village of Chaumont shall require new or replacement water supply systems and/or sanitary sewage systems to be designed so as to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters, and require on-site waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding.

§ 33-5. Precedence of provisions.

The provisions of this Article shall take precedence over any other laws, ordinances and codes to the extent that the provisions of this Article are more stringent than such other provisions.

ARTICLE II
Flood Control Measures
[Adopted 4-18-75 by resolution]

§ 33-6. Legislative intent.

The Board of Trustees hereby assures the Federal Insurance Administration that it will enact, as necessary, and maintain in force for those areas having flood or mudslide hazards, adequate land use and control measures with effective enforcement provisions consistent with the criteria set forth in Section 1910 of the National Flood Insurance Program Regulations.

§ 33-7. Responsibilities of Trustees.

The Village Board is hereby vested with the responsibility, authority and means to:

- A. Delineate, or assist the Administrator, at his request, in delineating, the limits of the areas having special flood hazards on available local maps of sufficient scale to identify the location of building sites.

- B. Provide such information as the Administrator may request concerning present uses and occupancy of the floodplain.
- C. Cooperate with federal, state and local agencies and private firms which undertake to study, survey, map and identify floodplain or mudslide areas, and cooperate with neighboring communities with respect to management of adjoining floodplain and/or mudslide areas in order to prevent aggravation of existing hazards.
- D. Submit on the anniversary date of the community's initial eligibility an annual report to the Administrator on the progress made during the past year within the community in the development and implementation of floodplain management measures.

§ 33-8. Duties of Clerk.

The Village Clerk is hereby appointed to maintain for public inspection and to furnish upon request a record of elevations (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures located in the special flood, hazard areas. If the lowest floor is below grade on one (1) or more sides, the elevation of the floor immediately above must also be recorded.

§ 33-9. Additional actions.

The Board of Trustees agrees to take such other official action as may be reasonably necessary to carry out the objectives of the program.

GARBAGE, RUBBISH AND REFUSE

Chapter 38

GARBAGE, RUBBISH AND REFUSE

ARTICLE I

Title; Purpose; Definitions

§ 38-1. Title.

§ 38-2. Purpose.

§ 38-3. Definitions.

ARTICLE II

Storage of Refuse

§ 38-4. Receptacles required.

§ 38-5. Accumulation prohibited; compost piles.

§ 38-6. Deposits on public or private property.

ARTICLE III

Collection of Refuse

§ 38-7. Consent required for collection.

§ 38-8. Curb pickup and transfer.

ARTICLE IV

General Regulations

§ 38-9. Complaint procedures; list of collectible material.

§ 38-10. Littering.

ARTICLE V
Enforcement

§ 38-11. Mayor to enforce provisions.

§ 38-12. Penalties for offenses.

[HISTORY: Adopted by the Board of Trustees of the Village of Chaumont 10-10-72. Section 38-12 amended during codification; see Ch. 1, General Provisions, Art. II. Other amendments noted where applicable.]

ARTICLE I
Title; Purpose; Definitions

§ 38-1. Title.

This chapter shall be known as the "Refuse Disposal Ordinance of the Village of Chaumont."

§ 38-2. Purpose.

The purpose of this chapter shall be to protect and promote health, safety and welfare of the people of the Village of Chaumont and their property values by controlling the storage, collection and disposal of refuse within the Village of Chaumont.

§ 38-3. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

GARBAGE — All putrescible (or decayable) wastes, except sewage and body wastes, including vegetables and animal offal and carcasses of dead animals, and all such substances accumulated on or removed from all public and private establishments and properties, including

§ 38-3 GARBAGE, RUBBISH AND REFUSE § 38-4

residences, but excluding recognizable industrial by-products, discarded wood, lumber or stones.

PERSON — Any individual, firm, partnership, company, corporation, association, society or group.

REFUSE — Includes rubbish and garbage.

REFUSE COLLECTOR — Includes any person, firm, corporation or other legal entity carrying on the business of receiving, collecting, transporting or disposing of garbage, rubbish or other wastes for hire and/or salvage within the Village of Chaumont.

RUBBISH — General, dry material produced routinely by households, commercial or industrial establishments, such as paper, cans, bottles and other containers and ashes.

TRASH — Includes bushes, branches, Christmas trees and similar waste materials, bulky objects such as discarded household appliances or equipment or furniture, and building, demolition and construction wastes. "Trash" shall be collected in the spring and fall by village employees.

ARTICLE II
Storage of Refuse

§ 38-4. Receptacles required.

Every owner, lessee or occupant of any building premises or place of business within the Village of Chaumont shall provide or cause to be provided at all times suitable and sufficient receptacles for receiving and containing garbage or rubbish that may accumulate or be used upon said premises. No receptacle for domestic use shall exceed twenty (20) gallons in capacity or fifty (50) pounds in weight when filled. All receptacles containing garbage or rubbish shall be watertight, with proper tight covers and handles. Such receptacles shall be securely closed at all times and the number thereof shall not exceed five (5) twenty-gallon cans per week per family. Any amount in excess of above shall be

contracted with the collector and shall not be a charge to the village.

§ 38-5. Accumulation prohibited; compost piles.

- A. The owner or occupant of the real property shall be responsible for the regular collection and/or disposal of all refuse which may accumulate on the property owned or occupied by him.
- B. No person shall accumulate or permit the accumulation of refuse on any premises owned by him within the Village of Chaumont except for the purpose of collection, which shall normally occur at intervals not less frequent than every seven (7) days.
- C. Nothing herein contained shall be construed to prohibit the maintenance of compost or mulch piles, provided no garbage is deposited in such piles, and further provided that such compost or mulch piles do not develop obnoxious odors, attract rodents or otherwise create a hazard to the health or enjoyment of neighboring property owners.

§ 38-6. Deposits on public or private property.

No person shall throw, deposit or burn, or cause to be thrown, deposited or burned, any refuse, leaves or trash in or upon any public highway, street or place, including gutters or drainage ditches, within the Village of Chaumont.

**ARTICLE III
Collection of Refuse**

§ 38-7. Consent required for collection.

No vehicle used by the refuse collector shall travel into a residential driveway for the purpose of collecting garbage or refuse.

§ 38-8 GARBAGE, RUBBISH AND REFUSE § 38-11

§ 38-8. Curb pickup and transfer.

- A. All receptacles with domestic garbage or household refuse shall be transferred to the curb or roadside by the householder a reasonable time before the pickup by the licensed refuse collector, but not to exceed twelve (12) hours.
- B. The refuse collector shall collect and transfer the same from this point to his licensed vehicle.
- C. Such receptacles are to be returned to the curb or roadside by the licensed refuse collector and removed therefrom by the householder within a reasonable time after said collection, but not to exceed twelve (12) hours.

ARTICLE IV
General Regulations

§ 38-9. Complaint procedures; list of collectible material.

Each collector shall furnish each customer with a card which shall contain the name and phone number of the person to call in case of complaints and a list of any material which will not be picked up by the collector.

§ 38-10. Littering.

The refuse collectors shall not permit refuse to fall or collect upon the street or ground from which they are collecting, nor shall they permit refuse to sift out or fall from any vehicle or in any way become distributed upon or along private property or on the public streets or other thoroughfares.

ARTICLE V
Enforcement

§ 38-11. Mayor to enforce provisions.

It shall be the responsibility of the Mayor or his authorized representatives to enforce the provisions of this chapter.

§ 38-12. Penalties for offenses.¹

Any person committing an offense against any provision of this chapter shall, upon conviction, be guilty of a violation pursuant to the Penal Law of the State of New York, punishable by a fine not exceeding two hundred fifty dollars (\$250.) or by imprisonment for a term not exceeding fifteen (15) days, or by both such fine and imprisonment.

¹ Editor's Note: Amended during codification; see Ch.1, General Provisions, Art. II.

§ 40-1 GASOLINE STATIONS AND STOR. TANKS § 40-2

Chapter 40

GASOLINE STATIONS AND STORAGE TANKS

§ 40-1. Proximity to public buildings or institutions.

§ 40-2. Penalties for offenses.

[HISTORY: Adopted by the Board of Trustees of the Village of Chaumont 5-29-58. Section 40-2 amended during codification; see Ch. 1, General Provisions. Art. II. Other amendments noted where applicable.]

§ 40-1. Proximity to public buildings or institutions.

No gasoline station shall be altered, erected or located within a distance of two hundred (200) feet from any church, school, public library, park or playground nor shall gasoline or fuel oil be stored in tanks above the ground unless specially authorized by the Board of Trustees and then only in accordance with plans approved by the Board of Trustees, which may make such requirements in relation to yards, locations of tanks, pumps, buildings, entrances to yards and construction as it may deem necessary to the public interest and welfare.

§ 40-2. Penalties for offenses.¹

Any person committing an offense against any provision of this chapter shall, upon conviction, be guilty of a violation pursuant to the Penal Law of the State of New York, punishable by a fine not exceeding two hundred fifty dollars (\$250.) or by imprisonment for a term not exceeding fifteen (15) days, or by both such fine and imprisonment.

¹ Editor's Note: Amended during codification; see Ch. 1, General Provisions, Art. II.

