

(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

of Victory

Local Law No. 2 of the year 1996

A local law to amend local law No. 3 of the year 1992 entitled
(Insert Title)

"a local law to establish a sewer use charge system"

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

County

City

Town

Village

of Victory as follows:

Section 1. Section 5, Basis of Use Charge System, the fifth paragraph shall be amended to provide as follows:

Each pump will have one, two or three hookups from adjacent houses. It will be required that one house supply the grinder pump with power. That house that supplies the power will be chosen based on the condition and quality of the electrical system. The home that provides a power supply for the grinder pump will be credited a base amount of \$15.00 per year, with the base amount to increase yearly.

The base amount shall increase commencing on April 1, 1997 and on April 1 of each year thereafter. The increase in the base amount shall be determined by computing the average kilowat charged by Niagara Mohawk to residential users. The average kilowat is defined by totaling the residential user kilowat charged for each month during the calendar year and dividing the total amount by twelve. The average kilowat for the year 1995 shall be called the base kilowat. The base kilowat for 1995 was 10.5 cents per kilowat hour. The average kilowat for each year thereafter shall be compared to the base kilowat. The Village Board shall determine if there was an increase between the base kilowat and the average kilowat. The increase, if any, shall be determined on a percentage and the base amount of \$15.00 shall be multiplied by the percentage. The result shall be the dollar amount to be added to the base amount of \$15.00 per year, resulting in an increase in the amount of credit to be provided to the house that supplies the grinder pump with power.

Section 2. In all other respects the remaining provisions of Local Law No. 3 of the year 1992 shall remain in full force and effect.

Section 3. This local law shall take effect immediately upon its filing in the office of the Secretary of State.

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

(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 1996 of the ~~(County)(City)(Town)~~(Village) of Victory was duly passed by the Village Board on April 1996, 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 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19 __, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 19____, in accordance with the applicable provisions of law.
(Elective Chief Executive Officer)*
(Name of Legislative Body)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19____. 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 _____ 19____, in accordance with the applicable provisions of law.
(Elective Chief Executive Officer)*
(Name of Legislative Body)

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 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 19____, in accordance with the applicable provisions of law.
(Elective Chief Executive Officer)*
(Name of Legislative Body)

* 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.

$$\text{Total Assessed Value Charge} = 40\% \times \$75,000 = \$30,000.00$$

Each portion of the charge is then converted into a unit charge, i.e.:

$$\begin{aligned} \text{Use Charge Unit} &= \$45,000.00/226 \text{ Use Units} \\ &= \$199.12/\text{Use Unit} \end{aligned}$$

$$\begin{aligned} \text{Assessed Value Charge Unit} &= \$30,000.00/\$14,406,026 \text{ Total} \\ &\quad \text{Assessed Value} \\ &= \$2.08/\$1,000 \text{ of Assessed Value} \end{aligned}$$

These charge units are then used to develop the actual cost per lot, based on the specific features of each.

An average homeowner with one use unit will be charged in the following manner. In the first year, the average residential property owner with one use unit and with a Village assessed property value of \$45,000 will pay \$295.00. The fee is calculated as follows:

$$\begin{aligned} \text{Use Charge} &= \$199.12/\text{Use Unit} \times 1 \text{ Use Unit} \\ &= \$199.12 \\ \text{Assessed Value Charge} &= \$2.08/\$1,000 \text{ Assessed Value} \times 45 \\ &\quad \text{(Thousands of Assessed Value)} \\ &= \$93.60 \\ \text{Total Charge} &= \$199.12 + 93.60 = \$292.72 \\ &= \$295.00 \text{ (rounded up to next even} \\ &\quad \text{five dollar value)} \end{aligned}$$

As indicated above, the calculated fee will be rounded to the next highest dollar figure divisible by five. In addition, a minimum fee of \$30.00 per lot will be applied where the calculated value is less than \$25.01.

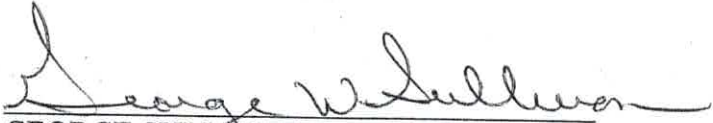
It should be noted that this Capital Cost Recovery System only establishes the procedure for which the capital cost expenditures re billed to the property owners in the Village. The actual costs to the property owner may change from year to year based on the amount of money that must be collected.

The presented cost information is based on the BAN's value and estimated interest rate which will be utilized to pay up-front costs. After construction, when long-term financing has been developed, costs will be recalculated based on the actual project construction costs.

Section 7. Effective Date.

This local law shall take effect immediately upon adoption and filing with the Secretary of State, as provided in Section 27(3) of the Municipal Home Rule Law of the State of New York.

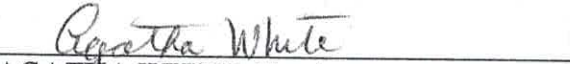
ENACTED this 16th day of November, 2004 by the Board of Trustees of the Village of Victory, Saratoga County, New York.



GEORGE SULLIVAN, Mayor



LESLIE DENNISON, Trustee



AGATHA WHITE, Trustee