

Local Law Filing

(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
(Select one:)

of Chester

Local Law No. 3 of the year 20¹⁵

A local law Amendment to Chapter 90: Towing"
(Insert Title)

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

County City Town Village
(Select one:)

of Chester as follows:

Section 1. The Code of the Village of Chester Chapter 90, Towing, Section 90-5, Application for License, shall be amended to replace subsection "C" as follows:

"C. All license holders are required to take credit cards or cash for all tow list services except impounds, for which only cash is required."

Section 2. The Code of the Village of Chester Chapter 90, Towing, Section 90-6, Investigation of applicant, is amended to replace Section 90-6, in its entirety, with the following:

"90-6. Investigation of applicant.

As soon as practical, after receipt of an application as herein provided, the Chief of Police shall cause an investigation to be made of the applicant and of his proposed business operation to be licensed. The Chief of Police may delegate the inspection of the wrecker(s) to an independent person, who may not be engaged in business in the Village, who shall be qualified by experience and training to make such inspection and who shall report to the Chief of Police whether the wrecker(s) is/are in a thoroughly safe and sanitary condition. Within 14 days after completion of the inspection and investigation, the Chief of Police shall either approve or deny the application.

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

Section 3. The Code of the Village of Chester Chapter 90, Towing, Section 90-7, Standards for license approval; fees, shall be amended to replace subsection "B" as follows:

"B (1). The fee for a license is \$1,000.00 per year and may be reviewed by the Village Board as needed.

B(2). If a license is approved with less than a full calendar year remaining, the license fee shall be pro-rated."

Section 4. The Code of the Village of Chester Chapter 90, Towing, Section 90-14, Schedule of rates and fees, shall be amended to replace subsection "E" as follows:

E. Towing/impounding rates applying to all tow call list services.

(1) Day rate (8:00 a.m. to 6:00 p.m.): \$85.

(2) Night rate (6:01 p.m. to 7:59 a.m.): \$100.

(3) Weekend/holiday (all hours): \$100.

(4) Street service calls (nontowing):

(a) Day rate: \$70.

(b) Night rate: \$95.

(c) Weekend/holiday: \$95.

(d) Lockout rate: \$60.

(5) Snow Ordinance towing[1]: \$100.

(6) Motor vehicle accident (MVA) towing (includes impounds if involved in accident) (subject to Village Board review on a yearly basis): No set rate.

(7) MVA storage fees:

(a) Outside: \$60.

(b) Inside: \$70.

(8) All impound storage fees:

(a) Outside: \$60.

(b) Inside: \$70.

(9) Towing to other locations at customer's request, at applicable rate above plus a per-mile charge agreed to by the licensee and the customer before the tow is commenced.

NOTE: No storage fees will be charged for vehicles released within the first 24 hours from time of tow. This shall not preclude the licensee from collecting a storage fee for the first 24 hours when a vehicle is released subsequent to that initial period."

Section 5. Repealer. All Local Laws, Ordinances or parts of Local Laws or Ordinances inconsistent or in conflict with these Ordinances are hereby repealed as to said inconsistencies and conflicts.

Section 6. Severability. In the event that any clause, sentence, section or other part of this Local Law is declared to be invalid, such invalidity shall not affect the remainder of this chapter.

Section 7. This Local Law shall become effective immediately upon filing with the Office of the Secretary of State pursuant to the Municipal Home Rule Law.

(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. 3 of 2015 of the ~~(County)~~(City)(~~Town~~)(Village) of Chester was duly passed by the Board of Trustees (Name of Legislative Body) on July 13 2015, in accordance with the applicable provisions of law.

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 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the (Name of Legislative Body) on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ and was deemed duly adopted (Elective Chief Executive Officer*) on _____ 20 , in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the (Name of Legislative Body) on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____. (Elective Chief Executive Officer*)

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 _____ 20____, in accordance with the applicable provisions of law.

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 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the (Name of Legislative Body) on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* 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.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

Rebecca Rivera

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 7/14/15

(Seal)