

LOCAL LAW #3 OF 2017
A LOCAL AMENDING
SECTION 238-10 OF THE CODE OF THE VILLAGE OF WALDEN WHICH IS
CURRENTLY ENTITLED “PENALTIES FOR LATE PAYMENTS”

BE IT ENACTED by the Village Board of the Village of Walden as follows:

SECTION 1 - TITLE

This Local Law shall be referred to as “A Local Law Amending Sections 238-10 and 238-11 of the Code of the Village of Walden entitled *Penalties for delinquent payments and Unpaid rents to become lien*.”

SECTION 2 – PURPOSE

The purpose of this local law is to provide clarity as to the date by which Village sewer bills must be paid before the imposition of a late payment penalty.

SECTION 3 – AMENDMENT TO CODE SECTION 238-10.

The Code of the Village of Walden is hereby amended by the deletion of section 238-10 in its entirety and its replacement with the following language that shall read as follows:

Sec. 238-10: Penalties for delinquent payments

- A. *If the amount owed is not paid by the due date set forth on the bill, a late charge of ten percent (10%) shall be added to the amount unpaid. Said late charge shall constitute additional sewer rent.*
- B. *All delinquent sewer bills remaining unpaid as of March 31 of each year will be added to the tax roll for inclusion on the next Village tax bill.*

SECTION 4 – AMENDMENT TO CODE SECTION 238-11.

The Code of the Village of Walden is hereby amended by the deletion of section 238-11 in its entirety and its replacement with the following language that shall read as follows:

The Village Clerk shall annually certify to the Village Board the amounts of all unpaid sewer use charges, including penalties. The Clerk shall present such certification at a meeting of the Board of Trustees and enter the certificate of the amounts so unpaid in the minutes of said meeting. The Board of Trustees shall levy such amounts against the real property liable therefor as a part of the annual Village tax levy. The sewer use charge lien shall be prior and superior to every other lien or claim, except the lien of an existing tax, assessment or other lawful charge imposed by or for the state, a political subdivision or district.

SECTION 5 – VALIDITY

If any clause, sentence, paragraph, word, section or part of this local law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 6 - EFFECTIVE DATE

This Local Law shall take effect immediately when it is filed in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.