

***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**  
**of**            Walden  
**Town**  
**Village**

**Local Law No. 9 of the year 2019**

**A local law**    Adding a new section to the Code to be designated as Section 298-29A entitled “Penalty for Failure to Allow Access to Premises to Install a New Water Meter”  
*(Insert Title)*

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

**of the**  
**County**  
**City**  
**of**            Walden            as follows:  
**Town**  
**Village**

**Section 1.    Purpose and Intent**

The Village of Walden is in the process of undertaking a project involving a Village-wide replacement of water meters to ensure that water use is accurately metered through the utilization of new, properly functioning and technologically advanced water meters. This project has been ongoing and the meters have been installed at no cost to the property owners. However, certain property owners have refused to comply with requests from the Village to grant access to property to allow the installation of the new meters. As a result, there are certain properties in the Village that continue to be serviced by antiquated and possibly nonfunctional meters which may not accurately calculate water usage. In order to incentivize these properties to allow the Village access to the properties for the purpose of installing the new meters, the Village Board finds that is necessary to impose a monetary penalty to be assessed on the quarterly water bill for those properties that have refused and/or neglected to allow the Village onto the property to install the new water meters.

**Section 2. Code Amendment**

The Code shall be amended by the addition of a new Section to be designated as Section 298-29A which shall read as follows:

**Section 298-29A Penalty for Failure to Allow Access to Premises to Install a New Water Meter**

Any owner of premises using water supplied by the Village whose property has been designated for the receipt of a new water meter to be provided and installed by Village shall be liable for a fine of \$75.00 per quarter for each quarter, or portion thereof, that the said owner refuses and/or neglects to allow the installation of the new water meter.

**Section 3. SEQRA**

3.1 This local law is an unlisted action pursuant to the implementing regulations of the *Environmental Conservation Law* as set forth at *6 NYCRR 617 et.seq.* There are no other involved agencies, coordinated review is not required and Board of Trustees shall act as Lead Agency in connection with this local law.

**Section 4. Severability**

4.1 The invalidity or unenforceability of any particular provision of this local law shall not affect the validity or enforceability of other provisions of this local law, which such provisions shall continue to be both enforceable and valid.

**Section 5. Effective Date**

5.1 This local law shall take effect upon the filing of certified copies thereof with the Office of the Secretary of State in accordance with the Municipal Home Rule Law.