

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET ALBANY, NY 12231

(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 Round Lake

Local Law No _____ of the year 2021

A local law amending Chapter 168 (Vehicles and Traffic)

Be it enacted by the Village Board of Trustees of the

County

City

Town

Village of Round Lake as follows:

Section I. Substantive Law.

- A. The title of §168-1 is amended to read in full: “Title and Definitions”.
- B. Section §168-1 is amended to read in full: “This Article is titled ‘Parking of Vehicles on Streets, Roads, Avenues, Highways and Parks’. As used in this Article, ‘Vehicle’ means any motor vehicle (passenger or commercial), automobile, truck, boat, trailer (including flatbed, open or enclosed trailer, and including boat trailer), recreational vehicle, all-terrain vehicle, motor home, golf-cart or snowmobile, whether or not such is inspected, insured, registered, licensed or operative. As used in this Article ‘Street’ means any street, road, avenue or highway designed for or capable of carrying automobile traffic, whether paved or unpaved.”
- C. The title of §168-2 is amended to read in full: “Parking on Streets”.

- D. Paragraph A of §168-2 is amended to read in full: “No person shall park any Vehicle, in whole or in part (e.g., two of four tires), on the paved portion of any Street, unless:
1. at the direction of a police officer, fire or emergency responder or Village official; or
 2. where parking is permitted by a sign erected by the Village.
- E. Paragraph B of §168-2 is amended to read in full: “No personal shall park any Vehicle on any Street, park or other Village property for a period exceeding 24 consecutive hours, except for a motor vehicle (passenger or commercial), automobile or truck.”
- F. Paragraph C of §168-2 is amended to read in full: “No personal shall park any Vehicle on or within the shoulder or breakdown lane of Route 9 within the Village of Round Lake, except for an emergency with respect to such Vehicle, such as a mechanical malfunction. There is a presumption that any Vehicle parked on or within the shoulder or breakdown lane of Route 9 within the Village of Round Lake is parked in violation of this subsection, and the burden of proving an emergency shall rest on the person charged with violating this subsection.”

Section II. Supersession:

This local law is hereby adopted pursuant to the provision of §10 of the New York State Municipal Home Rule Law and §10 of the NYS Statute of Local Governments, it being the intent of the Village Board to supersede any and all contrary or inconsistent State Laws.

Section III. Inconsistency:

All other local laws and ordinances of the Village of Round Lake, if any, that are inconsistent with the provisions of this local law are hereby repealed, provided, however, that such repeal shall only be to the extent of such inconsistency and in all other respects this local law shall be in addition to such other local laws or ordinances, if any, regulating and governing the subject matter covered by this local law.

Section IV. Savings Clause:

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, order and/or decision shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation of the clause, sentence, paragraph, worked section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section V. Effective Date:

This local law shall first be effective upon filing with the NYS Secretary of State.

(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. _____ of 2021 of the ~~(County)(City)(Town)(Village)~~ of Round Lake was duly passed by the Village Board of Trustees on the 20th day of October, 2021 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 _____ on _____ 20____ and was ~~(approved)(not approved)~~ ~~(repassed after~~
~~(Name of Legislative Body)~~
~~disapproval) by the _____ and was deemed duly adopted on _____~~
~~20____.~~~~

~~_____ (Elective Chief Executive Officer*) _____
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 No. _____ of 20____ of the ~~(County)(City)(Town)(Village)~~ of _____ was duly passed by the _____ on _____ 20____ and was ~~(approved)(not approved)(repassed after~~
~~(Name of Legislative Body)~~
~~disapproval) by the _____ on _____ 20____. Such~~
~~local law was submitted~~
~~_____ (Elective Chief Executive Officer*) _____~~
~~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 local law annexed hereto, designated as local law No. _____ of 20____ of the ~~(County)(City)(Town)(Village)~~ of _____ was duly passed by the _____ on _____ 20____, and was ~~(approved)(not approved)(repassed after~~
~~(Name of Legislative Body)~~
~~disapproval) by the _____ on _____ 20____. Such local law~~
~~was subject to~~
~~_____ (Elective Chief Executive Officer*) _____~~
~~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 at 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 affirm majority of the qualified electors of such city voting thereon at the (special)(general) election held _____20____
5
became operative.

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

I hereby certify that the local law, designated as local law No _____ of 20____ of the County of _____ State of New York, having submitted to the electors at the General Election of November _____ 20____, pursuant to subdivision 5 an section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities 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.

Clerk of the County legislative body, City, Town or Village
Clerk or officer designated by local legislative body **Kimberly A. Sheridan-Dugmore**

(Seal)

Date: October 20, 2021

(Certification to be executed by, ~~County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney,~~ of locality.)

STATE OF NEW YORK)
)SS:
COUNTY OF SARATOGA)

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature – **Thomas W. Peterson**

Attorney for the Village of Round Lake

Title
County
City
Town

Village of Round Lake

Date: October 20, 2021