

(Please Use this Form for Filing your 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 DUNKIRK
Town
~~Village~~

Local Law No. 1 of the year 19 88

A local law REGULATING THE BURNING OF CERTAIN MATERIALS IN OPEN FIRES
IN THE TOWN OF DUNKIRK
(insert title)

Be it enacted by the TOWN BOARD of the
(Name of Legislative Body)

~~County~~
~~City~~ of DUNKIRK, CHAUTAUQUA COUNTY, NEW YORK as follows:
Town
Village

BE IT ENACTED by the TOWN BOARD of the TOWN OF DUNKIRK, New York, as follows:

1. DEFINITIONS:

a) The term "person" as used in this Local Law, shall include an individual, society, club, firm, partnership, corporation or association of persons and the singular member shall include the plural number.

b) The term "rubbish" as used in this Local Law, shall include rags, furniture, plastics, demolition materials, tires, automobiles and other vehicles and parts, cartons, chemicals, paint, grease, sludges, oil and other petroleum products or items in which petroleum products are or were contained.

c) The term "open fire" shall be any outdoor fire or outdoor smoke producing process from which air contaminants are emitted directly into the outdoor atmosphere.

2. PROHIBITIONS. No person shall burn, cause, suffer, allow or permit the burning of rubbish as herein defined, in an open fire in the TOWN OF DUNKIRK, New York.

3. PENALTIES. Any person violating any of the provisions of this ordinance shall be guilty of a violation and, upon conviction thereof, be punishable by a fine not exceeding TWO HUNDRED FIFTY (\$250.00) DOLLARS for each offense or by imprisonment in the County Jail, or both, and upon failure to pay the fine, to be imprisoned in the County Jail until the fine be paid, not to exceed one (1) day for each FIVE (\$5.00) DOLLARS of the fine imposed up to a maximum of FIFTEEN (15) days for each conviction.

4. EFFECTIVE DATE. This Local Law shall take effect upon the filing of a certified copy thereof in the office of the New York Secretary of State.

The Town Clerk of the TOWN OF DUNKIRK is hereby authorized to publish notification of the enactment of this Local Law in the Evening Observer and that the said Local Law be filed with the Secretary of State.

Upon roll call vote, the following votes were cast:

Supervisor Robert H. Altwies	absent
Deputy Supervisor Patricia F. Johnson	voting aye
Councilman Wilfred F. Apps	voting aye
Councilman David T. Rusch	voting aye
Councilman Richard E. Mourer	voting nay

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein 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. 1..... of 19 88.
~~xxxx~~
~~City~~ of ~~DUNKIRK~~..... was duly passed by the TOWN BOARD.....
of the Town (Name of Legislative Body)
~~xxxxxx~~
on June 7, 1988. in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer, * or repassage after disapproval.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19
County
City of was duly passed by the (Name of Legislative Body)
Town
Village
on 19 not disapproved
and was approved by the Elective Chief Executive Officer *
repassed after disapproval
and was deemed duly adopted on 19 , 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 19
County
City of was duly passed by the (Name of Legislative Body)
Town
Village
on 19 not disapproved
and was approved by the Elective Chief Executive Officer *
repassed after disapproval
on 19 Such local law was submitted to the people by reason of a
mandatory referendum, and received the affirmative vote of a majority of the qualified electors voting
permissive
thereon at the special election held on 19 , in accordance with the appli-
cable provisions of law.
general
annual

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19
County
City of was duly passed by the (Name of Legislative Body)
Town
Village
..... 19 not disapproved
and was approved by the Elective Chief Executive Officer *
repassed after disapproval
..... 19 Such local law being subject to a permissive referendum and no
valid petition requesting such referendum having been filed, said local law was deemed duly adopted on
..... 19 , 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 chairman of the county legislative body, the mayor of a city or village or the supervisor of a town, where such officer is vested with 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 19 of the City of having been submitted to referendum pursuant to the provisions of § 36 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 election held on 19 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 19 of the County of, State of New York, having been submitted to the Electors at the General Election of November, 19, 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 of 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 above.


.....
County Clerk or Designated Local Representative

Date: June 7, 1988

(Seal)

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

STATE OF NEW YORK
COUNTY OF CHAUTAQUA

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
..... TOWN ATTORNEY
Title

Date: June 1, 1988
.....
County of DUNKIRK
City of
Town
Village