

**VILLAGE OF SKANEATELES
LOCAL LAW #1 OF 2006**

**AMENDMENTS TO VILLAGE CODE CHAPTER 1 (GENERAL PROVISIONS),
CHAPTER 90 (ELECTRIC SERVICE) AND
CHAPTER 218 (WATER), TO PROVIDE FOR THE CONSOLIDATION OF THE
ELECTRIC, WATER AND PUBLIC WORKS DEPARTMENT INTO A
MUNICIPAL DIVISION AND TO PROVIDE FOR THE CREATION OF THE
POSITION OF DIRECTOR OF PUBLIC WORKS**

1. Statement of Intent and Findings.

After lengthy and careful study by the Village Trustees, it has been determined that the public interest of the citizens of the Village of Skaneateles would best be served by consolidating the separate departments of Water, Electric and Public Works (including the wastewater treatment plant) into a single department, to be known as the Municipal Division, and to create a single department head to oversee and administer said department, whose title shall be Director of Public Works and whose duties and responsibilities shall be determined, from time to time, by the Trustees. In so doing, the Trustees are mindful that such actions will also require the amendment of the Charter of the Municipal Board of the Village of Skaneateles, adopted by Resolution of the Trustees on January 14, 1980, which amendment shall be accomplished by a separate resolution and not by this Local Law.

The Trustees find that such actions will improve the efficiency and productivity of the several departments and will assist them in meeting increasing technical, regulatory and financial challenges.

2. Chapter 1 (General Provisions) Section 1-1 "Rules of Construction" is amended to read as follows:

§ 1.1. Rules of construction.

"A. In the construction of this Code, the following rules shall be observed, unless such construction would be inconsistent with the manifest intent of the Village Board of Trustees:

- (1) Code Enforcement Officer. Whenever the words "Code Enforcement Officer" appear in this Code or any amendment thereto, said term shall refer to the Code Enforcement Officer of the Village and to his duly authorized subordinates.
- (2) Computation of time. Whenever a notice is required to be given or an act to be done a certain length of time before any proceeding shall be had, the day on which such notice is given, or such act is done, shall be counted in

computing the time, but the day on which such proceeding is to be had shall not be counted.

- (3) Corporate limits; corporation limits. Whenever the words “corporate limits,” “corporation limits” or “Village limits” are used they shall mean the legal boundary of the Village of Skaneateles.
- (4) County. The words “the county” or “this county” shall mean the County of Onondaga in the State of New York.
- (5) Delegation of authority. Whenever a provision appears requiring the head of a department of the Village to do some act or make certain inspections, it is to be construed to authorize the head of the department to designate, delegate and authorize subordinates to perform the required act or make the required inspection unless the terms of the provision or section designate otherwise.
- (6) Director of Public Works. The Director of Public Works shall manage, oversee and administer the Municipal Division, consisting of the Electric, Water and Public Works Departments.
- (7) Gender. A word importing the masculine gender only shall extend and be applied to females and to firms, partnerships and corporations as well as to males.
- (8) Interpretation. In the interpretation and application of any provision of this Code, it shall be held to be the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience and general welfare. Where any provision of the Code imposes greater restrictions upon the subject matter than the general provisions imposed by the Code, the provision imposing the greater restriction or regulation shall be deemed to be controlling.
- (9) Joint authority. All words giving a joint authority to three or more persons or officers shall be construed as giving such authority to a majority of such persons or officers.
- (10) Keeper; proprietor. The words “keeper” and “proprietor” shall mean and include persons, firms, associations, corporations, clubs and partnerships, whether acting by themselves or through a servant, agent or employee.
- (11) Mayor. Whenever the word “Mayor” is used it shall mean the Mayor of the Village of Skaneateles, and where a section shall direct that an act be performed or decision be made by the Mayor, such expression shall be deemed to include not only the Mayor but the Deputy Mayor or acting Mayor in the absence of the Mayor, or any member of the Board designated

by the Board or the Mayor to perform the act or exercise the discretion referred to, but this provision shall not be construed to authorize the Mayor or the Board to delegate any power or duty on the part of the Mayor to any other person except a member of the Board of Trustees of the Village or except as otherwise provided by law.

- (12) Month. The word “month” shall mean a calendar month.
- (13) Municipal Division. The Municipal Division shall consist of the Electric, Water and Public Works Departments, including the waste water treatment plant. The Municipal Division shall be managed and administered by the Director of Public Works.
- (14) Name of officer. Whenever the name of an officer is given it shall be construed as though the words “of the Village of Skaneateles” were added.
- (15) Nontechnical and technical words. Words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.
- (16) Number. A word importing the singular number only may extend and be applied to several persons and things as well as to one person and thing.
- (17) Oath. The word “oath” shall be construed to include an affirmation in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the words “swear” and “sworn” shall be equivalent to the words “affirm” and “affirmed.”
- (18) Or; and. “Or” may be read “and” and “and” may be read “or” if the sense requires it.
- (19) Owner. The word “owner,” applied to a building or land, shall include any part owner, joint owner, tenant in common, tenant in partnership, joint tenant, or tenant by the entirety of the whole or of a part of such building or land.
- (20) Person. The word “person” shall extend and be applied to associations, clubs, societies, firms, partnerships and bodies politic and corporate as well as to individuals.
- (21) Personal property. The term “personal property” includes every species of property except real property, as herein described.

- (22) Police Chief. The term “Police Chief” shall mean the Police Chief of the Village.
- (23) Preceding; following. The words “preceding “ and “following” shall mean next before and next after, respectively.
- (24) Premises. Whenever the word “premises” is used it shall mean place or places.
- (25) Property. The word “property” shall include real and personal property.
- (26) Public Place. The term “public place” shall mean any park, cemetery, school yard or open space adjacent thereto, all sidewalks, streets and parking fields, and all waterways.
- (27) Real property. The term “real property” shall include lands, tenements and hereditaments.
- (28) Residence. The term “residence” shall be construed to mean the place adopted by a person as his place of habitation and to which, whenever he is absent, he has the intention of returning. When a person eats at one place and sleeps at another, the place where such person sleeps shall be deemed his residence.
- (29) Seal. Whenever the word “Seal” is used it shall mean the Village or Corporate Seal.
- (30) Sidewalk. The word “sidewalk” shall mean any portion of a street between the curblin and the adjacent property line intended for the use of pedestrians, excluding parkways.
- (31) Signature; subscription. The “signature” or “subscription” of a person shall include a mark when the person cannot write.
- (32) State. The words “the state” shall be construed to mean the State of New York.
- (33) Street. The word “street” shall be construed to embrace streets, avenues, boulevards, roads, alleys, lanes, viaducts and all other public highways in the Village.
- (34) Tenant; occupant. The word “tenant” or “occupant,” applied to a building or land, shall include any person holding a written or oral lease or who occupies the whole or a part of such buildings or lands, either alone or with others.

- (35) Time. Words used in the past or present tense include the future as well as the past and present.
- (36) Trustee. The word "Trustee" shall mean any person elected to that office.
- (37) Vehicle. Except where otherwise defined, the word "vehicle" shall mean an automobile, motorcycle, cart, wagon, buggy, bicycle, sled, sleigh or airplane and shall include any device of any kind or character used or designated to be used for the purpose of transporting persons or things.
- (38) Village Board of Trustees. Whenever the words "Village Board of Trustees" are used, they shall be construed to mean the Board of Trustees of the Village of Skaneateles.
- (39) Village; corporation. Whenever the words "the Village," "this Village," "the corporation" or "this corporation" are used they shall be construed as if the words "of Skaneateles, New York" followed them.
- (40) Village Engineer. The term "Village Engineer" shall mean the engineer(s) designated from to time to time by the Village Trustees.
- (41) Week. The word "week" shall be construed to mean seven days.
- (42) Written; in writing. The words "written" or "in writing" shall be construed to include any representation of words, letters or figures, whether by printing or otherwise.
- (43) Year. The word "year" shall mean a calendar year."

3. Chapter 1 (General Provisions), Section 1-16B(7) is hereby amended to read as follows.

"(7) References to the "Superintendent of Streets," "Superintendent of Light Department," "Street Commissioner," "Highway Superintendent," "Water Superintendent," and "Commissioner of Public Works" are amended to read "Director of Public Works."

4. Chapter 90 (Electric Service), Section 90-4(B) is hereby amended to read as follows.

"B. Where such electric charges have not been paid within the time required by the Village Board or by the Village Light Department, the amount of delinquent charges unpaid as of the 15th day of May, or upon such other date the Board of Trustees may choose, including rents, fees, interest, and penalties, shall be certified by the Director of Public Works to the Village Clerk/Treasurer. The Village Clerk/Treasurer shall present such certificate to the Board of Trustees and shall enter such certificate or an abstract thereof in the minutes of the meeting of the Trustees."

5. Chapter 218 (Water), Section 218-2, “Water Superintendent” is hereby amended to read as follows.

“Water Superintendent. The position of Water Superintendent is abolished and is replaced by the position of Director of Public Works, who shall administer the affairs of the Water Department as part of the Municipal Division. All references to the Water Superintendent shall be construed as referring to the Director of Public Works.”

6. Chapter 218 (Water), Section 218-12 is hereby amended to read as follows.

“The Board of Trustees reserves the right to change, modify, supplement or amend this article and the rates and charges from time to time. The right is also reserved to make such additional rules and regulations as to the Board of Trustees seem appropriate to promote the health, safety, and welfare of the inhabitants of the Village of Skaneateles, in order to regulate the water supply and to promote the proper and efficient administration of the Water Department, and to make rates and contracts for the use of water in special cases by resolution of the Municipal Board subject to the approval of the Board of Trustees.”