

Local Law Filing

New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231
www.dos.ny.gov/corps

(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 _____ CAIRO _____

Local Law No. _____ 3 _____ of the year 20 _____ 12 _____

A local law _____ REGULATING STORAGE BINS _____
(Insert Title)

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

County City Town Village

of _____ CAIRO _____ as follows:

PLEASE SEE ATTACHED

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(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. 3 of 2012 of the (County)(City)(Town)(Village) of CAIRO was duly passed by the TOWN BOARD on September 26, 2012, in accordance with the applicable provisions of law.
(Name of Legislative Body)

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 disapproval) by the _____ and was deemed duly adopted on _____ 20 _____ in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

3. (Final adoption by referendum.)

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 disapproval) by the _____ on _____ 20 _____. Such local law was submitted 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.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

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

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 disapproval) by the _____ on _____ 20 _____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20 _____ in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a countywide 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)

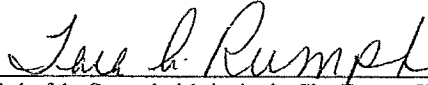
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, 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 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, 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 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

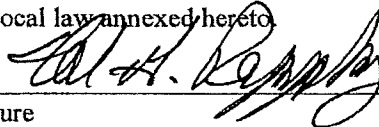
(Seal)

Date: _____ September 26, 2012 _____

(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

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

ATTORNEY FOR THE TOWN

Title

County

City of _____ CAIRO _____

Town

Village

Date: _____ September 26, 2012 _____

TOWN OF CAIRO
LOCAL LAW #3 OF 2012
REGULATING STORAGE BINS

§ 1. Title.

This local law shall be known and cited as "Storage Bin Regulation Local Law."

§ 2. Purpose.

The Town Board of the Town of Cairo finds and declares that the intrusion of non-regulated storage bins is causing annoyance to citizens in the Town of Cairo and may lead to negative visual impacts and potential health hazards. The provisions contained in this local law are intended to prohibit the placement of storage bins in the Town of Cairo except in accordance with the terms of this local law so as not to negatively impact the health and safety of the residents of the Town.

§3. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

STORAGE BINS: Any container utilized or intended to be utilized for the outdoor storage of items, including but not limited clothing, shoes, household items or any other personal property, to be collected, given, donated, stored, or distributed.

PERSONS: Individuals, partnerships, family groups, voluntary associations, entities, unincorporated organizations and corporations.

§4. Storage Bins Prohibited Without Permit. Conduct

a. No person, corporation, entity, organization or group shall place a storage bin in any location within the Town of Cairo, except in the following locations and with the owners consent thereof, unless such person shall first obtain a permit from the Town:

- i. Property owned by the Town of Cairo;
- ii. Property owned by a duly organized fire company or district;
- iii. Property owned by a church or other place of worship.

b. It shall be the responsibility of the owner of the property and the owner of the storage bin to site bins in a location to shield bins from public view.

c. No more than one (1) storage bin may be placed on any parcel of land within the Town of Cairo.

d. It shall be the responsibility of the owner of the property and the owner of the storage bin to prevent dumping of trash, refuse, rubbish or any other items which are not the intended items for collection at the storage bin and to immediately remove such items from the parcel.

§5. Permit Process.

Prior to issuance of any storage bin permit, the persons applying for such permit shall file a written statement with the Code Enforcement Officer at least twenty business days in advance of the placement of a storage bin, setting forth the following information:

- a. The full name and address of applicant.

- b. The location, including 911 address and tax map parcel number at which the proposed storage bin is to be placed.
- c. The starting and ending dates on which the storage bin shall be present.
- d. Written authority by the owner of the property on which the storage is to be placed, allowing the placement thereof.
- e. A sketch of the location on the parcel where the storage bin is to be placed, including the manner in which the storage bin shall be shielded from public view.
- f. A permit fee in amount to be set by the Town Board, as it from time to time, deems appropriate for the issuance of such permit.

§6. Enforcement; complaints.

This local law shall be enforced by the Building Department and/or the Town of Cairo Police Department, and it shall be their duty to investigate and prosecute any violation of this local law. If, after an investigation, a violation is found to exist, the Building Department shall prosecute a complaint before a court of appropriate jurisdiction, including but not limited to the Justice Court of the Town of Cairo.

§7. Violations and penalties.

- a. Any person, firm or corporation who or which shall violate any provision of this Local Law shall, upon conviction thereof, be guilty of a violation as that term is defined in the New York State Penal Law and shall be sentenced in accordance therewith. Every day that a violation of this Local Law continues shall constitute a separate offense.
- b. Following a finding by a court of appropriate jurisdiction, including the Justice Court of the Town of Cairo, the Town shall be authorized to immediately remove the storage bin and any items in, on, around or near such storage bin.
- c. If the owner shall fail to pay the costs and expenses associated with such removal within 10 days after being notified of the same by mail, the Town Clerk shall file, prior to the time for completing the levy of annual town taxes, a certificate of said cost and expense with a statement as to the property upon which the same were incurred, with the Town Board, which shall in the preparation of the next annual tax levy of general town taxes, levy said amounts upon such property, and the same shall be levied, collected and enforced in the same manner, by the same proceedings at the same time, with the same penalties, and having the same lien upon the property assessed as the general town tax and as a part thereof.

§8. Miscellaneous

- a. This Local Law is expressly adopted pursuant to the relevant sections of the New York State Town Law and the New York State Municipal Home Rule Law.
- b. In the event any section or provision of the laws contained herein or as amended hereafter shall be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the laws as a whole or any part thereof other than the part so declared to be invalid.
- c. This local law shall be effective immediately upon filing with the Secretary of State.