

Chapter 38

ORDINANCES, ADOPTION OF

Local Law

No. 2

1971

A LOCAL LAW TO ESTABLISH THE TIME OF TAKING EFFECT OF ORDINANCES; TO PRESCRIBE THE METHOD OF PUBLICATION OF SUCH ORDINANCES AND THE PROOF OF SUCH ORDINANCES

§ 38-1. Section 95 of the Village Law amended.

§ 38-2. Section 96 of the Village Law amended.

§ 38-3. Subdivision 2 of Section 178 of the Village Law amended.

§ 38-4. When effective.

[HISTORY: Adopted Walton Village Board 2-1-71 as Local Law No. 2, 1971. Amendments noted where applicable.]

Be it enacted by the Board of Trustees of the Village of Walton as follows:

§ 38-1. Section 95 of the Village Law amended.

Section 95 of the Village Law, as last amended by Chapter 623 of the Laws of 1952, is hereby amended in its application to the Village of Walton, New York, to read as follows:

“Section 95. Every ordinance hereafter adopted or approved by the Board of Trustees of the village shall be entered in its

minutes, and a notice of adoption, setting forth the title and a brief description of every such ordinance, shall be published in the official newspaper of the village and an affidavit of the publication shall be filed with the Village Clerk. Unless a later date shall be specified therein, every ordinance shall take effect on the 10th day after the date of publication of such notice; provided, however, any such ordinance shall take effect from the date of its service as against a person served personally with a copy thereof, certified by the Village Clerk under the corporate seal of the village, and showing the date of its passage and entry in the minutes."

§ 38-2. Section 96 of the Village Law amended.

Section 96 of such law, as added by Chapter 650 of the Laws of 1927, is hereby amended in its application to the Village of Walton to read as follows:

"Section 96. The certificate of the Village Clerk setting forth that the records of the village show the adoption of one (1) or more ordinances and, in the case of ordinances adopted prior to the effective date of this local law, the posting and publication of a notice setting forth the title and a brief description thereof as required by this local law, shall be presumptive evidence of such adoption, publication and posting in any action or special proceeding in any court or otherwise."

§ 38-3. Subdivision 2 of Section 178 of the Village Law amended.

Subdivision 2 of Section 178 of such law, as last amended by Chapter 83 of the Laws of 1956, is hereby amended in its application to the Village of Walton, New York, to read as follows:

"2. Every zoning ordinance and every amendment to a zoning ordinance (including any map incorporated therein) adopted

pursuant to the provisions of the Village Law shall be entered in the minutes of the Village Board (exclusive of any map incorporated therein). A notice setting forth the title and a brief description of every such ordinance and every amendment to such ordinance shall be published once in the official newspaper and an affidavit of such publication shall be filed with the Village Clerk. Unless a later date shall be specified therein, every such ordinance and amendment shall take effect on the 10th day after the date of publication of such notice; provided, however, any such ordinance or amendment shall take effect from the date of its service as against a person served personally with a copy thereof, certified by the Village Clerk, and showing the date of its passage and entry in the minutes."

§ 38-4. When effective.

This local law shall take effect immediately.