

### **Proposed Local Law 5-2020**

A Local Law amending Chapter 212 Article VIII, Part 2 (Sewer Rents) and Chapter 259 Article V (Services Rates and Charges) of the Village of Ossining Code.

**BE IT ENACTED by the Board of Trustees of the Village of Ossining as follows:**

**Section 1.** Chapter 212, section 46 (Payment of Sewer Rent) of the Village of Ossining Code is amended as follows with new matter underlined and deleted matter in [brackets].

**§ 212-46 Payment and overpayment of sewer rent.**

Sewer rents imposed by this Part 2 shall constitute a lien upon the real property served by the sewer system and are due and payable upon billing by the Water Department of the Village of Ossining. **Partial payments and overpayments of sewer rents will be accepted by the Village of Ossining Finance Department. Partial payments of charges for sewer rents will be applied to the oldest charges (including accrued penalties) on the account until all arrears and penalties have been paid. The Village will neither accept nor credit payments for current sewer rents until all arrears including penalties have been paid. Any combined sewer rent and water charge account balances exceeding \$100 which balances are in arrears for at least 180 days shall be added to the property's real estate taxes for the following year. Partial payment will not be accepted for any balance which has been added to the property's real estate taxes. Overpayments of sewer rents will be credited to the following bill.** Bills for sewer rents shall be rendered to the user monthly or quarterly at the discretion of the [Water] **Finance** Department. [No payment for sewer rents will be accepted unless the amount of payment includes the full amount due for the billing period plus penalties for late payment, if any. The Water Department of the Village of Ossining shall not accept a partial payment of the sewer rent due for the billing period.]

**Section 2.** Chapter 212, section 212-47 (Penalties for late payment of sewer rent) of the Village of Ossining Code is amended as follows with new matter underlined and deleted matter in [brackets].

**§ 212-47 Penalties for late payment of sewer rent.**

The following scale of penalties is hereby imposed for the late payment of sewer rent:

- A. No penalty shall be charged **by the Village of Ossining Finance Department** if the sewer rent is paid within 30 days of the date of billing by the [water department] **Finance Department.**
- B. If the sewer rent is paid more than [25] **30** days after the date of billing [by] **to** the [water department] **Village of Ossining Finance Department,** a penalty of 5% of the amount due is hereby imposed and an additional penalty of 1% shall be imposed for each period of 30 days thereafter, or part thereof, that said sewer rent remains unpaid.

**Section 3.** Chapter 259, section 49 (Penalties for late payment) of the Village of Ossining Code is amended as follows with new matter underlined and deleted matter in

[brackets].

§ 259-49 **Penalties for late payment.**

The following scale of penalties is hereby prescribed for the neglect to pay water charges levied under § 259-48 after the levy thereof:

- A. No penalty shall be charged **by the Village of Ossining Finance Department** if paid within [25] **30** days [after the charge has been made] **of the date of billing by the Finance Department.**
- B. If paid at any time after the expiration of [25] **30** days [after the charge is made] **after the date of billing by the Village of Ossining Finance Department**, 5% of the charge and an additional penalty of 1% shall be imposed for each period of 30 days thereafter, or part thereof that said water charge remains unpaid. If any water charge is allowed to remain unpaid after the expiration of 60 days, the Superintendent is hereby authorized to discontinue the use of water to the premises without further notice to the owner of the premises.
- C. If it becomes necessary to discontinue the supply to enforce payment, service will not be [continued] **restored** until the bill, including penalties is paid in full and an additional minimum charge set from time to time by resolution of the Village Board of Trustees will be made for the restoration of water service.

Commented [1]:

**Section 4.** Chapter 259, section 50 (Partial payments not to be accepted) of the Village of Ossining Code is amended as follows with new matter underlined and deleted matter in [brackets].

§ 259-50 **Partial payments [not to be accepted.] and overpayments to be accepted.**  
[No payment for water charges levied pursuant to § 259-47 will be accepted unless the amount of payment includes the full amount due for a billing period plus any penalties if due, that is, no partial payments covering a portion of a billing period will be accepted.]  
**Partial payments and overpayments of water charges will be accepted by the Village of Ossining Finance Department. Partial payments will be credited against the oldest charges (including accrued penalties) of the account until all arrears and penalties have been fully paid. The Village will neither accept nor credit payments for current water charges until all arrears have been paid. Any combined sewer rent and water charge account balances exceeding \$100 which balances are in arrears for at least 180 days shall be added to the property's real estate taxes for the following year. Partial payment will not be accepted for any balance that has been added to the property's real estate taxes. Overpayments of water charges will be credited to the following bill.**

**Section 5. Effective Date**

**This local law shall take effect immediately upon filing with the Secretary of State**

pursuant to section 27 of the Municipal Home Rule Law.

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