

Town of Northumberland

Local Law No. 5 of the year 2021

A Local Law Amending Local Law No. 2 of 2006 and Authorizing the Town Board to Adopt a Fee Schedule by Resolution

Be it enacted by the Town Board of the Town of Northumberland as follows:

Section 1. Title

This Local Law shall be referred to as “A Local Law Amending Local Law No. 2 of 2006 and Authorizing the Town Board to Adopt a Fee Schedule by Resolution.”

Section 2. Purpose and Intent

The Town of Northumberland adopted Local Law No. 2 of 2006 to amend Section I, Section II and Section III of the Local Law No. 2 of 2002 to set a new Town fee schedule. The Town has adjusted the fees from time to time by adopting Local Law No. 2 of 2002, Local Law No. 3 of 1999, Local Law No. 2 of 1995 and Local Law No. 1 of 1985. The Town desires to streamline the process for setting Town fees by amending Local Law No. 2 of 2006 and all previous Local Laws setting Town fees and adopting this Local Law to authorize the Town Board to adopt a Town fee schedule by resolution at the organizational meeting or other such regularly scheduled meeting of the Town Board.

Section 3. Authority

This Local Law is enacted by the Town Board pursuant to its authority to adopt Local Laws under Article IX of the New York State Constitution and Municipal Home Rule Law Section 10.

Section 4. Amendment of Local Law No. 2 of 2006 and Amendment of Applicable Sections of other Relevant Local Laws

The Town Board hereby amend Local Law No. 1 of 1985, as amended by Local Law No. 2 of 1995, as amended by Local Law No. 3 of 1999, and amended by Local Law No. 2 of 2002, as amended by Local Law No. 2 of 2006, and as further modified by any other applicable amendments or local laws, by deleting those sections of the Local Laws that set specific Town fees.

The Town Board further amends any other provision of any applicable Local Law that calls for a Town fee to be set by Local Law or which is set within the applicable Local Law by deleting said fees and authorizing said fee to be adopted and amended from time to time by resolution of the Town Board.

Section 5. Authority to Set Fees by Resolution

The Town Board is hereby authorized to set any fees, that it has been elsewhere authorized to impose, by resolution of the Town Board. From time-to-time said fees may be adjusted by the Town Board by resolution. It shall not be necessary for the Town Board to enact a Local Law to set or modify any such fees. To the extent that there is a fee set in a Local Law and such fee is not included in any Fee Schedule adopted by the Town Board by Resolution pursuant to this Local Law, the fee set forth in the Local Law shall continue to apply.

Section 6. Validity and Severability

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Northumberland hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 7. Repeal and Amendment

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed or amended to give effect to this Local Law.

Section 8. Effective Date

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.