

Chapter 1

GENERAL PROVISIONS

[HISTORY: Adopted by the Board of Trustees of the Village of Saddle Rock as indicated in article histories. Amendments noted where applicable.]

ARTICLE I

Adoption of Code by Board of Trustees [Adopted 3-2-1989 by L.L. No. 2-1989]

§ 1-1. Legislative intent.

In accordance with Subdivision 3 of § 20 of the Municipal Home Rule Law, the local laws, ordinances and certain resolutions of the Village of Saddle Rock referred to in § 1-2 below shall be known collectively as the "Code of the Village of Saddle Rock," hereafter termed the "Code," and the various parts and sections of such local laws, ordinances and resolutions shall be distributed and designated as provided and set forth in § 1-2 of this article. Wherever reference is made in any of the local laws, ordinances and resolutions contained in the "Code of the Village of Saddle Rock" to any other local law, ordinance or resolution appearing in said Code, such reference shall be changed to the appropriate chapter title, chapter number, article number or section number appearing below, as if such local law, ordinance or resolution had been formally amended to so read.

§ 1-2. Distribution of local laws, ordinances and resolutions.

Derivation Table

(Sections providing for severability of provisions, repeal of conflicting legislation and effective dates which are covered by provisions of this local law have been omitted from the Code, and such sections are indicated as "Omitted" in the table which follows.)

New Number (chapter, title, Article, section)	Old Number (source)	Adoption or Amendment Date
Ch. 5, Defense and Indemnification	L.L. No. 1-1984	1-4-1984
Ch. 9, Ethics, Code of	Resolution	11-4-1970
Ch. 12, Local Laws, Adoption of	L.L. No. 2-1984	3-7-1984
Ch. 16, Meetings	L.L. No. 17-1987	12-2-1987
Ch. 20, Newspaper, Official	L.L. No. 3-1984	3-7-1984
Ch. 26, Tax Collector	Resolution	4-15-1955
Ch. 32, Village Justice		4-2-1951; amended at time of

adoption of Code

Ch. 48, Building Construction and Fire Prevention		
Art. I, Applicability of Standards	L.L. No. 2-1987	12-2-1987
Art. II, Administration of Standards	L.L. No. 3-1987	12-2-1987
Ch. 56, Docks and Docking		
Art. I, Rules and Regulations	Ord. No. 18	6-6-1962
Art. II, Dock and Facility Permits	L.L. No. 6-1984	7-9-1984
Ch. 60, Dogs and Other Animals		
Art. I, Disposal of Dead Animals	Ord. No. 5	6-18-1951
Art. II, Dogs	L.L. No. 4-1987	12-2-1987
Ch. 66, Firearms	Ord. No. 10	6-4-1952
Ch. 74, Flood Damage Prevention	L.L. No. 1-1987	11-4-1987
Ch. 86, Garbage, Rubbish and Refuse		
Art. I, Dumping and Storage	Ord. No. 12	6-4-1952
Art. II, Waste Disposal	L.L. No. 2-1988	1-6-1988
Ch. 96, Mechanical Equipment, Outdoor	L.L. No. 5-1984	7-9-1984
Ch. 102, Noise	L.L. No. 1-1985	1-2-1985
Ch. 108, Parks and Recreation		
Art. I, Pool and Park Area	Ord. No. 14	6-24-1953
Ch. 112, Peace and Good Order		
Art. I, Disorderly Conduct	Ord. No. 8	7-18-1951
Art. II, Trespassing	Ord. No. 17	6-18-1958
Ch. 115, Peddling and Soliciting	L.L. No. 10-1987	12-2-1987
Ch. 118, Plumbing	Ord. No. 1, Ch. II	2-13-1950
Ch. 122, Records, Public Access to	L.L. No. 15-1987	12-2-1987
Ch. 126, Streets and Sidewalks		
Art. I, Street Obstructions and Repairs	Ord. No. 9	6-4-1952
Art. II, Curbstones	Ord. No. 11	6-4-1952
Art. III, Fences, Walls and Plantings	L.L. No. 1-1977	2-2-1977
Art. IV, Notice of Defects	L.L. No. 1-1986	3-5-1986
Ch. 132, Taxation		
Art. I, Utility Tax	L.L. No. 1-1968	9-4-1968

Ch. 136, Towing	L.L. No. 2-1986	6-4-1986
Ch. 142, Vehicles and Traffic	L.L. No. 5-1988	2-3-1988
Ch. 150, Zoning	Ord. No. 13	7-14-1952

§ 1-3. Continuation of existing provisions.

The provisions of the Code, insofar as they are substantively the same as those of local laws, ordinances and resolutions in force immediately prior to the enactment of the Code by this local law, as distributed and renumbered in § 1-2 above, are intended as a continuation of such local laws, ordinances and resolutions and not as new enactments, and the effectiveness of such provisions shall date from the date of adoption of the prior local law, ordinance or resolution. All such provisions are hereby continued in full force and effect and are hereby reaffirmed as to their adoption by the Board of Trustees of the Village of Saddle Rock, and it is the intention of said Board that each such provision contained within the Code is hereby reaffirmed as it appears in said Code. Only such provisions of former local laws and ordinances as are omitted from this Code shall be deemed repealed or abrogated by the provisions of § 1-4 below.

§ 1-4. Repeal of enactments not included in Code.

All local laws and ordinances of a general and permanent nature of the Village of Saddle Rock in force on the date of the adoption of this local law and not contained in such Code or recognized and continued in force by reference therein are hereby repealed from and after the effective date of this local law.

§ 1-5. Enactments saved from repeal; matters not affected.

The repeal of local laws and ordinances provided for in § 1-4 of this local law shall not affect the following classes of local laws, ordinances, rights and obligations which are hereby expressly saved from repeal:

- A. Any right or liability established, accrued or incurred under any legislative provision of the Village of Saddle Rock prior to the effective date of this local law, or any action or proceeding brought for the enforcement of such right or liability.
- B. An offense or act committed or done before the effective date of this local law in violation of any legislative provision of the Village of Saddle Rock, or any penalty, punishment or forfeiture which may result therefrom.
- C. Any prosecution, indictment, action, suit or other proceeding pending, or any judgment rendered prior to the effective date of this local law, brought pursuant to any legislative provision of the Village of Saddle Rock.
- D. Any franchise, license, right, easement or privilege heretofore granted or conferred by the Village of Saddle Rock.
- E. Any local law or ordinance of the Village of Saddle Rock providing for the laying out, opening, altering, widening, relocating, straightening, establishing grade, changing name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway,

park or other public place within the Village of Saddle Rock or any portion thereof.

- F. Any local law or ordinance of the Village of Saddle Rock appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond of the Village of Saddle Rock or other instruments or evidence of the village's indebtedness.
- G. Local laws or ordinances authorizing the purchase, sale, lease or transfer of property, or any lawful contract or obligation.
- H. The levy or imposition of special assessments or charges.
- I. The dedication of property.
- J. Any legislation relating to salaries.
- K. All legislation adopted subsequent to June 1, 1988.

§ 1-6. Severability.

If any clause, sentence, paragraph, section, Article or part of this local law or of any local law, ordinance or resolution cited in the table in § 1-2 hereof, or any legislation included in this Code through supplementation, shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, section, Article or part thereof directly involved in the controversy in which such judgment shall have been rendered.

§ 1-7. Copy of Code on file.

A copy of the Code, in loose-leaf form, has been filed in the office of the Village Clerk of the Village of Saddle Rock and shall remain there for use and examination by the public until final action is taken on this local law; and, if this local law shall be adopted, such copy shall be certified to by the Village Clerk of the Village of Saddle Rock by impressing thereon the Seal of the Village of Saddle Rock, and such certified copy shall remain on file in the office of said Village Clerk to be made available to persons desiring to examine the same during all times while the said Code is in effect. The enactment and publication of this local law, coupled with the availability of a copy of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

§ 1-8. Amendments to Code.

Any and all additions, deletions, amendments or supplements to any of the local laws, ordinances and resolutions known collectively as the "Code of the Village of Saddle Rock," or any new local laws or resolutions, when enacted or adopted in such form as to indicate the intention of the Board of Trustees to be a part thereof, shall be deemed to be incorporated into such Code so that reference to the Code shall be understood and intended to include such additions, deletions, amendments or supplements. Whenever such additions, deletions, amendments or supplements to the Code shall be enacted or adopted, they shall thereafter be printed and, as provided hereunder, inserted in the loose-leaf book containing said Code, as amendments and supplements thereto. Nothing contained in this local law shall affect the status of any local law, ordinance or

resolution contained herein, and such local laws, ordinances or resolutions may be amended, deleted or changed from time to time as the Board of Trustees deems desirable.

§ 1-9. Code book to be kept up-to-date.

It shall be the duty of the Village Clerk to keep up-to-date the certified copy of the book containing the Code of the Village of Saddle Rock required to be filed in the office of the Village Clerk for use by the public. All changes in said Code and all local laws and resolutions adopted by the Board of Trustees subsequent to the enactment of this local law in such form as to indicate the intention of said Board to be a part of said Code shall, when finally enacted or adopted, be included therein by temporary attachment of copies of such changes, local laws or resolutions until such changes, local laws or resolutions are printed as supplements to said Code book, at which time such supplements shall be inserted therein.

§ 1-10. Sale of Code book; supplementation.

Copies of the Code may be purchased from the Village Clerk of the Village of Saddle Rock upon the payment of a fee to be set by resolution of the Board of Trustees, which Board may also arrange by resolution for procedures for the periodic supplementation thereof.

§ 1-11. Penalties for tampering with Code.

Any person who, without authorization from the Village Clerk, changes or amends, by additions or deletions, any part or portion of the Code of the Village of Saddle Rock, or who alters or tampers with such Code in any manner whatsoever which will cause the legislation of the Village of Saddle Rock to be misrepresented thereby, or who violates any other provision of this local law, shall be guilty of an offense and shall, upon conviction thereof, be subject to a fine of not more than \$250 or imprisonment for a term of not more than 15 days, or both.

§ 1-12. Changes in previously adopted legislation.

- A. In compiling and preparing the local laws, ordinances and resolutions for publication as the Code of the Village of Saddle Rock, as distributed and designated in the table in § 1-2 hereof, no changes in the meaning or intent of such local laws, ordinances and resolutions have been made, except as provided for in Subsection B hereof. In addition, certain grammatical changes and other minor nonsubstantive changes were made in one or more of said pieces of legislation. It is the intention of the Board of Trustees that all such changes be adopted as part of the Code as if the local laws, ordinances and resolutions had been previously formally amended to read as such.
- B. In addition, the following changes, amendments or revisions are made herewith, to become effective upon the effective date of this local law. (Chapter and section number references are to the local laws, ordinances and resolutions as they have been renumbered and appear in the Code.)¹

1. Editor's Note: Pursuant to § 1-12B, the following sections or chapters were added or amended: Art. II of Ch. 1, § 9-7 and Ch. 32. A complete description of each change may be found in L.L. No. 2-1989, on file in the office of the Village Clerk.

§ 1-13. Incorporation of provisions into Code.

The provisions of this local law are hereby made Article I of Chapter 1 of the Code of the Village of Saddle Rock, such local law to be entitled "General Provisions, Article I, Adoption of Code," and the sections of this local law shall be numbered §§ 1-1 to 1-14, inclusive.

§ 1-14. When effective.

This local law shall take effect immediately upon filing with the Secretary of State of the State of New York.

ARTICLE II
General Penalties

[Adopted 3-2-1989 by L.L. No. 2-1989]

§ 1-15. General penalties. [Amended 6-3-1966; 12-2-1987 by L.L. No. 16-1987; 12-2-1987 by L.L. No. 18-1987; 3-3-1993 by L.L. No. 3-1993]

- A. With respect to any violation of any provision of the Building Zone Ordinance of the Village of Saddle Rock² adopted prior to September 1, 1974, any owner, general agent or contractor of a building or premises where such violation has been committed or shall exist and the lessee or tenant of an entire building or entire premises where such violation has been committed or shall exist and the owner, general agent, contractor, lessee or tenant of any part of a building or premises in which part such violation has been committed or shall exist and the general agent, architect, building contractor or any other person who commits, takes part in or assists in such violation or who maintains any building or premises in which such violation shall exist shall be punishable by a fine of not more than \$350 or imprisonment for a period not to exceed six months, or both such fine and imprisonment, for conviction of a first offense. For conviction of a second offense, both of which were committed within a period of five years, such person shall be punishable by a fine of not less than \$350 nor more than \$700 or imprisonment for a period not to exceed six months, or both such fine and imprisonment. For conviction of a third or subsequent offense, all of which were committed within a period of five years, such person shall be punishable by a fine of not less than \$700 nor more than \$1,000 or imprisonment for a period not to exceed six months, or both such fine and imprisonment. Each week's continued violation shall constitute a separate additional violation.
- B. Each person who violates any provision of any other law, ordinance or regulation of the Village of Saddle Rock (other than a law, ordinance or regulation applicable to the operation of motor vehicles) shall, for each and every day that said violation continues, be subject to a fine of not more than \$1,000 or imprisonment for a period not to exceed six months, or both such fine and imprisonment.
- C. Each person who violates any provision of any law, ordinance or regulation of the Village of Saddle Rock applicable to the operation of motor vehicles shall, for a first conviction thereof, be punished by a fine of not more than \$50 or by imprisonment for not more than 15 days, or both such fine and imprisonment. For a conviction of a second violation, both

2. Editor's Note: See Ch. 150, Zoning.

of which were committed within a period of 18 months, such person shall be punished by a fine of not more than \$100 or by imprisonment for not more than 45 days, or both such fine and imprisonment. For a conviction of a third violation, all of which were committed within a period of 18 months, such person shall be punished by a fine of not more than \$250 or imprisonment for not more than 90 days, or both such fine and imprisonment.

- D. To the extent that this article is inconsistent with or in contravention of the provisions of Village Law § 20-2006, Subdivisions 1a and 1-a, this article shall be deemed to have superseded and amended said provisions of the Village Law.

ARTICLE III
Village Emblems
[Adopted 11-1-2006 by L.L. No. 4-2006]

§ 1-16. Village Seal and flag.

- A. Village Seal. The Village Seal shall be round in a white field. There shall be an inner circular landscape surrounded by an outer circular band separated by a thin dark blue line. The outside of the seal shall also be surrounded by a thin blue line. The landscape shall picture a color representation of the Saddle Rock Grist Mill looking toward the water wheel partially submerged in the powder blue water running over the dam and stones out toward the pond with deeper blue water past the sleuth gate, bordered below by a grassy shore. In the background to the left there are fully leaved trees with the bridge below connecting the mill with the grassy shore. The outer circular band shall contain the following inscriptions in gold: At the cross section of the band, at the horizontal diameter on the left side, the word "Inc" shall appear, and on the right side of the outer circle the number "1911" shall appear. The upper portion of the band shall contain the words "Saddle Rock" and the lower portion of the band shall contain the word "Village."
- B. The Village flag. The flag of the Village is hereby declared to be white, three feet hoist by five feet fly, and charged with the Seal of the Village, as described above, which shall be centered upon the fly of the flag. The Seal of the Village shall, beginning at the bottom center of the seal, be surrounded with small olive branches extending from the bottom center in either direction to the horizontal diameter of the outer band outside the circumference of the seal. The top of the seal shall not be less than four inches from the top of the hoist, and the seal shall be round, sitting upon the olive branches. Any flag of another size shall be a proportional representation of the official flag of the incorporated Village of Saddle Rock as herein described.