

Local Law Number 2 of the Year 1989

A local law to provide for the compilation renumbering and tabulation of the local laws of the Town of Busti designating such compiled and renumbered local laws, ordinances and resolutions as the "Code of The Town of Busti" and providing penalties for tampering with said Code and providing for the amendment of certain existing pieces of legislation

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

ARTICLE I

Adoption of Code

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

Section 1-101. Legislative intent

The local laws, ordinances and resolutions of the Town of Busti referred to in Section 1-102 of this local law shall be known collectively as the "Code of the Town of Busti," 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 Section 1-102 of this local law.

Section 1-102. Distribution of local laws, ordinances and resolutions

Derivation Table

(Sections providing for titles, applicability, severability of provisions, repeal of conflicting legislation and effective dates which are covered by provisions of Article 1, Chapter 1, have been omitted from the code, and such sections are indicated as "omitted" in the table which follows.)

Section 1-103. Repeal of enactments not included in Code

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of this local law and not contained in such Code or recognized and continued in force by reference therein are hereby repealed from and after the effective date of this local law.

Section 1-104. Enactments saved from repeal: matters not affected

The repeal of local laws and ordinances provided for in Section 1-103 of this local law shall not affect the following classes of local laws, ordinances, resolutions 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 Town of Busti prior to the effective date of this local law, or any action or proceeding brought for the enforcement of such right or liability.

B. Any offense or act committed or done before the effective date of this local law in violation of any legislative provision of the Town of Busti, 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 Town of Busti.

D. Any franchise, license, right, easement or privilege heretofore granted or conferred by the Town of Busti.

E. Any local law or ordinance of the Town of Busti 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 Town of Busti or any portion thereof.

F. Any local law or ordinance of the Town of Busti appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond of the Town of Busti or other instruments or evidence of the town'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 local laws or ordinances relating to salaries.

K. Any and all Zoning Map amendments.

L. Any regulations adopted regarding vehicles and traffic.

M. All legislation adopted subsequent to June 1, 1989.

Section 1-105. 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 Section 1-102 hereof, or any local law, ordinance or resolution 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.

Section 1-106. Copy of Code on file

A copy of the Code, in loose-leaf form, has been filed in the office of the Town Clerk of the Town of Busti 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 Town Clerk of the Town of Busti by impressing thereon the Seal of the Town of Busti, and such certified copy shall remain on file in the office of said Town Clerk to be made available to persons desiring to examine the same during all times while said Code is in effect.

Section 1-107. 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 Town of Busti," or any new local laws, ordinances or resolutions, when enacted or adopted in such form as to indicate the intention of the Town Board 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 Town Board deems desirable.

Section 1-108. Code book to be kept up-to-date

It shall be the duty of the Town Clerk to keep up-to-date the certified copy of the book containing the Code of the Town of Busti required to be filed in the office of the Town Clerk for use by the public. All changes in said code and all local laws, ordinances and resolutions adopted by the Town Board 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 or local laws, ordinances or resolutions until such change or local law, ordinances, or resolutions are printed as supplements to said Code book, at which time such supplements shall be inserted therein.

Section 1-109. Sale of Code book; supplementation

Copies of the Code may be purchased from the Town Clerk of the Town of Busti upon the payment of a fee to be set by resolution of the Town Board which may also arrange by resolution for procedures for the periodic supplementation thereof.

Section 1-110. Penalties for tampering with Code

Any person who, without authorization from the Town Clerk, changes or amends, by additions or deletions, any part or portion of the Code of the Town of Busti, or who alters or tampers with such Code in any manner whatsoever which will cause the legislation or the Town of Busti 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 two hundred fifty dollars (\$250) or imprisonment for a term of not more than fifteen (15) days or both.

Section 1-111. Changes in previously adopted legislation

In compiling and preparing the local laws, ordinances and resolutions for publication as the Code of the Town of Busti as distributed and designated in the table in Section 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 non-substantial changes were made in one (1) or more of said pieces of legislation. It is the intention of the Town Board that all such changes be adopted as part of the Code as if the local laws, ordinances and resolution had been previously formally amended to read as such.

Section 1-112. Effective Date

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