

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County

~~City~~ of Niagara
~~Town~~
~~Village~~

Local Law No. 4 of the year 19 95

A local law Regarding Adoption of Fees - Department of Weights and Measures
(Insert Title)

Be it enacted by the County Legislature of the
(Name of Legislative Body)

County

~~City~~ of Niagara as follows:
~~Town~~
~~Village~~

**A LOCAL LAW REGARDING ADOPTION OF FEES -
DEPARTMENT OF WEIGHTS AND MEASURES**

1. The Niagara County Department of Weights and Measures is authorized to adopt a fee schedule as set forth in the attached "Schedule A", at the rate of 50% of the maximum allowable as set forth by the Commissioner of Agriculture and Markets, Bureau of Weights and Measures, of the State of New York.

2. Said fees may be adjusted, as deemed necessary, by the Niagara County Legislature, with agreement and understanding of the Department of Weights and Measures.

3. Said fees shall be annual and will not be charged to any establishment more than once in any calendar year, with the exception of required retests caused by adjustments made to weighing and/or measuring devices previously approved by the Department of Weights and Measures by cause of the establishment owner, operator, or contractors.

4. This fee schedule shall also apply to weighing and/or measuring devices used on a non-commercial basis, that is, devices not used to conduct trade.

5. No charges or fees for the inspections shall be placed against any establishment by the Department of Weights and Measures outside of those permitted by the New York State Agriculture and Markets Law; the refusal of a commercial establishment to allow required inspection shall result in stop use and stop removal orders to be placed against the establishment owner and/or operator by the Director of Weights and Measures and may result in a civil penalty of not less than \$500.

6. These fees are to be delivered and made payable to the Niagara County Treasurer by means of the establishment owner and/or operator within thirty (30) days of the inspection, and collections and past-due receivables will be handled by the Niagara County Attorney's Office, as prescribed by law.

7. All fees collected shall be deposited in revenue account no. A6610.41264, entitled "Fees Collected -Department of Weights and Measures".

SCHEDULE A

July 24, 1995

Fees to be charged by Niagara County Weights & Measures

SCALES

| | |
|---|---------|
| *up to including 15kg (33 lb.) capacity for each of the first five scales per establishment (location) | \$10.00 |
| *for each scale after the first five per location(up to 15kg) | \$ 5.00 |
| *over 15kg and including 300kg (661 lb.) capacity | \$20.00 |
| *over 300kg and including 1,500kg (3,307 lb.) capacity (test weights to be provided by device owner or contractor - MUST BE NYS CERTIFIED) | NO FEE |
| *over 1,500kg and including 7,000kg (15,432 lb.) capacity (test weights to be provided by device owner or contractor - MUST BE NYS CERTIFIED) | NO FEE |
| *tank, batch & crane scales (if Niagara County supplies test weights; NO FEE if supplied by device owner or contractor) | \$20.00 |
| *pharmacy balance or digital scale for pharmacy | \$20.00 |
| *Avoirdupois Counter-Poise Weights | NO FEE |
| *Metric or Apothecary Pharmacy Weights | NO FEE |

| | |
|---|---------|
| *Liquid Measures 20L (5 Gal.) or less | \$4.00 |
| *Liquid Pump (hand operated) 20L (5 Gal.) or less | \$10.00 |

Petroleum dispensing & Measuring Devices

| | |
|-------------------------|---------|
| *Single dispensing pump | \$10.00 |
| *Dual dispensing pump | \$20.00 |
| *Blend Dispensing pump | \$20.00 |
| *Grease & oil pump | \$4.00 |

Vehicles (fuel oil, gasoline, etc.)

| | |
|--|---------|
| *Metering systems (300L/min.) or (79 GPM) (to be tested at time & location designated by Director of Weights & Measures, as per NYS law) | \$50.00 |
| *Stationary petroleum metering systems (up to and including 400L/min. or (106 GPM) | \$50.00 |

Bulk Milk Tanks

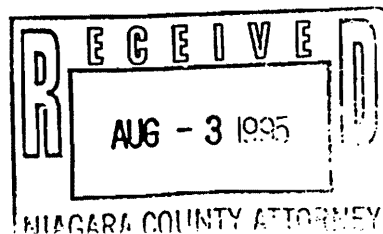
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| *Up to 3,000L (793 Gal.) capacity | \$20.00 |
| *Over 3,000L and including 6,000L (1,585 Gal.) capacity | \$40.00 |
| *Over 6,000L and including 12,000L (3,170 Gal.) capacity | \$60.00 |
| * Over 12,000L (3,170 Gal.) capacity | \$120.00 |

Timing Devices

| | |
|---|--------|
| *All commercially used devices where time is a basis for charge | \$2.00 |
|---|--------|

All Devices Owned or Operated by Government Agencies NO FEE

Taxi Meters \$20.00



(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 4 of 19 95 of the (County)~~(City)(Town)(Village)~~ of Niagara was duly passed by the County Legislature on October 4, 19 95, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19 ____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19 ____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 19 ____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19 ____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19 ____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19 ____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 19 ____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19 ____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19 ____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19 ____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 19 ____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

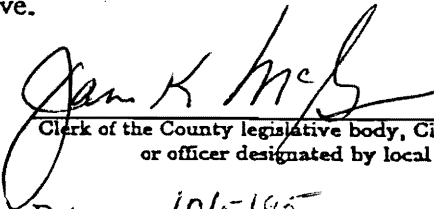
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19__ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 19__, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19__ of the County of _____, State of New York, having been submitted to the electors at the General Election of November _____ 19__, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.



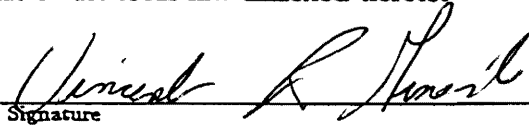
Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body
Date: 10/5/95

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK
COUNTY OF Niagara

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.



Signature

Assistant County Attorney

Title

County
~~XXXX~~ of Niagara
~~XXXX~~
~~XXXX~~

Date: 10/5/95