

## **Chapter 1**

### **GENERAL PROVISIONS**

#### **ARTICLE I Adoption of Code**

- § 1-1. Legislative intent.**
- § 1-2. Distribution of local laws, ordinances and resolutions.**
- § 1-3. Repeal of enactments not included in Code.**
- § 1-4. Enactments saved from repeal; matters not affected.**
- § 1-5. Severability.**
- § 1-6. Copy of Code on file.**
- § 1-7. Amendments to Code.**
- § 1-8. Code book to be kept up-to-date.**
- § 1-9. Sale of Code book; supplementation.**
- § 1-10. Penalties for tampering with Code.**
- § 1-11. Changes in previously adopted legislation.**
- § 1-12. When effective.**

#### **ARTICLE II Legislation Enacted During Codification**

**[HISTORY: Adopted by the Town Board of the Town of Hartland: Art. I, 12-11-1986 by L.L. No. 3-1986. Amendments noted where applicable.]**

§ 1-1

HARTLAND CODE

§ 1-2

ARTICLE I

**Adoption of Code**

**[Adopted 12-11-1986 by L.L. No. 3-1986]**

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

**§ 1-1. Legislative intent.**

The local laws, ordinances and resolutions of the Town of Hartland referred to in § 1-2 of this local law shall be known collectively as the "Code of the Town of Hartland," 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 local law.

**§ 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 Chapter 1, Article I, or ordinance title sections which are not necessary in a codification having chapter and/or Article titles for the various ordinances and local laws included therein have been omitted from the Code, and such sections are indicated as "omitted" in the table which follows.)

<b>New Number (chapter, title, Article, section)</b>	<b>Old Number (source)</b>	<b>Adoption or Amendment Date</b>
Chapter 5, Assessors		

<b>New Number (chapter, title, Article, section)</b>	<b>Old Number (source)</b>	<b>Adoption or Amendment Date</b>
Article I, Election of Assessors	L.L. No. 1-19971	3-30-1971
§ 5-1	Section 1	
§ 5-2	Section 2	
Omitted	Section 3	
Article II, Clerk	L.L. No. 2-1986	2-13-1986
§ 5-3	Section 1	
Omitted	Section 2	
Chapter 6, Attorney, Town		
Article I, Compensation	L.L. No. 1-1986	2-13-1986
§ 6-1	Section 1	
Omitted	Section 2	
Chapter 13, Ethics		
Article I, Code of Ethics	L.L. No. 1-1970	8-27-1970
§ 13-1	Sec. 1, first and second sentences	
§ 13-2	Sec. 1, third and fourth sentences	
§ 13-3	Sec. 2	
§ 13-4	Sec. 3	
§ 13-5	Sec. 4	
§ 13-6	Sec. 5	
§ 13-7	Sec. 6	
Omitted	Sec. 7	
Article II, Board of Ethics	L.L. No. 2-1970	8-27-1970
§ 13-8	Sec. 1	

§ 1-2

HARTLAND CODE

§ 1-2

<b>New Number (chapter, title, Article, section)</b>	<b>Old Number (source)</b>	<b>Adoption or Amendment Date</b>
§ 13-9	Sec. 2	
Omitted	Sec. 3	
Chapter 21, Officers and Employees		
Article I, Defense	L.L. No. 2-1980	8-14-1980
§ 21-1	Sec. 1	
§ 21-2	Sec. 2	
§ 21-3	Sec. 3	
§ 21-4	Sec. 4	
§ 21-5	Sec. 5	
§ 21-6	Sec. 6	
§ 21-7	Sec. 7	
§ 21-8	Sec. 8	
Omitted	Sec. 9	
Chapter 24, Ordinances, Publication of	L.L. No. 1-1977	6-9-1977
§ 24-1	Sec. 1	
§ 24-2	Sec. 2	
Omitted	Sec. 3	
Chapter 47, Bingo	Ordinance	5-28-1958
§ 47-1	Sec. 1	
§ 47-2	Sec. 2	
§ 47-3	Sec. 3	
Omitted	Sec. 4	
Chapter 54, Buildings, Unsafe	L.L. No. 2-1979	3-8-1979
§ 54-1	Sec. 1	

<b>New Number (chapter, title, Article, section)</b>	<b>Old Number (source)</b>	<b>Adoption or Amendment Date</b>
§ 54-2	Sec. 2	Amended 1-22-1981 by L.L. No. 1-1981
§ 54-3	Sec. 3	
§ 54-4	Sec. 4	
§ 54-5	Sec. 5	Amended 1-22-1981 by L.L. No. 1-1981; 11-10-1983 by L.L. No. 7-1983
§ 54-6	Sec. 6	Amended 1-22-1981 by L.L. No. 1-1981
§ 54-7	Sec. 7	Amended 1-22-1981 by L.L. No. 1-1981
Omitted	Sec. 8	Repealed 1-22-1981 by L.L. No. 1-1981
§ 54-8	Sec. 9	Amended 1-22-1981 by L.L. No. 1-1981
Omitted	Sec. 10	Amended 1-22-1981 by L.L. No. 1-1981
Chapter 66, Dogs		
Article I, License Fees	L.L. No. 4-1979	9-13-1979
Omitted	Sec. 1	
§ 66-1	Secs. 2 and 3	
Omitted	Sec. 4	
Article II, Control of Behavior	L.L. No. 1-1980	2-14-1980

§ 1-2

HARTLAND CODE

§ 1-2

<b>New Number (chapter, title, Article, section)</b>	<b>Old Number (source)</b>	<b>Adoption or Amendment Date</b>
§ 66-2	Sec. 1	
§ 66-3	Sec. 2	
Omitted	Sec. 3	
§ 66-4	Sec. 4	
§ 66-5	Sec. 5	
§ 66-6	Sec. 6	
§ 66-7	Sec. 7	Amended 11-10-1983 by L.L. No. 8-1983
Omitted	Sec. 8	
Omitted	Sec. 9	
Chapter 78, Fire Prevention and Building Construction	Resolution	6-13-1985
§ 78-1	Unnumbered paragraph	
Chapter 81, Flood Damage Prevention	L.L. No. 3-1983	10-27-1983
	Section 1.0	
§ 81-1	1.1	
§ 81-2	1.2	
§ 81-3	1.3	
§ 81-4	Section 2.0	
	Section 3.0	
§ 81-5	3.1	
§ 81-6	3.2	
§ 81-7	3.3	
§ 81-8	3.4	
§ 81-9	3.5	

<b>New Number (chapter, title, Article, section)</b>	<b>Old Number (source)</b>	<b>Adoption or Amendment Date</b>
§ 81-10	3.6 Section 4.0	
§ 81-11	4.1	
§ 81-12	4.2	
§ 81-13	4.3 Section 5.0	
§ 81-14	5.1	
§ 81-15	5.2	
Omitted	Section 6.0	
Chapter 85, Games of Chance	L.L. No. 2-1981	8-27-1981
§ 85-1	Sec. 1	
§ 85-2	Sec. 2	
§ 85-3	Sec. 3	
Omitted	Sec. 4	
Chapter 99. Noise	L.L. No. 3-1981	9-24-1981
§ 99-1	Sec. 1	
Omitted	Sec. 2	
§ 99-2	Sec. 3	Amended 11-10-1983 by L.L. No. 5-1983
§ 99-3	Sec. 4	
§ 99-4	Sec. 5	
§ 99-5	Sec. 6	
Omitted	Sec. 7	
Omitted	Sec. 8	
Chapter 107, Records, Public Access to	Resolution	5-9-1985
§ 107-1	Sec. 1.0	

<b>New Number (chapter, title, Article, section)</b>	<b>Old Number (source)</b>	<b>Adoption or Amendment Date</b>
§ 107-2	Sec. 2.0	
§ 107-3	Sec. 3.0	
§ 107-4	Sec. 4.0	
§ 107-5	Sec. 5.0	
§ 107-6	Sec. 6.0	
§ 107-7	Sec. 7.0	
§ 107-8	Sec. 8.0	
§ 107-9	Sec. 9.0	
Chapter 114, Snowmobiles	L.L. No. 2-1971	11-30-1971
§ 114-1	Sec. 1	
§ 114-2	Sec. 2	Amended 11-10-1983 by L.L. No. 9-1983
§ 114-3	Sec. 3	Amended 11-10-1983 by L.L. No. 9-1983
§ 114-4	Sec. 4	
§ 114-5	Sec. 5	Amended 11-10-1983 by L.L. No. 9-1983
Omitted	Sec. 6	
§ 114-6	Sec. 7	
Chapter 120, Streets and Sidewalks		
Article I, Notification of Defects	L.L. No. 1-1974	8-8-1974
§ 120-1	Secs. 1 and 2	
§ 120-2	Sec. 3	Amended 11-10-1983 by L.L. No. 6-1983



<b>New Number (chapter, title, Article, section)</b>	<b>Old Number (source)</b>	<b>Adoption or Amendment Date</b>
§ 120-3	Sec. 4	
§ 120-4	Sec. 5	
Omitted	Sec. 6	
Omitted	Sec. 7	
Chapter 125, Surface Drainage	L.L. No. 2-1983	7-14-1983
§ 125-1	Sec. 1	
Omitted	Sec. 2	
§ 125-2	Sec. 3	
§ 125-3	Sec. 4	
§ 125-4	Sec. 5	
§ 125-5	Sec. 6	
Omitted	Sec. 7	
Omitted	Sec. 8	
Chapter 129, Taxation		
Article II, Veterans Tax Exemption	L.L. No. 1-1983	4-14-1983
§ 129-1	Sec. 1	
Omitted	Sec. 2	
Article III, Alternate Veterans Tax Exemption	Resolution	12-27-1984
§ 129-2	Unnumbered paragraph	
Chapter 133, Trees	L.L. No. 1-1979	3-8-1979
§ 133-1	Sec. 1	
§ 133-2	Sec. 2	
§ 133-3	Sec. 3(a)	
§ 133-4	Sec. 3(b)	

§ 1-2

HARTLAND CODE

§ 1-2

<b>New Number (chapter, title, Article, section)</b>	<b>Old Number (source)</b>	<b>Adoption or Amendment Date</b>
§ 133-5	Sec. 3(c)	
Omitted	Sec. 4	
Omitted	Sec. 5	
Chapter 144, Zoning	Ordinance	8-12-1982
Article I	Article I	
§ 144-1	§ 101	
Omitted	§ 102	
§ 144-2	§ 103	
§ 144-3	§ 105	
§ 144-4	§§ 104 and 106	
Article II	Article II	
§ 144-5	§ 201	
§ 144-6	§§ 202 through 207	
§ 144-7	§ 208	
§ 144-8	§ 209	
§ 144-9	§ 210	
§ 144-10	§ 211	
Article III	Article III	
§ 144-11	§ 301	
§ 144-12	§§ 302 through 305	
§ 144-13	§ 306	
§ 144-14	§ 307	
§ 144-15	§ 308	
Article IV	Article IV	
§ 144-16	§ 401	
§ 144-17	§§ 411 through 415	

<b>New Number (chapter, title, Article, section)</b>	<b>Old Number (source)</b>	<b>Adoption or Amendment Date</b>
§ 144-18	§§ 421 through 425	Amended 11-22-1982
§ 144-19	§§ 431 through 435	Amended 1-26-1984
§ 144-20	§§ 441 through 445	
§ 144-21	§§ 451 through 455	
Article V	Article V	
§ 144-22	§ 501	
§ 144-23	§ 502	
§ 144-24	§ 503	
§ 144-25	§ 504	
§ 144-26	§ 505	
§ 144-27	§§ 511 and 512	
§ 144-28	§§ 521 through 523	
§ 144-29	§§ 531 through 533	
§ 144-30	§§ 541 through 545	
§ 144-31	§§ 551 through 559.4	Amended 2-24-1983
§ 144-32	§§ 561 through 564	
§ 144-33	§§ 571 through 573	
§ 144-34	§§ 581 through 583	
§ 144-35	§ 591	
§ 144-36	§ 592	

§ 1-2

HARTLAND CODE

§ 1-2

<b>New Number (chapter, title, Article, section)</b>	<b>Old Number (source)</b>	<b>Adoption or Amendment Date</b>
Article VI	Article VI	
§ 144-37	§ 601	
§ 144-38	§ 602	
§ 144-39	§ 603	
§ 144-40	§ 604	Amended 11-22-1982
§ 144-41	§ 605	
§ 144-42	§ 606	
Article VII	Article VII	
§ 144-43	§ 701	
§ 144-44	§ 702	
§ 144-45	§ 703	
§ 144-46	§ 704	
Article VIII	Article VIII	
§ 144-47	§ 801	
§ 144-48	§ 802	
§ 144-49	§ 803A, B and C	
§ 144-50	§ 803D, E and F	
Article IX	Article IX	
§ 144-51	§ 901	
§ 144-52	§ 902	
§ 144-53	§ 903	
§ 144-54	§ 904	Amended 12-5-1985
§ 144-55	§ 905	
§ 144-56	§ 906	
Article X	Article X	
§ 144-57	§ 1001	
§ 144-58	§ 1002	

<b>New Number (chapter, title, Article, section)</b>	<b>Old Number (source)</b>	<b>Adoption or Amendment Date</b>
§ 144-59	§ 1003	
§ 144-60	§ 1004	
§ 144-61	§ 1005	
§ 144-62	§ 1006	
§ 144-63	§ 1007	
§ 144-63.1	Unnumbered paragraph	Added 11-7-1985; amended 12-5-1985
Article XI	Article XI	
§ 144-64	§ 1101	
§ 144-65	§ 1102	
§ 144-66	§ 1103	
§ 144-67	§ 1104	
§ 144-68	§ 1105	
§ 144-69	§ 1106	
§ 144-70	§ 1107	
§ 144-71	§ 1108	
§ 144-72	§ 1109	
§ 144-73	§ 1110	
§ 144-74	§ 1111	
Article XII	Article XII	
§ 144-75	§ 1201	
Omitted	§ 1202	
§ 144-76	§ 1203	
§ 144-77	§ 1204	
Omitted	§ 1205	

**§ 1-3. Repeal of enactments not included in Code.**

All local laws, ordinances and resolutions of a general and permanent nature of the Town of Hartland 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.

**§ 1-4. Enactments saved from repeal; matters not affected.**

The repeal of local laws, ordinances and resolutions provided for in § 1-3 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 Hartland 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 Hartland, 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 Hartland.
- D. Any franchise, license, right, easement or privilege heretofore granted or conferred by the Town of Hartland.
- E. Any local law, ordinance or resolution of the Town of Hartland 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 Hartland or any portion thereof.

- F. Any local law, ordinance or resolution of the Town of Hartland 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 Hartland or other instruments or evidence of the town's indebtedness.
- G. Local laws, ordinances or resolutions 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, ordinances or resolutions relating to salaries.
- K. Any and all Zoning Map amendments.
- L. All legislation adopted subsequent to June 1, 1985.

**§ 1-5. 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 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.

**§ 1-6. 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 Hartland 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 Hartland by impressing thereon the Seal of the Town of Hartland, 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 the said Code is in effect.

**§ 1-7. 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 Hartland," 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.

**§ 1-8. 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 Hartland 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.

**§ 1-9. Sale of Code book; supplementation.**

Copies of the Code may be purchased from the Town Clerk of the Town of Hartland 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.

**§ 1-10. 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 Hartland, or who alters or tampers with such Code in any manner whatsoever which will cause the legislation of the Town of Hartland 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.

**§ 1-11. Changes in previously adopted legislation.**

In compiling and preparing the local laws, ordinances and resolutions for publication as the Code of the Town of Hartland, 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. 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 Town Board 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.

**§ 1-12. When effective.**

This local law shall take effect upon filing with the Secretary of State and State Comptroller as required by § 27 of the Municipal Home Rule Law.

ARTICLE II

**Legislation Enacted During Codification**

**[During the process of codification, certain complete new local laws were adopted by the Town Board for inclusion in the Code of the Town of Hartland. Such new enactments are noted in the histories of individual chapters as ". . . adopted during codification; see Ch. 1, General Provisions, Art. II." During the course of normal supplementation, specific dates of adoption will be inserted where pertinent in the text of the chapters. The enumeration appearing below lists each chapter affected by any such legislation adopted during codification. The complete text of any new enactments is on file in the office of the Town Clerk, where it may be inspected during office hours.]**

<b>Chapter</b>	<b>Local Law Number</b>	<b>Adoption Date</b>
Ch. 140, Water	4-1986	12-11-1986