

**INTRODUCTORY LOCAL LAW No. 9 OF 2016
VILLAGE OF MONROE**

**A LOCAL LAW AMENDING VARIOUS CHAPTERS OF THE CODE OF THE
VILLAGE OF MONROE**

BE IT ENACTED by the Board of Trustees of the Village of Monroe, Orange County, New York, as follows:

SECTION 1. PURPOSE.

The Board of Trustees of the Village of Monroe finds that it is reasonable and appropriate to update and amend the Village of Monroe Code from time to time. This local law is determined to be an exercise of the police powers of the Village to protect the public health safety and general welfare of its residents.

SECTION 2: CHAPTER 56 (“PLANNING BOARD”)

A new Chapter 56 (“Planning Board”) is hereby established, which shall consist of the Sections 200-85 and 200-85.1 of the Zoning Code, renumbered as Sections 56-1 and 56-2 herein. Subsection D of Section 56-1 is hereby amended to insert “Mayor, subject to the approval of the” between “The” and “Village Board of Trustees”. Additionally, the reference to “§ 7-720” is hereby repealed and replaced with “§ 7-718”. Subsection G is hereby amended to insert “Planning” between “the” and “Board”.

Subsection B of the new Section 56-2 is hereby amended to repeal “because of a conflict of interest”. Subsection C is hereby amended to repeal “four years; the first year of such term shall be deemed to expire on June 1 following the alternate member’s appointment” and replace it with “five years”. Subsection D is hereby amended to repeal “the next June 1” and replace it with “the expiration of that term”, and to repeal “four” and replace it with “five”.

A new Section 56-3 is hereby established as follows:

§ 56-3. Powers and duties.

The Village of Monroe Planning Board is authorized and empowered to review and approve preliminary and final plats of subdivisions, site plans, special permits and other such applications for the development or modification of real property for the purpose of providing for the future growth and development of the Village and affording adequate facilities for the housing, transportation, distribution, comfort, convenience, safety, health and welfare of the Village population. Preliminary questions relating to annexation of territory, including the size, location and boundaries thereof and generally the acceptability of any such territory, shall be and hereby are referred to the Planning Board for investigation and consideration by it and for report and recommendation to the Village Board.

SECTION 3: CHAPTER 57 (“ZONING BOARD OF APPEALS”)

A new Chapter 57 (“Zoning Board of Appeals”) is hereby established, which shall consist of the Sections 200-96 and 200-96.1 of the Zoning Code, renumbered as Sections 57-1 and 57-2 herein. Subsection A of Section 57-1 is hereby amended to repeal the term “Board” and replace it with “Zoning Board of Appeals”, and to repeal “seven members, five of whom shall be regular members and” and replace it with “five members and an additional”. Subsection C is hereby amended to repeal the phrase “Village Board” and replace it with “Mayor”. Subsection D is hereby repealed, and new Subsections D and E are established as set forth below. The existing Subsections E, F, and G are hereby renumbered as F, G, and H, respectively.

- D. Chairperson. The Mayor, subject to the approval of Village Board of Trustees shall designate a member of the Zoning Board of Appeals to act as Chairperson pursuant to the provisions of § 7-712 of the Village Law.
- E. Employees and expenses. The Village Board of Trustees shall have the power and authority to employ legal counsel and such other experts and staff, including a secretary or clerk (who is not a member of the Board and whose salary is to be fixed by the Village Board of Trustees), to serve the Zoning Board of Appeals (upon the request and recommendation of that Board), and to pay for their services and such other expenses as may be necessary and proper, not exceeding, in all, the appropriation that may be made for such Board.

SECTION 4: CHAPTER 80 (“BUILDING CONSTRUCTION”)

Chapter 80 (“Building Construction”) is hereby amended as set forth herein. Section 80-2 is hereby amended to repeal “Building Inspector, with the consent of the”, the comma after “Trustees” is hereby repealed, “of Trustees” is hereby inserted after the second “Board”, and “his functions” is hereby repealed and replaced with “the daily functions of the Building Inspector”.

Section 80-3 is hereby amended to repeal the term “behalf” and replace it with “place”, and to repeal the phrase “upon him”.

Section 80-4(A) is hereby amended to insert the following language after “Executive Law”: “as well as Orange County Electrical License Local Law #11 of 2013,”. Subsections B and C are hereby amended to repeal “He” and replace it with “The Building Inspector and any Assistant Building Inspector” in both instances. Subsection D is hereby amended to repeal the phrase “he may require”, and to insert the following language at the end of the paragraph: “may be required.” Subsection E is hereby amended to repeal the term “his” and replace it with “said”.

Section 80-5(A) is hereby amended to repeal the phrase “of his work as such” and replace it with “performed”, and Subsection B is hereby amended to repeal “He” and replace it with “The Building Inspector”.

The text of Section 80-6 is hereby repealed and the following language shall be substituted in its place: “Building Permits shall be applied for and issued in accordance with § 200-68.”

Sections 80-7 and 80-8 are hereby repealed, and the remainder of the chapter shall be renumbered accordingly. The new Section 80-7 is hereby amended to repeal Subsection A(8), renumber A(9) as A(8), and repeal the term “built” and replace it with “to build”.

The introductory paragraph of the new Section 80-8 is hereby amended to repeal the phrase “he finds” and replace it with “it is found”. Subsection C is hereby amended to repeal the term “prosecuted” and replace it with “executed”.

The new Section 80-9 is hereby amended to repeal the phrase “his functions” and replace it with “the function of the Building Inspector.”

SECTION 5: CHAPTER 81 (“ELECTRICAL STANDARDS”)

A new Chapter 81 (“Electrical Standards”) is hereby established as follows:

Chapter 81. ELECTRICAL STANDARDS

§ 81-1. Inspectors.

Inspectors, duly appointed by the Village Board, are hereby authorized and deputized as agents of the Village of Monroe to make inspections and reinspections of all electrical installation heretofore and hereafter described and to approve or disapprove the same. In no event, however, will the cost or expense of such inspections and reinspections be a charge against the Village of Monroe. The cost of such inspections or reinspections shall be a charge against the individual or entity requesting the inspection or reinspection.

§ 81-2. Standards.

All electrical installations pursuant to this chapter shall be made in conformity with the requirements of the New York State Fire Prevention and Building Code (NYSFPBC) and the National Electrical Code (NEC), as amended from time to time and as adopted by the National Fire Prevention Association. In the event of any conflict between the NYSFPBC and the NEC, the provisions of the NEC shall govern and shall be deemed in compliance with this chapter.

§ 81-3. Electrical inspectors.

- A. Any person or legal entity may apply to the Village Board for permission to conduct electrical inspections. This application shall be accompanied by a \$100 non refundable fee, and shall be in writing on forms prescribed by the Village Board by resolution and shall include the following:
- 1) IAEI certifications (Electrical Inspector One & Two Family Dwelling plus Electrical Inspector General) and the required CEU's to maintain both certifications.
 - 2) Maintain annually \$5,000,000 Liability Insurance and supply certificate with Village of Monroe as the certificate holder.
 - 3) Maintain and supply annually Certificate of NYS Workers Compensation Insurance.
 - 4) Maintain and supply annually Certificate of NYS Disability Insurance.
 - 5) All cancellation notices of insurance shall be sent to the Village of Monroe upon issuance.
 - 6) Supply current rate schedule for inspections.
- B. The application shall be submitted to the Building Inspector, who shall review the same and who shall make an investigation as to qualifications of the applicant. Within 30 days after the submission of the completed application, the Building Inspector shall deliver copies of the complete application to the Village Board with a recommendation for approval or disapproval. Within 30 days after receipt of the application and recommendation, the Village Board shall approve or disapprove the application. Failure of the Village Board to act within said period shall be deemed an approval of the application.
- C. Upon approval, the Building Inspector shall issue a letter of certification addressed to the applicant that the Village Board has found the applicant to be a qualified electrical inspector. Such certification shall remain in full force and effect unless rescinded for cause pursuant to a hearing held on not less than 10 days written notice to the inspector. Notice may be delivered personally or by regular and certified mail. Upon delivery of such notice or upon the mailing of the same, certification shall be suspended pending a determination.
- D. In the event that an applicant is not approved, the Village Board may grant the applicant an opportunity to be heard on the merits of the application at a regular or special meeting of the Village Board to be held within 60 days after notice of disapproval is made to the applicant.
- E. It shall be the duty of the Building Inspector to maintain a current list of all qualified electrical inspectors for the Village of Monroe, including their addresses, telephone numbers, dates of approval by the Village Board and the dates of issuance of the certification. The Building Inspector will be responsible for providing a current list of all certified inspectors to the Village Clerk, on an annual basis or upon certification or decertification of an inspector.

- F. Failure to complete and submit the required information or the giving of false information in the initial application and/or the renewal of an Electrical Inspection License shall result in the termination of the inspection agency's approval to conduct business in the Village of Monroe.

§ 81-4. Duties of inspectors; certificate of compliance.

A. Duties.

- (1) It shall be the duty of the approved inspector and/or the duly appointed inspectors to report in writing to the Building Inspector of the Village of Monroe, whose duty it shall be to enforce all provisions of this chapter, all violations or deviations from or omissions of the electrical provisions of the Building Code applicable to the Village of Monroe and of all local laws, ordinances, regulations and the Building Code as referred to in this chapter insofar as any of the same apply to electrical wiring.
- (2) The approved inspector and/or the inspectors shall make inspections and reinspections of electrical installations in and on properties within the Village of Monroe upon the written request of the Building Inspector of the Village of Monroe.
- (3) The approved inspector and/or inspectors are authorized to make inspections and reinspections of electrical wiring, installations, devices, appliances and equipment in or on properties within the Village of Monroe where they deem it necessary for the protection of life and property.
- (4) In the event of an emergency, it is the duty of the approved inspector and/or inspectors to make electrical inspections upon the oral request of the Building Inspector.
- (5) It shall be the duty of the approved inspector and/or inspectors to furnish written reports to the Building Inspector of the Village of Monroe and the owners and/or lessees of property where defective electrical installations and equipment are found upon inspection.

- B. Certificate of compliance. There shall be authorized the issuance of a certificate of compliance when electrical installations and equipment are in conformity with this chapter. A copy of the certificate of compliance shall be sent to the Village of Monroe to the attention of the Building Inspector.

§ 81-5. No waiver or assumption of liability.

This chapter shall not be construed to relieve or diminish the responsibility of any person owning, leasing, operating, controlling or installing any electrical installations or configurations pursuant to § 81-2 of this chapter for loss of life or injury or damage to any person or property caused by any defect or negligence therein, nor shall the Village or any of its agents, servants or employees be deemed to have assumed any such liability for any reason, including any inspection, reinspection or the issuance of any certificates pursuant to this chapter.

§ 81-6. Penalties for offenses.

It shall be an offense against this chapter for any person, firm or corporation to install or cause to be installed or to alter electrical wiring for heat, light or power in or on the properties of the Village of Monroe until an application for inspection has been filed with an approved electrical inspection agency. It shall be an offense against this chapter for a person, firm or corporation to connect or cause to be connected electrical wiring in or on properties for light, heat or power to any source of electrical energy supply prior to the issuance of a temporary certificate or a certificate of compliance by an approved electrical inspection agency. An offense against any provision of this chapter shall, upon conviction, be deemed a violation pursuant to the Penal Law of the State of New York, punishable by a fine of not more than \$250 or by imprisonment for not more than 15 days, or both. In addition to the above-provided penalties, the Village Board may also maintain an action or proceeding in the name of the Village in a court of competent jurisdiction to compel compliance with or to restrain by injunction any offense against the terms of this chapter.

SECTION 6: CHAPTER 88 (“CONTAINERS AND DUMPSTERS, TEMPORARY”)

A new Chapter 88 (“Containers and Dumpsters, Temporary”) is hereby established as follows:

Chapter 88. Containers and Dumpsters, Temporary

§ 88-1. Purpose and Intent.

The Village of Monroe has determined that containers and dumpsters placed or deposited upon Village streets and roadways by contractors, renovating, remodeling or constructing structures adjacent thereto present a danger to members of the public traveling upon the Village streets or highways by motor vehicle, motorcycle, bicycle or on foot. The purpose of this Chapter is to regulate such use. The regulations set forth below are intended to ensure the safety of the members of the public using the Village’s street and highways.

§ 88-2. General and Permitting Requirements.

1. No dumpster or container shall be placed on any Village street or highway without the owner or lessee of the container having applied for and received a dumpster permit from the Village of Monroe Building Department.
2. Application. The application for a container or dumpster permit to be placed on a Village street or roadway shall provide the following:
 - (a) The name, address and telephone number of the owner of the container or dumpster;
 - (b) The name, address and telephone number of the entity or individual leasing the container or dumpster;
 - (c) The dimensions of the container or dumpster;
 - (d) The name of the owner of the premises for which the container or dumpster shall be used for;
 - (e) A description of the debris to be placed in the container or dumpster;
 - (f) Duration of the placement; and
 - (g) The measures to be employed to illuminate the container or dumpster during dusk and evening hours.
3. Fees.
 - (a) The application fee for a permit under this Chapter shall be \$100.
 - (b) The permit holder shall pay a daily fee of \$100 per day or any part thereof during which the container or dumpster is placed upon the Village street or roadway;
4. Insurance. Every application for a container or dumpster permit shall be accompanied by proof of the existence of a liability insurance policy in the minimum sum of \$1,000,000.00 naming the Village of Monroe as an additional insured to protect the Village from any claim for damage or injury to person or property resulting from the placement of the container or dumpster in a Village street or highway.

The liability insurance policy required hereunder shall be written by an insurance company authorized to transact business in the State of New York and shall state on the face thereof that it is not cancelable by the insurance carrier except on 30 days prior notice to the Village Clerk of the Village of Monroe.

5. Proscription. No food or household garbage shall be deposited into the container or dumpster while on a Village street or highway.

§ 88-3. Penalties for offenses.

- (1) Any person violating the provisions of this section may be issued a notice of violation by the Village Building Inspector or police officer, and, if such violation continues beyond the time stated in the notice of violation for its abatement, it shall constitute an offense against the provisions of this section.
- (2) Any violation of any provision of this section shall be subject, upon conviction, to a penalty or fine up to and not to exceed \$250 per day or not to exceed a term of imprisonment for 15 days, or both, except as otherwise provided herein. Each and every violation and, in the case of a continuing violation, each day's continuance thereof, should be deemed a separate and distinct offense.

SECTION 7: CHAPTER 100 (“FENCES”)

Chapter 100 (“Fences”) is hereby repealed in its entirety.

SECTION 8: CHAPTER 168 (“STORMWATER MANAGEMENT”)

Chapter 168 (“Stormwater Management”) is hereby amended as set forth herein. Section 168-1(B) is hereby amended to repeal the term “waterbome” and replace it with “waterborne”.

The introductory paragraph of Section 168-2 is hereby amended to repeal both references to “article and Chapter 200, Article XXII” and replace them each with “Article and Article II”. Section 168-2(A) is hereby amended to repeal “GP-02-02” and replace it with “GP-0-10-002”. Section 168-2(B) is hereby amended to repeal “GP-02-01” and replace it with “GP-0-10-001”. Section 168-3 is hereby amended to insert “Board of Trustees” after “Village of Monroe” the first and third times that “Village of Monroe” is stated. Additionally, “Village Board” is hereby repealed.

Section 168-4 is hereby amended to repeal all references to “article and Chapter 200, Article XXII”, except the last, and replace them with “Article and Article II”. Subsection 168-4(A) is hereby amended to repeal the reference to “§ 200-101” and replace it with “§ 168-11. Subsection 168-4(B) is hereby amended to repeal “may” prior to “review the plans” and replace it with “shall”, and insert “, and may,” prior to “upon approval”, repealing the semicolon. Additionally, “not to exceed a fee schedule established by said governing board” is hereby repealed and replaced with “paid from an escrow account established pursuant to Chapter 98 (“Fees, Consultant”), or pursuant to the Schedule of Fees adopted by the Village Board, or, at the Stormwater Management Officer’s discretion,” and repealing the semicolon. Subsection 168-4(D) is hereby amended to insert “if required under the NYS DEC General SPDES Permit” after “(SWPPP)”. Additionally, the term “approve” is hereby repealed and replaced with “accept”,

and the final reference to “article and Chapter 200, Article XXII” is hereby repealed and replaced with “chapter”.

Section 168-5 is hereby amended to repeal all references to “article and Chapter 200, Article XXII” and replace them with “Article and Article II”. Subsection 168-5(A) is hereby amended to repeal the reference to “§ 200-101” and replace it with “§ 168-11”. Subsection 168-5(C) is hereby amended to repeal “two” and replace it with “five (5)”. Subsection 168-5(E) is hereby amended to insert “and a building permit issued” between “approved” and “by the Village of Monroe”. Additionally “the maintenance requirements of the facilities reviewed and approved under the provisions then in effect by the reviewing agency and” shall be inserted between “with” and “erosion and sediment control”. Subsection 168-5(F) is hereby amended to insert the following language at the end of the paragraph: “with the exception of the maintenance requirements of the facilities reviewed and approved by the reviewing agency.” A new Subsection 168-5(L) is hereby created as follows: “L. Development of single-family homes on lots of less than one acre.”

Section 168-6 is hereby amended to repeal all references to “article and Chapter 200, Article XXII” and replace them with “Article and Article II”. Subsection (A)(1) is hereby amended to repeal the term “enforcement official” and replace it with “Code Enforcement Official”. Section 168-7(C) is hereby amended to repeal both references to “article and Chapter 200, Article XXII” and replace it with “Article and Article II”. Section 168-8 is hereby amended to repeal all references to “article and Chapter 200, Article XXII” and replace them with “Article and Article II”. Section 168-9 is hereby amended to repeal the reference to “article and Chapter 200, Article XXII” and replace it with “Article and Article II”, and to repeal the reference to “chapters” and replace it with “Chapters 175 and 200”, and to insert “, respectively,” after “Zoning”.

A new Subsection 168-10 is hereby created as follows:

§ 168-10 Termination of SPDES Permit for Construction Activity.

Termination of project coverage under the SPDES General Permit for Construction Activity may be completed by the owner under the following conditions as described in GP-0-10-001:

- a) Total project completion
- b) Planned shutdown with partial project completion
- c) Transfer coverage to new owner

The owner shall file a Notice of Termination (NOT) with the NYSDEC when any of the above conditions are met. When termination is due to condition a. or b. above, the NOT must be reviewed and signed by the MS4, Village of Monroe, prior to filing with the NYSDEC.

Article XXII of Chapter 200 (“Zoning”) is hereby renumbered as a new Article II, entitled “Stormwater Control” of this Chapter 168. The existing Article II shall be renumbered

as Article III, and Subsections 168-10 through 168-30 shall be renumbered as Sections 168-16 through 168-36 accordingly. Sections 200-101 through 200-105 are hereby renumbered as Section 168-11 through 168-15, respectively.

The definition of “clearing” in the new Section 168-11(A) is hereby amended to add the following language after “surface cover”: “(or removes impervious surfaces exposing soils that are not immediately recovered with impervious surfaces).” The definition of “land development activity” is hereby amended to replace the three references to “one acre” with “one-half acre”, and to replace “are” with “is” between “that” and “part”. Additionally, the classification “CT” shall be replaced with “C”. A new definition of “qualified inspector” shall be inserted as follows: “A person that is knowledgeable in the principles and practices of erosion and sediment control, such as a licensed Professional Engineer, Verified Professional in Erosion and Sediment Control (CPESC), Registered Landscape Architect, or other Department endorsed individual(s).” The definition of “SPDES General Permit for Construction Activities GP-02-01” is hereby revised to replace “GP-02-01” with “GP-0-10-001”. The definition of “SPDES General Permit for Stormwater Discharges from Municipal Separate Stormwater Sewer Systems GP-02-02” is hereby revised to replace “GP-02-02” with “GP-0-10-002”. The definition of “stormwater” is hereby amended to include the following language after “drainage”: “, including but not limited to roof and footing drains.” The definition of “Stormwater Management Practices (SMPs)” is hereby amended to include the following language after “water bodies”: “such as practices listed in Schedule A.”

The title of the new Section 168-12 is hereby amended to include “(SWPPP)” at the end of the existing title. Subsection 168-12(B)(1)(d) is hereby amended to repeal “two acres” and insert “one acre”, and to include the following after “SWPPP”: “and approval by the Planning Board”. Subsection 168-12(B)(2) is hereby amended to repeal the reference to “§ 200-101” and replace it with “§ 168-11”. Subsections 168-12(B)(2)(b) and (c) are hereby amended to repeal the references to “two or more acres” and “one and two acres”, respectively, and replace them with “one or more acres” and “one-half and one acres”, respectively. Subsection 168-12(B)(3)(i) is hereby amended to repeal the reference to “§ 200-104” and replace it with “§168-14”.

The new Subsection 168-13(A)(2) is hereby amended to repeal “(Empire State Chapter of the Soil and Water Conservation Society, 2004, most current version or its successor, hereafter referred to as the “Erosion Control Manual”)” and replace it with “(New York State Department of Environmental Conservation, most current version or its successor, hereafter referred to as the “Erosion Control Manual”)”.

The new Subsection 168-14(A)(2) is hereby amended to repeal the reference to “§ 200-101” and replace it with “§ 168-11”, and the reference to “§ 200-102B(2)” and replace it with “§ 168-12(B)(2)”. Additionally, the remainder of the sentence after “sediment control practices” is hereby repealed, and the following language inserted in its place: “once every seven days or, if the project has been approved to disturb more than 1 acre at a time, twice every 7 days, separated by 2 days. Inspection reports shall be maintained in a site logbook and provided to the Building Inspector monthly.” The new Subsection 168-14(A)(3) is hereby amended to include the following language between the first and second sentences: “Inspection reports shall be

completed every seven days within 24 hours of any storm event producing 0.5 inch of precipitation or more. The reports shall be delivered to the Stormwater Management Officer weekly and also copied to the site logbook.” Subsection 168-14(C)(3) is hereby amended to repeal the reference to “§ 200-103(C)” and replace it with “§ 168-13(C)”. The new Section 168-15 is hereby amended to repeal “and effective date” from the title, and to repeal Subsection B.

Subsection 168-16(A) is hereby amended to repeal the reference to “GP-02-02” and replace it with “GP-0-10-002”. In Section 168-17, the definition of “construction activity” is hereby amended to repeal the reference to “GP-02-01” and replace it with “GP-0-10-001”. The definition of “hazardous material” is hereby amended to be a definition for “hazardous materials”. The definition of “illicit connections” is hereby amended to be a definition for “illegal connections”. The definition of “illicit discharge” is hereby amended to repeal the reference to “§ 168-15” and replace it with “§ 168-21”. The definition of “industrial activity” is hereby amended to repeal the reference to “GP-98-03” and replace it with “GP-0-12-001”. The definition of “pollutant” is hereby revised to repeal the phrase “dredged spoil”, and to include the following language prior to “filter backwash”: “Anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; nonhazardous liquid and solid wastes and yard wastes; refuse, rubbish, litter, or other discarded or abandoned objects, ordnance and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind; dredged spoil”. The definition of “TMDL” is hereby repealed, and the definition of “total maximum daily load” is hereby amended to be a definition of “total maximum daily load (TDML)”. A new definition of “watercourse” is hereby created as follows: “A permanent or intermittent stream or other body of water, either natural or man-made, which gathers or carries surface water.”

Section 168-19 is hereby amended to repeal the term “article” and replace it with “Article and Chapter 168, Article I. The titled of Section 168-21 is hereby amended to be “Discharge and connection prohibitions; exceptions.” Subsection 168-21(A) is hereby amended to include the following language after “any materials”: “including but not limited to pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards.”.

Section 168-23(A)(2) is hereby amended to repeal the reference to “§ 168-11” and replace it with “§ 168-17”. Subsection 168-23(B) is hereby amended to repeal the reference to “§ 168-16” and replace it with “§ 168-22”. Section 168-24(A) and (A)(2) are hereby amended to repeal the references to “§ 168-11” and “§ 168-17” and replace them with “§ 168-17” and “§ 168-23”, respectively. Subsection 168-24(B) is hereby amended to repeal the reference to “§ 168-11” and replace it with “§ 168-17”.

Section 168-25(A) is hereby amended to insert “Suspension due to” prior to “illicit discharges”, and to insert “storm system and” prior to “MS4”, and to insert “waters of the United States, or” prior to “to minimize danger”. Subsection 168-25(B) is hereby amended to insert

“storm system and/or” prior to the first reference to “MS4”. Subsection 168-25(B) is hereby amended to repeal the last sentence beginning “A person commits”, and create a new Subsection C consisting of that sentence.

Subsection 168-27(B) is hereby amended to renumber Subsections 5 and 6 as 6 and 7, respectively, and to create a new Subsection 5 as follows: “(5) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the operator at the written or oral request of the SMO and shall not be replaced. The costs of clearing such access shall be borne by the operator.” The new Subsection 168-27(B)(6) is hereby amended to include “of a stormwater discharge permit and” after “violation”.

A new Section 168-28 is hereby created as follows, and the remainder of the Sections are renumbered accordingly:

§ 168-28. Watercourse protection.

Every person owning property through which a watercourse passes, or such person’s lessee, shall keep and maintain that part of the watercourse within the property free of trash, debris, excessive vegetation, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse.

The new Subsection 168-30(A) is hereby amended to repeal the term “municipality’s”, and to insert “the authorized enforcement agency or the municipality” in place of “he/she”. Subsection 168-30(A)(5) is hereby amended to insert “to cover administrative and remediation costs” after “fine”. Subsection 168-30(A)(6) is hereby amended to end after “BMPs”, and the remainder of the paragraph shall be used to create a new Subsection 168-30(B). The existing Subsection 168-30(B) shall be renumbered as Subsection 168-30(C).

Section 168-31 is hereby amended to repeal “Council” and replace it with “Board of Trustees”. A new Subsection 168-37 is hereby created as follows, and the remainder of the sections shall be renumbered accordingly:

§ 168-37. Ultimate responsibility.

The standards set forth herein and promulgated pursuant to this Article are minimum standards; therefore, this Article does not intend nor imply that compliance by any person will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants.

SECTION 9: CHAPTER 170 (“STREETS AND SIDEWALKS”)

Article I is hereby retitled “Snow and Ice Removal”. Sections 170-1 and 170-3 are hereby repealed. Section 170-2 is hereby renumbered to Section 170-6, and Subsections A and B are hereby combined into one unnumbered paragraph. Additionally, “Highway Department” is hereby repealed and replaced with “of Monroe Department of Public Works. Claims of damage to a properly erected mailbox are to be reported to the DPW Superintendent and repair will be at the DPW Superintendent’s discretion.”

Section 170-4 through Section 170-33 are hereby renumbered to Section 170-7 through 170-66 accordingly.

New Sections 170-1 through 170-5 are hereby adopted as follows:

§ 170-1. Duty to keep sidewalk clear.

It shall be the duty of the owner and occupant, jointly and severally, of every parcel of real estate adjoining a public sidewalk, whether the parcel of real estate is occupied by a structure or not, to keep such sidewalks adjoining such property free from snow and ice and for the full paved width of such sidewalk.

§ 170-2. Time limit for removal.

Snow and ice shall be removed within 24 hours after the end of a snowfall. Sidewalks in front of commercial establishments and commercial parking lots shall be kept free of snow and ice at all times between the hours of 9:00 a.m. and 5:00 p.m.

§ 170-3. Severe icing.

In case snow and ice on any sidewalk shall be frozen so hard that it cannot be removed without injury to the sidewalk, it shall, within the time specified in § 170-2, be strewn and kept strewn with ashes, sand, sawdust or other suitable material so as to be no longer dangerous to life and limb. As soon as practical thereafter, the sidewalk shall be completely cleared of snow, ice and other materials strewn thereon, as provided in this chapter.

§ 170-4. Removal by Village.

Whenever the owner or occupant of every parcel of real estate adjoining a public sidewalk fails to remove the snow and ice from such sidewalk adjoining such property within the time specified in this chapter or within four hours after notice of the Department of Public Works Superintendent of the Village of Monroe to remove same, the Department of Public Works Superintendent may remove said snow or ice from such sidewalk and notify the Village Clerk of the expense incurred by the amount of labor, equipment and materials used.

§ 170-5. Cost of removal.

The Village Clerk shall promptly present to the owner or occupant of each parcel a bill for the removal of snow and ice as certified by the Department of Public Works Superintendent. If not paid within 30 days, the cost thereof shall be assessed against the property and become a lien thereon, collectible in the same manner as delinquent village taxes.

SECTION 10: CHAPTER 175 (“SUBDIVISION OF LAND”)

Section 175-2 of Chapter 175 (“Subdivision of Land”) is hereby amended to include a new Subsection C as follows:

“C. Merging or combining lots prohibited. Owners of lots or an owner of lots in the Village of Monroe shall be prohibited from combining or merging two or more of those lots, unless such lots are combined for the purpose of a commercial or industrial use permitted under Chapter 200 (“Zoning”), and a site plan and/or special permit for such use is approved by the Planning Board. Any such lot merger approved by the Planning Board shall be conditioned upon a deed restriction being filed, enforceable by the Village of Monroe, restricting the use of the property to a commercial or industrial use. Proof of the filing of the deed restriction with the County Clerk must be presented to the Planning Board prior to the final site plan and/or special permit being signed by the Planning Board Chairperson. For purposes of zoning, any owner(s) of lots that combines or merges two or more lots in the Village after May 3, 2017 for any other use by filing a request with the Town Assessor shall be subject to the provisions of this chapter and Chapter 200 (“Zoning”). The lots will be considered merged into one lot for purposes of taxation only. The lots will be considered not to be merged for purposes of zoning and subdivision regulations, and shall be required to comply with the Zoning Code and Subdivision regulations of the Village.”

Subsections 175-7.1(A) and (B) are hereby amended to repeal all four locations of the following language: “Article I, and Chapter 200, Article XXII” and replace it with “Articles I and II”. Additionally, the remaining two references to “Chapter 200, Article XXII” are hereby repealed and replaced with “Chapter 168, Article II”.

Section 175-11 is hereby amended to repeal both locations of the following language: “Article I, and Chapter 200, Article XXII” and replace it with “Articles I and II”. Additionally, the remaining reference to “Chapter 200, Article XXII” is hereby repealed and replaced with “Chapter 168, Article II”.

SECTION 11: CHAPTER 182 (“TAXICABS”)

A new Chapter 182, entitled “Taxicabs”, is hereby created as follows:

Chapter 182. TAXICABS

§ 182-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

CRUISING

The operation of a taxicab upon Village of Monroe streets when not employed by a passenger and, by words or actions, solicitation of prospective passengers for hire.

LICENSING OFFICIAL

The Village Clerk.

OPERATOR

Any person owning, leasing, franchising or having control of the use of one or more taxicabs used for hire upon the streets of the Village or engaged in the business of operating a taxicab.

OWNER

The owner of a vehicle described herein is the person in whose name the state title is issued pursuant to the Vehicle and Traffic Law.

PRIVATE LIVERY CAB

A taxicab, as defined herein, except that such private livery cab shall not:

- A. Have the dome light or the external markings for taxicabs prescribed in this chapter.
- B. Be used in the Village for hire except upon a unit of time for hire by the hour, day or week, which unit of hire may exceed that prescribed for taxicabs in this chapter.

RATE CARD

A card on which is printed the tariff rates or fares charged for taxicab service in the Village, as provided by this chapter

STREET

Any highway, street, alley, avenue, court, bridge, lane or public highway or any other public way in the Village of Monroe.

TAXICAB

Any motor vehicle having a seating capacity of not more than seven persons in addition to the driver, engaged in the business of carrying persons for compensation whether the same be operated from a street stand or subject to calls from a garage or otherwise operated for compensation, except vehicles subject to the provisions of the Public Service Law, or used by undertakers in carrying on their undertaking business.

TAXICAB DRIVER

Any person who drives a taxicab, whether such person is the owner, lessee or franchisee of the taxicab or employed as an operator.

TAXICAB DRIVER'S LICENSE

The document granting permission by the Village to any person to drive a licensed taxicab upon the streets of Monroe.

TAXICAB LICENSE

The permission granted by the Village to any person to operate or keep for hire any taxicab in the Village.

TAXICAB STAND

Any place alongside a curb of a street or elsewhere marked by a taxicab sign authorized and exclusively reserved by the Board of Trustees for the use of taxicabs.

§ 182-2. Taxicab driver's license required.

No person shall drive a taxicab which picks up passengers within the Village limits and no owner of a taxicab shall permit a driver thereof to pick up passengers within the Village limits without said driver first having procured a taxicab driver's license from the Village Clerk and keeping the same in force and effect, under the provisions of this chapter.

§ 182-3. Taxicab license required.

No owner, lessee or franchisee of a taxicab which picks up passengers within the Village limits shall cause or permit such taxicab to be driven, operated or kept for hire or pay within the Village limits without first having procured a taxicab license for said taxicab and keeping the same in force and effect, under provisions of this chapter.

§ 182-4. Application for taxicab driver's license.

A. Each applicant for a taxicab driver's license must comply with the following to the satisfaction of the licensing official:

- (1) Be a citizen or legal resident of the United States.
- (2) Must first have obtained a Class E license.
- (3) Be of the age of 18 years or over.
- (4) Be of sound physique with good eyesight and not subject to epilepsy, vertigo, heart trouble or any other infirmity of body or mind which might render him unfit for the safe operation of a public vehicle.
- (5) Be able to read and write the English language.
- (6) Be clean in dress and person.
- (7) Not be dependent on the use of intoxicating liquor, alcoholic beverages or drugs.

- (8) Produce, on forms to be provided by the licensing official, affidavits of good character from two reputable citizens who have known him personally and have observed his conduct for at least one year next preceding the date of his application, and a further testimonial on a form provided for that purpose from his employer, unless, in the opinion of the licensing official, sufficient reason is given for its omission. An applicant shall be exempt from the provision of this subsection if he has held taxicab driver's licenses from the Village for the five continuous years previous to application.
- (9) Fill out, upon a blank form to be provided by the licensing official, a statement providing the information below, which statement shall be signed and sworn to by the applicant and filed with the licensing official as a permanent record.
 - (a) Full name.
 - (b) Residence, and applicant's other places of residence, if any, during the five years previous to application, with dates provided for each place of residence.
 - (c) Date and place of birth.
 - (d) Height.
 - (e) Color of eyes and hair.
 - (f) Places and dates of all previous employment during the five years previous to application.
 - (g) Place and date of any felony and misdemeanor convictions.
 - (h) Place and dates of any previous licenses issued by the Village.
 - (i) Place, date and description of any revocations or suspensions of licenses issued by the Village.

B. False statements.

- (1) Each application shall contain the following statement:

NOTICE: PURSUANT TO THE PENAL LAW, § 210.45, IT IS A CRIME PUNISHABLE AS A CLASS A MISDEMEANOR TO KNOWINGLY MAKE A FALSE STATEMENT HEREIN.

- (2) Any false statements by the applicant for a driver's license shall be promptly reported by the licensing official to the Village Attorney of the Village of Monroe. The licensing official is hereby authorized and empowered to require such additional information as he may deem necessary.

§ 182-5. Photograph of driver (displayed photo inside front and rear of taxi).

Each applicant for a driver's license must file with his application two unmounted, unretouched photographs of himself, or herself, in such position as the licensing official may direct, taken within the 30 days preceding the filing of his application. Photographs shall be of a passport size

which may be easily attached to his license, one of which shall be attached to the license when issued and the other shall be filed with the application. The photograph shall be so attached to the license that it cannot be removed and another photograph substituted without detection. Each licensed driver shall, upon demand, exhibit his license and photograph for inspection. When the application for license is denied, one copy of the photograph shall be returned to the applicant by the licensing official.

§ 182-6. Conviction records check; fingerprints.

- A. The Chief of Police shall request from the State Division of Criminal Justice Services and the State Division of Motor Vehicles record checks as to criminal and Vehicle and Traffic Law convictions for applicants for taxicab driver's licenses or applicants for renewal of taxicab driver's licenses to be issued by the Village. In connection thereto, every applicant for such licenses shall be fingerprinted by the Village of Monroe Police Department, under the supervision of the Chief of Police or his designee, which fingerprints shall be forwarded to the State Division of Criminal Justice Services by the Chief of Police for identification processing. The applicant will tender the usual fees as required by the Village's Fee Schedule on file with the Village Clerk for the taking of such fingerprints and shall pay the fee required by the New York State Division of Criminal Justice Services, in the form prescribed by the New York State Division of Criminal Justice Services. Fingerprints and all appropriate processing fees shall be sent directly to the New York State Division of Criminal Justice Services by the Chief of Police. Only the Chief of Police or his designee may review the criminal history of the applicant. No license or renewal thereof shall issue, except a temporary license as provided in § 182-7, until the investigations as required herein shall be completed, except that an applicant shall be exempt from the provisions of this section if he has held taxicab driver's licenses from the Village for the five continuous years previous to application and the record checks conducted in said five years found no convictions against him during said period.
- B. Reasons for license denial; suspension, cancellation, revocation and refusal to renew or issue a license. The Village Clerk, upon the recommendation of the Chief of Police, may suspend, cancel or revoke a taxicab driver's license and may refuse to approve an application for renewal thereof for any of the following reasons:
 - (1) Conviction. The conviction of the applicant or licensee of a felony, the crime of driving while intoxicated, or any other crime or offense within the preceding five years involving violence, dishonesty, deceit, indecency, degeneracy, moral turpitude, gambling, frequent public intoxication, or the illegal use, sale or possession of drugs. The Chief of Police shall nevertheless apply the standards for licensure and as embodied in Article 23-A of the Correction Law.
 - (2) False application. If the licensee or applicant has made a material false statement or concealed a material fact in connection with the application for a license or renewal thereof.
 - (3) Violations. If the licensee has violated any of the provisions of this chapter.

- (4) Prior revocation or suspension. If the applicant, any officer, director, stockholder or partner or any other person directly or indirectly interested in the application for a taxicab license was the former holder or was an officer, director, or partner or stockholder in a corporation or a partnership which was the former holder of a taxicab license which has been revoked or suspended.
- (5) True ownership requirement. If the applicant is not the true owner of the vehicle or of the taxicab business, or cannot provide proof of employment by the true owner of the vehicle or of the taxicab business.

C. Hearings.

- (1) Notice. Any suspension, cancellation or refusal to issue a license or to renew a license made hereunder shall be by written notice issued by the Village Clerk, upon recommendation by the Chief of Police, to the applicant or licensee who is entitled to demand a hearing, provided such demand is made in writing to the Village Clerk, and such hearing shall be conducted within 10 business days after the imposition of such suspension or cancellation of a license hereunder if less than seven days' prior notice thereof has been given. Where prior notice of at least seven days has been given with respect to a proposed suspension or cancellation of a license, a hearing shall be held within 15 business days after receipt of written demand.
- (2) Demand for hearing. Demand for a hearing must be made within 30 days after mailing of the notice of the suspension, revocation or denial of a license, in default of which the right to a hearing will be deemed waived.
- (3) Conduct of hearing. Upon receipt of a timely demand for a hearing, as provided above, the Village Clerk and/or Chief of Police shall notify the Village Board of Trustees that such hearing has been demanded. The Village Clerk and/or Chief of Police shall also transmit to the Village Board of Trustees the documentation, application forms and a written statement of a reason for the revocation, suspension or denial of a taxicab driver's license or taxicab license. Within the time limits prescribed pursuant to Subsection 182-6C(1) above, the Board of Trustees shall arrange for a hearing to be scheduled. At such hearing, the licensing official shall present the reasons for the suspension, cancellation or refusal of the license in question, and the applicant whose license was suspended, cancelled or refused shall be accorded every opportunity to bring forward all matters in his defense. Upon the conclusion of such hearing, the Board of Trustees shall make a binding determination on the matter.
- (4) Surrender of license. In the event of a suspension or cancellation as provided for herein of taxicab driver's license, the holder thereof shall deliver the affected license to the Village Clerk within 24 hours of receipt of notice.

§ 182-7. Issuance of driver license; temporary driver permits.

A. Form; issuance.

- (1) Upon satisfactory fulfillment of the foregoing requirements, there shall be issued to the applicant a license, which shall be in such form as to contain a photograph and signature of the licensee and blank spaces upon which a record may be made of any criminal or Vehicle and Traffic Law convictions. Each license shall be stamped with the Village Clerk stamp upon at least a portion of the photograph. All licenses shall be numbered in the order in which they are issued and shall contain the name of the licensee and the dates of issuance and expiration of the license. Any licensee who defaces, removes or obliterates any official entry made upon his license shall be punished by the revocation of his license.
 - (2) The licensing official may, in his or her discretion, deny the issuance of a taxicab driver's license to an applicant whose application contains material false statements or whose health or previous criminal and Vehicle and Traffic Law conviction record would in the licensing official's opinion endanger the general public or impair the applicant's ability to drive a taxicab. Such denial shall be in writing. Article 23-A of the New York State Corrections Law shall guide the licensing official in evaluating the applicant's conviction record, if any.
- B. Taxicab driver's licenses shall be valid for one year, unless sooner suspended or revoked.
 - C. Applications for renewal of a taxicab driver's license shall be filed in the office of the licensing official at least 45 days prior to the expiration of said driver's license.
 - D. A temporary permit may be issued by the licensing official pending receipt of the official record check detailed in § 182-6 above. Such issuance shall be at the licensing official's sole discretion and upon his finding that the applicant would not endanger the general public by driving a taxicab in the Village. Such temporary permit shall in no event be granted for a longer period than 45 days and shall be nonrenewable, and a fee of \$50 shall be charged for its issuance, which fee shall not be applied toward the annual licensing fee detailed in § 182-12 below.
 - E. Such license or permit shall be prominently displayed by the taxicab driver at all times when driving a taxicab in the Village so as to be visible to all passengers riding in the taxicab.
 - F. Denial of license. If the results of any of the examinations are unsatisfactory in the opinion of the Village Clerk, upon consultation with the Chief of Police, the application shall be denied subject to the provisions herein for hearings.

§ 182-8. Application for taxicab license.

- A. An application for a taxicab license shall be made by the owner of the vehicle upon blank forms furnished by the licensing official.
 - (1) Such application shall contain:
 - (a) Owner's full name and present residence.
 - (b) Model, year and present mileage of taxicab.
 - (c) Vehicle identification number of taxicab.

- (d) Vehicle registration number and a copy of the current New York State vehicle registration and title for taxicab.
 - (e) Date of current New York State motor vehicle inspection of taxicab.
 - (f) Places and dates of previous taxicab licenses.
 - (g) Whether the license to operate a taxicab has ever been revoked in the Village or elsewhere and, if so, for what cause.
 - (h) Proof of insurance. No vehicle shall be licensed as a taxicab hereunder unless it has a “for hire” insurance policy in effect. No vehicle shall be licensed as a taxicab hereunder unless it is insured by a public policy for damages for death or injuries to persons in the amount provided in the laws, rules and regulations established by the State of New York as the minimum required of any vehicle operated as a taxicab.
 - (i) Proof of a certificate of doing business or incorporation.
- (2) Such statement shall be signed and sworn to by the applicant and the owner and filed with the licensing official as a permanent record.
- (3) The Chief of Police shall request from the State Division of Criminal Justice Services and the State Division of Motor Vehicles record checks as to criminal and Vehicle and Traffic Law convictions for applicants for taxicab licenses or applicants for renewal of taxicab licenses to be issued by the Village. In connection thereto, every applicant for such licenses shall be fingerprinted by the Village of Monroe Police Department, under the supervision of the Chief of Police or his designee, which fingerprints shall be forwarded to the State Division of Criminal Justice Services by the Chief of Police for identification processing. The applicant will tender the usual fees as required by the Village's Fee Schedule on file with the Village Clerk for the taking of such fingerprints and shall pay the fee required by the New York State Division of Criminal Justice Services, in the form required by the New York State Division of Criminal Justice Services. Fingerprints and all appropriate processing fees shall be sent directly to the New York State Division of Criminal Justice Services by the Chief of Police. Only the Chief of Police or his designee may review the criminal history of the applicant. No license or renewal thereof shall issue, except a temporary license as provided in § 182-7, until the investigations as required herein shall be completed, except that an applicant shall be exempt from the provisions of this section if he has held taxicab licenses from the Village for the five continuous years previous to application and the record checks conducted in said five years found no convictions against him during said period.
- (4) No license shall be prorated or refunded.

B. False statements.

- (1) Each application shall contain the following statement:

NOTICE: PURSUANT TO THE PENAL LAW § 210.45, IT IS A CRIME PUNISHABLE AS A CLASS A MISDEMEANOR TO KNOWINGLY MAKE A FALSE STATEMENT HEREIN.

- (2) Any false statements by the owner for a taxicab license shall be promptly reported by the licensing official to the Village Attorney of the Village. The licensing official is hereby authorized and empowered to require such additional information as he may deem necessary.

§ 182-9. Inspection of taxis.

- A. No vehicle shall be licensed pursuant to this chapter until it has been inspected and examined and found to be in a thoroughly safe condition for the transportation of passengers, clean, fit, of good appearance, well painted and in complete compliance with all requirements of the Village Code.
- B. The Village Clerk and/or the Chief of Police of Monroe is hereby empowered to designate not more than two official inspection stations (which shall be designated New York State inspection stations) in the Village of Monroe for the purposes of this chapter of the Village Code.
- C. In addition to the pre-licensing inspection, it shall be the responsibility of each owner and driver of a taxi applying for or licensed in the Village of Monroe to cause such vehicle to be inspected by a designated inspection station at intervals of not more than six months.
- D. A copy of the inspection report shall be given to the vehicle owner and the licensing official at the completion of the inspection.
- E. The Inspection of the taxicabs shall include, but not be limited to, a review of the following:
 - (1) Brakes.
 - (2) Tires.
 - (3) Steering.
 - (4) Shock absorbers.
 - (5) Exterior lights.
 - (6) Interior lights.
 - (7) Windshield/other glass.
 - (8) Windshield wipers.
 - (9) Mirrors (inside and out).
 - (10) Horn.
 - (11) Upholstery.
 - (12) Floorboards/floor mats.
 - (13) Door handles/doors.
 - (14) Body damage and rust.
 - (15) Paint.
 - (16) Directional signals.
 - (17) Heater.
 - (18) Speedometer.
- F. Repair work which is required after inspection of a taxicab must be completed within 10 days of the inspection, and satisfactory proof of repair shall be presented to the

- licensing official. Failure to make necessary repairs and to present satisfactory proof may be a ground for suspension of a taxicab license.
- G. Upon receipt of a report from any designated inspection station which finds a taxicab to be unfit or unsuited for public patronage or which shall fail to comply with the requirements of this chapter, the licensing official shall refuse a taxicab license, or shall revoke or suspend the taxicab license previously issued.
 - H. Upon receipt of the appropriate report from a designated inspection station, the issuing license official will issue a suitable inspection sticker with the month and year of inspection expiration marked out.
 - I. Upon being issued a Village of Monroe taxicab inspection sticker, the taxicab owner will affix the sticker by placing it on the driver's side door of the vehicle where it shall be available for inspection by any member of the Monroe Police Department at all times while said vehicle is licensed within the Village of Monroe.

§ 182-10. General duties and requirements for owners of licensed vehicles.

- A. Every licensed vehicle shall be kept mechanically fit, keep the interior and exterior in a clean and sanitary condition and shall at all times bear a current New York State inspection sticker and Village of Monroe inspection sticker.
- B. All licensed vehicles, except vans which have at least one sliding side door, shall have four doors, two of which lead into the driver's compartment, and all doors shall be so constructed that they may be opened from the inside and the outside.
- C. Every licensed vehicle shall be equipped with an adequate heater and air conditioning of a type which will not permit exhaust gases to enter the interior of the vehicle.
- D. Every vehicle licensed shall be equipped with two adjustable rearview mirrors, one in the driver's compartment and one installed on the exterior of the vehicle on the driver's side door.
- E. Every licensed vehicle shall be equipped with a standard speedometer that is not inoperative or disconnected.
- F. Each licensed vehicle shall have either an acceptable snow tire, radial tire or tire chains on the drive wheels of such vehicle when pavement conditions are such as to require said use for the safety of the driver, passenger and the general public.
- G. Each licensed vehicle shall be equipped with dual windshield wipers properly installed and maintained in good working order, which shall be operated whenever weather conditions require. In addition, each licensed vehicle shall at all times remain in compliance with New York State regulations requiring that headlights be turned on at any time windshield wipers are in operation.
- H. Each licensed vehicle shall contain original or replacement upholstery and floor mats in good and suitable condition for satisfactory use by the public. In the event that original upholstery or floor mats are found to be worn or otherwise deteriorated, such upholstery or floor mats must be replaced prior to the use of the licensed vehicle for conveyance of the public.
- I. Each licensed vehicle shall be equipped with an interior light capable of illuminating the entire interior of said public vehicle after sundown. Said light shall be so arranged

as to be automatically turned on by the opening of any door to the vehicle and shall also have a switch easily accessible to passengers.

- J. Wherever glass is used in the construction of any licensed vehicle, such glass shall be safety glass clearly and permanently marked as such and of a type approved by the Commissioner of Motor Vehicles of the State of New York. All glass in said licensed vehicle shall be in good condition and shall not contain air bubbles, cracks or fractures.
- K. The fenders and body of each licensed vehicle must be rigidly and tightly fastened to said vehicle, free from dents or mutilation, and shall be so constructed as to allow the full opening of all doors of the vehicle. The exterior of the vehicle shall be well maintained and painted and the finish in good condition.
- L. New York State license plates, Village inspection stickers and any other licensing or inspection identification shall be placed and maintained in such manner as to be clearly visible and unobstructed at all times.
- M. No licensed vehicle shall be equipped with any equipment which is not reasonably useful or necessary to furnish safe, adequate and convenient taxicab service to the public. No licensed vehicle shall utilize exterior floodlights.
- N. It shall be unlawful for any licensed driver of any licensed vehicle to misrepresent or withhold the name of his employer or the address or telephone number of the same.
- O. Maintain and furnish a current list of driver employees to the Chief of Police and licensing official.
- P. Provide a letter to the Chief of Police and licensing official upon the discharge or termination for any reason of a driver/employee.
- Q. Promptly report to the Chief of Police the transfer of ownership of any vehicle licensed by the Village and concurrently turn in to the licensing official the taxicab license for use of such vehicle.
- R. Maintain proper vehicle insurance for all owned or operated taxis in accordance with the New York State Motor Vehicle Law and report a revocation or cancellation of insurance immediately to the licensing official.
- S. Each taxicab shall prominently display in the interior thereof visible to all passengers a sign or sticker written in both English and Spanish language in no less than eighteen-point type advising that seat belts are available and should be used by all passengers.
- T. Each vehicle used as a taxicab shall comply with all applicable federal, State and other laws, rules and regulations pertaining to its use by and accessibility to persons with disabilities.

§ 182-11. Taxicab license card.

- A. Upon meeting the inspection requirements set forth in §§ 182-9 and 182-10 hereof, a taxicab shall be licensed by delivering to the owner thereof a card of such size and form as may be prescribed by the licensing official. The card shall contain the official license number of the taxicab, together with the date of inspection and six months' re-inspection of same and a statement to the effect that, in case of any complaints, the licensing official shall be notified, giving the license number of the taxicab. Such card shall be signed by the licensing official and shall contain blank spaces upon which an entry shall be made of the date of every inspection of the vehicle by the licensing

official or his representation. The license number assigned hereunder shall, in each case, be the same as that assigned to the vehicle for that year, pursuant to law. Such license card shall be prominently displayed in the taxicab at all times so as to be visible to all passengers riding in the taxicab.

B. Taxicab licenses shall be valid for one year, unless previously suspended or revoked.

§ 182-12. Fees.

- A. The annual fee for taxicab driver's license shall be set from time to time by resolution of the Village Board of Trustees.
- B. The annual fee for taxicab license shall be set from time to time by resolution of the Village Board of Trustees.
- C. The semiannual fee for inspection of taxicabs shall be set from time to time by resolution of the Village Board of Trustees for each such inspection, which shall be paid directly to the inspection station. In addition, the administrative fee for the issuance of the appropriate sticker shall be set from time to time by resolution of the Village Board of Trustees, to be paid to the Police Department of the Village of Monroe upon issuance of said sticker.
- D. The replacement fee for a lost or stolen license shall be set from time to time by resolution of the Village Board of Trustees. The replacement fee for medallion decals for a vehicle replacing a previously registered vehicle shall be set from time to time by resolution of the Village Board of Trustees.
- E. Fees shall not be prorated.
- F. In the event that the license is denied, suspended or revoked, there shall be no entitlement to reimbursement thereof, or proration thereof.

§ 182-13. Rates of fare.

- A. A taxicab owner or driver shall not charge a fare for taxicab services in excess of the following schedule of rates:
 - (1) First passenger from any point having its origin within the Village of Monroe to any point having its destination within the Village of Monroe: as set from time to time by resolution of the Village Board of Trustees.
 - (2) Each additional passenger going from the same point of origin to the same point of destination as first passenger: as set from time to time by resolution of the Village Board of Trustees. (One child five years of age or under will ride free if accompanied by an adult passenger.)
 - (3) Baggage. No charge will be made for a suitcase, traveling bag, shopping bag or other package hand carried by a passenger, provided such items are limited to a total of three. Additional packages requiring handling by the taxicab driver shall be carried, provided that the weight of such package is less than 50 pounds. A charge as set from time to time by resolution of the Village Board of Trustees for each additional package or packages requiring handling is authorized.
 - (4) The soliciting of tips, gratuities or any charges in addition to those authorized herein is a violation of this chapter.

- (5) Out-of-town trips. If the taxicab is engaged for an out-of-town trip originating or terminating in the Village of Monroe, the operator of the taxicab shall agree with the passenger prior to the commencement of the trip for the rate to be charged, which shall include all tolls to be paid.
 - (6) Transport of animals. There is no additional charge for carrying a guide dog accompanying a blind person or hearing-handicapped person. No other animal need be transported in a licensed taxicab unless the animal is securely enclosed in a kennel case. A charge is payable at the baggage rate provided in Subsection A(3) of this section.
- B. The licensing official shall issue a rate card to each taxicab owner, which rate card must be conspicuously posted in the interior of each taxicab.
- (1) Owners, operators and drivers must display fare rates visible to all passengers.
 - (2) Owners must submit, along with the taxi vehicle license application, their established fare rate for transports within, through and outside Village limits.
 - (3) The soliciting of tips, gratuities or any charges in addition to those authorized herein is prohibited. This clause shall not prohibit the voluntary offer or acceptance of a tip or gratuity.
 - (4) No person shall charge or attempt to charge any passenger a greater fare than that to which the taxicab driver is entitled to collect under the provisions of this chapter.

§ 182-14. Record of licenses.

The licensing official shall keep a complete record of all licenses issued and denied under this chapter, together with all applications, record checks, renewals, suspensions and revocations thereof.

§ 182-15. General operation regulations.

- A. Every person while operating a taxicab licensed pursuant to this chapter:
- (1) Shall not refuse or neglect to convey any orderly person or persons upon request anywhere in Monroe. No taxicab driver shall carry any other person than the passenger first employing a taxicab without the consent of such first passenger.
 - (2) Shall keep the interior and exterior of the same in clean and sanitary condition and shall at all times maintain the taxicab in compliance with the requirements of § 182-10 hereof of this chapter.
 - (3) Shall examine the interior of the vehicle after the termination of each trip for any articles left or lost in the vehicle and immediately take any such property to the desk officer at the Police Department in compliance with Article 7-B of the Personal Property Law.
 - (4) Shall not smoke at any time. Taxicabs are to be smoke-free, subject to a fine of \$50 for each violation.

- (5) Shall at all times, while on duty, have displayed in the interior of the vehicle which he is operating, his taxicab driver's license displayed in a place visible to any passenger in such taxicab usually on the passenger visor.
 - (6) Shall be required to be neat in dress and appearance at all times when on duty, and in the event a driver's appearance changes substantially, provide the licensing officer with a new photograph and shall accompany such photograph with an application fee of \$25 for a replacement license.
 - (7) Shall report to the Police Department any unlawful act connected with his vehicle or any attempt to use his vehicle to commit a crime or escape from the scene of a crime.
 - (8) Shall not permit any passenger in the taxicab except a paying fare customer during such time as the taxicab is being used for business purposes, except for not more than one driver trainee.
 - (9) Shall not operate a taxicab when there is snow or ice on the pavement unless there are chains or snow tires on the drive wheels.
 - (10) Shall state his/her name and employer while on duty to any passenger or police officer on request.
 - (11) Shall not cruise within Monroe seeking passengers nor make any personal solicitation on any street or other public place for passengers to ride or hire any particular taxicab. Taxicabs shall not stand on any public street or place other than at or upon a taxicab stand designated by the Village.
- B. No vehicle licensed as a taxicab shall be used for the carrying of any goods or merchandise of any nature whatsoever while carrying a fare unless such goods or merchandise are owned by the fare riding with same.
- C. No vehicle may be licensed as a taxicab in the Village of Monroe unless same is of the type known commonly as a four-door sedan or is a station wagon or suburban vehicle with at least four doors. Under no circumstances shall any vehicle be licensed as a taxicab which has only two doors for the use of occupants, including the driver.
- D. No vehicle shall display commercial advertising.
- E. Every vehicle licensed as a taxicab shall have a suitable and adequate horn or other device for signaling, which horn or device shall produce a sound sufficiently loud to serve as a danger warning but shall not be used other than as a reasonable warning nor be unnecessarily loud or harsh.

§ 182-16. Enforcement.

It shall be the duty of all police officers of the Village of Monroe to enforce the provisions of this chapter.

§ 182-17. Taxicab vehicle identification.

- A. The taxicab owner/company name shall be printed on both front doors of each taxi owned. The signs must contain lettering not less than three inches in height and three

inches in width with a quarter-inch paint stroke in a color contrasting to the door color to be readable during operation when the taxi is likely to be used.

- B. Each taxi will display a Village-issued decal/medallion on right and left rear windows at the bottom rear-most point.

§ 182-18. Penalties for offenses.

- A. Any person not having been duly licensed as a taxicab driver, or any person whose license has been suspended, and who, during the term of suspension, drives for hire a taxicab upon the Monroe streets, shall, upon conviction, be punished by a fine of not less than \$100 and of not more than \$500 or imprisonment for a term not exceeding 10 days, or by both such fine and imprisonment.
- B. Any owner of a taxicab not licensed, inspected or equipped in accordance with the provisions of this chapter, or of a taxicab the license of which has been suspended or revoked, who engages in the business of a taxicab as defined herein or attempts to engage in such business or solicits passengers for hire, or any owner of a taxicab who permits a taxicab driver not licensed under this chapter to drive a taxicab shall, upon conviction, be punished by a fine of not less than \$100 and of not more than \$500 or imprisonment and for a term not exceeding 10 days, or by both such fine and imprisonment.
- C. Upon conviction of any person for or any violation of a provision of this chapter for which no punishment is specifically provided, the punishment, upon conviction for such violation, shall be a fine of not less than \$100 and of not more than \$500 or imprisonment for a term not exceeding 10 days, or by both such fine and imprisonment.
- D. Each and every day that a violation of this chapter continues shall constitute a separate and distinct violation of this chapter.
- E. Suspension and revocation of license. In addition to the fine or imprisonment, or both, authorized by this chapter, any licensee shall be subject to the suspension or revocation of his license upon conviction for any violation of this chapter. The Village Justice Court may order a license granted under any provision of this chapter be suspended or revoked, pending or in advance of criminal prosecution of the licensee.

SECTION 12: SUPERSEDING PROVISION.

To the extent that any State or local laws fail to provide specific authority for this Local Law or the procedures necessary for its adoption, or otherwise appear to be in conflict with this Local Law or the procedures followed for its adoption, then such laws are hereby superseded by this Local Law pursuant to New York Municipal Home Rule Law and the common law.

SECTION 13: SEVERABILITY

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall be confined in its operation

to the clause, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered, and the remaining provisions shall remain in full force and effect.

SECTION 14: EFFECTIVE DATE.

This law shall take effect upon the filing of this Local Law with the New York Secretary of State in the manner provided for in the Municipal Home Rule Law.