

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

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

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

Local Law No. 3 of the year 19 91

A local law PROHIBITING CERTAIN SALES OF GASOLINE WITHIN NIAGARA COUNTY
(Insert Title)

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

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

1. No person shall transport class 1B Flammable liquid (gasoline) in any motor vehicle except in an approved container.

2. No person shall transport more than ten (10) gallons of a class 1B flammable liquid (gasoline) in an approved portable container in any motor vehicle.

3. The foregoing provisions shall not apply to the extent that the other lawful authority (State Department of Commerce, Transportation, Environmental Conservation Chief, of the Fire Department - City of Niagara Falls and/or other departments of the State or County Government) has issued a permit to transport gasoline in excess of the limits prescribed by this section to any person or to the extent that the Niagara County Fire Coordinator has issued a permit to transport gasoline in excess of the limits prescribed by this section to any person who has demonstrated special circumstances which warrant an exception.

4. The provisions of Paragraph 2 above shall not apply to gasoline being transported for bonafide agricultural, construction, or boating uses within Niagara County.

5. That a copy of this ordinance shall be conspicuously posted on every gasoline dispensing pump or island. The size and form of said notice shall be as prescribed by the Public Works Department.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

6. That any person who violated the provisions of this section shall be fined not more than Two Hundred Fifty (\$250.00) dollars or imprisoned not more than fifteen (15) days, or both such fine and imprisonment and the gasoline shall be confiscated at the time of the violation.

7. Upon application demonstrating need, permits for exemption from this Local Law may be obtained from the Office of the Niagara County Fire Coordinator.

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

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

I hereby certify that the local law annexed hereto, designated as local law No. 3 of 1991 of the (County)(City)(Town)(Village) of Niagara was duly passed by the Niagara County Legislature on June 18 1991, in accordance with the applicable provisions of law.
(Name of Legislative Body)

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

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

3. (Final adoption by referendum.)

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

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

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

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

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


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

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

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

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

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



Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body
DESPINA BOBICK

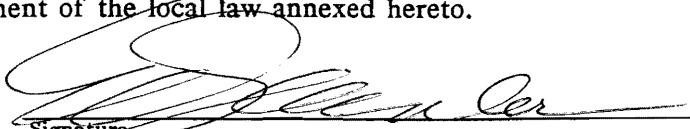
(Seal)

Date: 6/25/91

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

STATE OF NEW YORK
COUNTY OF Niagara

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



Signature EDWIN J. SHOEMAKER
NIAGARA COUNTY ATTORNEY

Title

County
XXXXX
City of Niagara
XXXXX
Town
XXXXX
Village

Date: June 21, 1991