

LOCAL LAW NO. ____ OF 2017

**TOWN BOARD
TOWN OF NEW CASTLE
PROPOSED LOCAL LAW AMENDING
CHAPTER 72 OF THE CODE OF THE TOWN OF NEW CASTLE**

A LOCAL LAW to amend Chapter 72 Section 9 of the Town Code concerning Senior citizens charges for driveway, garage or backyard pickup services.

BE IT ENACTED by the Town Board of the Town of New Castle as follows:

Section 1. Chapter 72 Section 9 of the Code of the Town of New Castle, entitled “Senior citizens charges for additional services” is hereby amended as follows:

§ 72-9 Senior citizens charges for additional services.

- A. A senior citizen who is granted a partial exemption from the payment of unit charges as provided in § 72-8 and who pays for driveway, garage or backyard pickup under the terms of the contract for town-wide residential refuse and garbage collection shall be entitled to a reduction in charges for those additional services which is two times the percentage of the exemption from the payment of unit charges granted to him or her pursuant to § 72-8, but in no event shall such reduction exceed 90%. Application for such reductions must be filed with the Town on prescribed forms prior to the beginning of a quarter and must be renewed annually thereafter. Procedures for receiving the reduction will be determined by the Town.
- B. The owner-occupier of a residence occupied solely by senior citizens aged 75 or over who pays for driveway, garage or backyard pickup under the terms of the contract for town-wide residential refuse and garbage collection shall be entitled to a reduction rate of 75% of the quarterly charges paid for their additional services. Applications for such reductions shall be on prescribed forms filed with the Town prior to the beginning of any quarter. Procedures for receiving the reduced rate shall be determined by the Town. For the purpose of this section, an individual 65 years of age or older who is certified by a physician to be disabled shall be regarded as meeting the seventy-five-year age requirement. A resident is entitled to either a reduction under this subsection or Subsection A above, but not both.

Section 2. Ratification, Readoption and Confirmation

Except as specifically modified by the amendments contained herein, Chapter 72 of the Town of New Castle is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

Section 3. Numbering for Codification

It is the intention of the Town of New Castle and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the Town of New Castle; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word “Local Law” shall be changed to “Chapter,” “Section” or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

Section 4. Severability

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local Law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt there from.

Section 5. Effective Date

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