

**VICTOR TOWN BOARD MEETING
MONDAY, JANUARY 11, 2016
DRAFT RESOLUTION PACKET**

*“Town Board Draft Resolutions are in **draft** form and are subject to change prior to or during the public meeting.”*

REGULAR MEETING STARTS AT 7:00 PM

PUBLIC HEARINGS start at 7:30 PM

Speakers are requested to limit comments to 3 minutes and will be asked to conclude comments at 5 minutes.

- A. PUBLIC HEARING – LOCAL LAW NO. ____ - 2016 TO AMEND THE VICTOR TOWN CODE AT CHAPTER 150, “PEDDLING AND SOLICITING” IN ORDER TO REVISE PROVISIONS RELATED TO THE REGULATION OF PEDDLING AND SOLICITING ACTIVITIES IN THE TOWN

8) BUSINESS

- A. TUSCANY HILLS SUBDIVISION, LETTER OF CREDIT, RELEASE 1 (Debra Denz)
- B. AUTHORIZATION TO CREATE A MAP, PLAN AND REPORT FOR THE PROPOSED TOWN OF VICTOR DRAINAGE IMPROVEMENT AREA (Debra Denz)
- C. ADOPT AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONIES FOR THE TOWN OF VICTOR (Mark Years)
- D. AMENDMENT RESOLUTION # 385-15 RE-APPOINTMENT OF LINDA HERNE TO THE BOARD OF ASSESSMENT REVIEW (Tina Kolaczyk)
- E. AMENDMENT TO RESOLUTION #408-15 - APPROVAL OF 2016 TOWN OF VICTOR EMPLOYEE SALARIES (Tina Kolaczyk)
- F. AUTHORIZATION FOR STIPEND FOR BRIAN EMELSON FOR OUT-OF-TITLE SPECIAL TOWN PROJECT WORK (Tina Kolaczyk)
- G. APPROVAL OF ACQUISITION OF AN EASEMENT BY THE MONROE COUNTY WATER AUTHORITY PURSUANT TO §1096(6-a) OF NEW YORK’S PUBLIC AUTHORITIES LAW – 962 COUNTY ROAD 9 (Jack Marren)
- H. APPROVAL OF ACQUISITION OF AN EASEMENT BY THE MONROE COUNTY WATER AUTHORITY PURSUANT TO §1096(6-a) OF NEW YORK’S PUBLIC AUTHORITIES LAW – 7124 GILLIS ROAD (Jack Marren)
- I. AFTER PUBLIC HEARING - ADOPT LOCAL LAW NO. _____-2016 TO AMEND THE VICTOR TOWN CODE AT CHAPTER 150, “PEDDLING AND SOLICITING” IN ORDER TO REVISE PROVISIONS RELATED TO THE REGULATION OF PEDDLING AND SOLICITING ACTIVITIES IN THE TOWN (Jack Marren)

PAA

NOTICE OF PUBLIC HEARING

LOCAL LAW NO. ____ -2016 TO AMEND THE VICTOR TOWN CODE AT CHAPTER 150,
"PEDDLING AND SOLICITING" IN ORDER TO REVISE PROVISIONS RELATED TO THE
REGULATION OF PEDDLING AND SOLICITING ACTIVITIES IN THE TOWN

PLEASE TAKE NOTICE that a Local Law has been introduced to the Town Board of the Town of Victor, New York, on December 28, 2015, designated as Local Law No. ____ - 2016 to amend the Victor Town Code at Chapter 150, "Peddling and Soliciting" in order to revise provisions related to the regulation of peddling and soliciting activities in the Town.

PLEASE TAKE FURTHER NOTICE that said Local Law No. ____ - 2016 is on file in the Victor Town Clerk's Office located at the Victor Town Hall, 85 East Main Street, Victor, New York, where it is available for public inspection during regular business hours. This Notice is being provided pursuant to Section 20 of the New York State Municipal Home Rule Law.

PLEASE TAKE FURTHER NOTICE that a Public Hearing upon said Local Law has been scheduled for the 11th day of January, 2016 at 7:30 PM, to be held by the Victor Town Board at the Victor Town Hall, 85 East Main Street, Victor, New York. An opportunity to be heard in regard thereto will then and there be given. Written comments may also be directed to the Victor Town Clerk, 85 East Main Street, Victor, New York 14564, on or before 4:30 p.m. on the 11th day of January, 2016. The Victor Town Hall has barrier-free access for the physically handicapped, and any such handicapped person seeking transportation to said Public Hearing may contact the Victor Town Clerk during regular business hours.

Date: Debra J. Denz, Town Clerk

LOCAL LAW NO. _____-2016 TO AMEND THE VICTOR TOWN CODE AT CHAPTER 150, "PEDDLING AND SOLICITING" IN ORDER TO REVISE PROVISIONS RELATED TO THE REGULATION OF PEDDLING AND SOLICITING ACTIVITIES IN THE TOWN

BE IT ENACTED, by the Town Board of the Town of Victor, Ontario County, State of New York, as follows:

Section I. Authorization

The adoption of this Local Law is in accordance with Section 10 of the New York Municipal Home Rule Law.

Section II. Title and Purpose

This law shall be known as and may be cited as Local Law No. _____-2016, To Amend The Victor Town Code At Chapter 150, "Peddling and Soliciting" In Order To Revise Provisions Related To The Regulation Of Peddling And Soliciting Activities In The Town.

Section III. Legislative Finding

The Town Board of the Town of Victor finds and hereby determines that the Victor Town Code should be revised in order to better regulate peddling and soliciting activities in the Town.

Section IV. Amendment.

Chapter 150 entitled "Peddling and Soliciting" Section 150-4 shall be amended to read as follows:

In all areas of the Town of Victor, exclusive of those listed in Section 150-3 of this chapter and the Village of Victor, it shall be unlawful to peddle or solicit without first having obtained and paid for, and having in force and effect, a license issued by the Town Clerk's office. Each permitted peddler or solicitor must carry a copy of the license.

Chapter 150 entitled "Peddling and Soliciting" Section 150-5A(12) shall be amended to read as follows:

(12) The applicant, at the time of executing such application, shall submit as identification a driver's license or non-driver's photo identification, reasonably satisfactory to the Town Clerk, and a completed Ontario County Sheriff's Release of Information.

Chapter 150 entitled "Peddling and Soliciting" Section 150-5A(14) shall be amended in its entirety with the following:

(14) Food vendors must provide proof of NYS Health Department approval.

A new sub-Section 150-5A(15) shall be added to read as follows:

(15) For each person soliciting, a driver's license or non-driver's photo identification and a completed Ontario County Sheriff's Release of Information shall be submitted.

Chapter 150 entitled "Peddling and Soliciting" Section 150-14 shall be amended to read as follows:

Within the Town of Victor, exclusive of the Village of Victor, soliciting or peddling door to door shall be prohibited before 9:00 a.m. and after 7:00 p.m., Monday through Saturday. No peddling shall be permitted on Sundays.

Section V. Validity and Severability

Should any word, section, clause, paragraph, sentence, part or provision of this local law be declared invalid by a Court of competent jurisdiction, such determination shall not affect the validity of any other part hereof.

Section VI. Repeal, Amendment and Supersession of Other Laws

All other ordinances or local laws of the Town of Victor which are in conflict with the provisions of this local law are hereby superseded or repealed to the extent necessary to give this local law force and effect during its effective period.

Section VII. Effective Date

This Local Law, after its adoption by the Town Board of the Town of Victor, shall take effect immediately upon its filing with the Office of the Secretary of State of the State of New York.

8A

RESOLUTION #
TUSCANY HILLS SUBDIVISION, LETTER OF CREDIT, RELEASE 1

WHEREAS, Affronti Development LLC, received Planning Board approval for Tuscany Hills Subdivision, with the condition that a form of surety be submitted to cover the cost of improvements and infrastructure; and,

WHEREAS, Lyons National Bank Irrevocable Letter of Credit No. 380 was previously posted with the Town; and

WHEREAS, the Engineer for the Town has reviewed the Developer's Request for Release of Funds and Statement of Construction No. 1 dated December 14, 2015 and recommends in his letter December 23, 2015 that \$692,495.26, minus engineering and inspection fees, be released from said Letter of Credit; now, therefore, be it

RESOLVED that the Town Board hereby approves Release No. 1 on the Lyons National Bank Irrevocable Letter of Credit No. 380 in the amount of \$692,495.26, minus engineering and inspection fees, as recommended by the Town Engineer; and further

RESOLVED that given said release, there now remains \$444,305.16 in said Letter of Credit; and further

RESOLVED that a copy of this resolution be forwarded to the Engineer for the Town, Frank Affronti, and D. S. B. Engineers, PC.

8B

RESOLUTION #
AUTHORIZATION TO CREATE A MAP, PLAN AND REPORT FOR THE PROPOSED TOWN
OF VICTOR DRAINAGE IMPROVEMENT AREA

WHEREAS, the Victor Town Board previously directed the implementation of a Drainage Committee in the Town of Victor to study, analyze, discuss and propose solutions for challenges related to surface water runoff and drainage within the Town of Victor; and

WHEREAS, after many months of study, analysis and discussion, the Drainage Committee has presented to the Town Board a proposal to establish a Town of Victor Drainage Improvement Area to address drainage issues within the Town of Victor; and

WHEREAS, preliminarily, the Victor Town Board is interested in further pursuing the establishment of said proposed Victor Drainage Improvement Area; and

WHEREAS, the Drainage Committee has substantially completed mapping, data collection and reports and other studies related to drainage in the Town of Victor throughout its various meetings; and

WHEREAS, the Victor Town Board would like to formalize the work of the Drainage Committee into a proposed Town of Victor Drainage Improvement Area Map Plan and Report, pursuant to Town Law Article 12-C, such that the Town Board can move forward with formal consideration of the establishment of the Town of Victor Drainage Improvement Area; now, therefore, be it

RESOLVED, that the Victor Town Board hereby directs the Engineer for the Town to develop a proposed Map, Plan and Report for the proposed Town of Victor Drainage Improvement Area at a cost not to exceed Three Thousand Five Hundred dollars (\$3,500.00); and be it further

RESOLVED, that upon completion of the proposed Map, Plan and Report, a copy thereof be filed in the Office of the Town Clerk of Victor and copied be provided to each of the Victor Town Board members for their further consideration; and further

RESOLVED that a copy of this resolution be forwarded to the Engineer for the Town, the finance Department and the Town Clerk.

8C

RESOLUTION #

ADOPT AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONIES FOR THE TOWN OF VICTOR

WHEREAS, pursuant to New York Highway Law Section 284, the Victor Town Board and the Victor Town Highway Superintendent are annually required to execute an agreement which governs the expenditure of monies on the Town of Victor highways; and

WHEREAS, the Town Board and the Town Highway Superintendent have reviewed a proposed agreement entitled "Agreement for the Expenditure of Highway Monies" to govern the expenditure of monies for the year 2016 on Town highways; and

WHEREAS, the monies identified in the Agreement for the Expenditure of Highway Monies is consistent with the 2016 Town budget; now, therefore be it

RESOLVED, that the Town Board hereby adopts, approves and ratifies the Agreement for the Expenditure of Highway Monies identified as Schedule "A" and kept in the subject file in the Town Clerk's office and hereby authorizes the Town Supervisor to enter into and execute the same; and, be it further

RESOLVED, that a copy of this Resolution be forwarded to the Town Clerk, the Town Highway Superintendent, Ontario County Superintendent, and the Fiscal Manager.

8D

RESOLUTION #
AMENDMENT RESOLUTION # 385-15 RE-APPOINTMENT OF LINDA HERNE TO THE BOARD OF ASSESSMENT REVIEW

WHEREAS, on December 14, 2015 the Town Board adopted Resolution # 385 Re-Appointment of Linda Herne to the Board of Assessment Review; and

WHEREAS, an error was made on the term date; now, therefore be it

RESOLVED, that Resolution #385-15 be amended to read as follows:

RE-APPOINTMENT OF LINDA HERNE TO THE BOARD OF ASSESSMENT REVIEW

WHEREAS, Linda Herne's term on the Board of Assessment Review ended on September 30, 2015; and

WHEREAS, Linda Herne has expressed her interest in being re-appointed to the Board of Assessment Review; and

WHEREAS, the Board of Assessment Review has qualified Linda Herne as an acceptable candidate to serve on the Board of Assessment Review; now, therefore be it

RESOLVED that Linda Herne be re-appointed to the Board of Assessment Review for a five (5) year term, beginning on October 1, 2015 and ending on September 30, 2020 at a 2015 salary of Four Hundred dollars (\$400.00) per year, to be taken from budget line item #A.1360.100 Board of Assessment Review Personal Services; and be it further

RESOLVED that a copy of this resolution be sent to Human Resources, Wayne Pickering, Debra Denz, Robin Johnson, Ontario County Office of Real Property; Tammy Jahna, Ontario County Office of Real Property; and Linda Herne.

8E

RESOLUTION#
AMENDMENT TO RESOLUTION #408-15 - APPROVAL OF 2016 TOWN OF VICTOR EMPLOYEE SALARIES

WHEREAS, the Town Board approved Resolution #408 on December 28, 2015 for the 2016 Town of Victor Employee Salaries; and

WHEREAS, corrections are needed for the highlighted areas:

Job Title	2016 salaries (with 2% COLA & step Increases)	Grade	Step	2016 Longevity
Account Clerk Typist	23.56	3	F	1,500.00
Account Clerk Typist	20.93	2	F	1,500.00
Account Clerk/Typist	20.30	2	E	
Account Clerk/Typist	22.15	3	D	
Administrative Aide/Human Resources	54,966.34	6	A	
Assessment Board of Review Chair (1)	600.00			
Assessment Board of Review Members (4)	400.00			
Assessor	64,666.42	6	F	1,500.00
Assessor's Aide	19.67	2	D	
Assistant Parks & Rec Director	66,993.16	7	C	
Budget Officer	10,000.00			
Building Inspector – Part-Time	23.56	3	F	
Building Inspector – Part-Time	22.86	3	E	
Cleaner – Part-Time	17.45	1	F	
Clerk to Town Justice	26.20	4	F	2,500.00
Clerk to Town Justice	23.56	3	F	
Code Enforcement Officer	31.09	6	F	1,500.00
Code Enforcement Officer	29.22	6	D	
Confidential Secretary to Town Supervisor	43,531.80	2	F	
Conservation Board Chair (1)	3,600.00			
Conservation Board Members (4)	2,300.00			
Constable - Courts	23.56	3	F	
Councilman (4)	10,506.67			
Deputy Water Superintendent/Recycle	31.09	6	F	2,500.00
Deputy Town Clerk	20.93	2	F	
Deputy Town Clerk	20.93	2	F	
Deputy Town Clerk/Receiver of Taxes	23.56	3	F	1,500.00
Deputy Town Supervisor	2,000.00			
Director of Development	80,094.56	8	E	

Director of Economic Development	54,493.92	4	F	
Director of Parks & Rec	82,571.84	8	F	1,500.00
Fire Marshal	31.09	6	F	1,500.00
Fiscal Assistant	26.20	4	F	
Fiscal Manager	77,617.54	8	D	
Highway Superintendent	77,617.58			
Historian	11,626.89			
Laborer – PT Parks & Rec	10.95	Seasonal Pay Scale	D	
Laborer – Parks & Rec/Recycle	16.40	1	D	
Laborer – Part-Time Recycle	16.38 (\$0.50 Coordinator pay)	1	C	
Laborer – Part-Time Recycle	15.88	1	C	
Laborer – Part-Time Recycle	15.35	1	B	
Laborer – Part-Time Recycle	15.35	1	B	
Laborer – Part-Time Recycle	14.83	1	A	
Laborer – Part-Time – Seasonal	17.45	1	F	
Mechanic	27.65	5	F	
Motor Equipment Operator - Recycle	26.20	4	F	1,500.00
Motor Equipment Operator - Recycle	26.20	4	F	1,500.00
Motor Equipment Operator - Recycle	25.41	4	E	
Motor Equipment Operator – Highway	26.20	4	F	1,500.00
Motor Equipment Operator – Highway	26.20	4	F	1,500.00
Motor Equipment Operator – Highway	26.20	4	F	1,500.00
Motor Equipment Operator – Highway	26.20	4	F	1,500.00
Motor Equipment Operator – Highway	26.70 (\$0.50 Foreman pay)	4	F	2,500.00
Motor Equipment Operator – Highway	23.84	4	C	
Motor Equipment Operator – Highway	25.41	4	E	
Motor Equipment Operator – Highway	24.63	4	D	
Motor Equipment Operator – Highway	23.06	4	B	
Motor Equipment Operator – Parks	23.06	4	B	
Motor Equipment Operator/Safety	26.70(\$0.50 Coordinator pay)	4	F	1,500.00
Motor Equipment Operator - Foreman	26.70(\$0.50 Foreman pay)	4	F	2,500.00
Motor Equipment Operator - Foreman	26.70(\$0.50 Foreman pay)	4	F	1,500.00
Motor Equipment Operator, Light – Parks & Rec	23.56	3	F	1,500.00
Parks Maintenance Assistant	31.09	6	F	1,500.00

Planning Board Chair	5,000.00			
Planning Board Members (4)	3,306.00			
Recreation Supervisor	57,503.42	5	F	1,500.00
Recreation Supervisor	50,603.02	5	B	
Secretary to the Planning Board	20.93	2	F	
Secretary to the Zoning Board of Appeals	18.42	2	B	
Senior Typist/Project Coordinator	29.22	6	D	
Town Clerk	58,743.49			
Town Justice	40,180.54			
Town Justice	40,180.54			
Town Supervisor	85,957.85			
Typist – Part Time	17.45	1	F	
Typist – Part Time	15.00	Fixed Rate		
Typist – Part-Time	15.88	1	C	
Typist – Part-Time	14.83	1	A	
Typist – Part-Time	17.45	1	F	
Typist – Part-Time	15.88	1	C	
Typist – Part-Time	16.40	1	D	
Zoning Board of Appeals Chair	3,501.00			
Zoning Board of Appeals Members (4)	2,325.00			

now, therefore, be it

RESOLVED that the wages for 2016 for full time and part time staff are amended and approved; and further be it

RESOLVED that a copy of this resolution be forwarded to the Finance Department and all Town of Victor employees.

8 F

RESOLUTION#
AUTHORIZATION FOR STIPEND FOR BRIAN EMELSON FOR OUT-OF-TITLE SPECIAL TOWN PROJECT WORK

WHEREAS, the Town Board has requested Brian Emelson to manage and implement several walkable communities and transportation grants for the Town of Victor for 2016, 2017, and 2018; and

WHEREAS, these projects are outside of the scope of duties of Brian's current role as Director of Parks & Recreation, and will require additional working hours to complete; and

WHEREAS, Brian has and will be involved in the following activities:

- RFP work
- Preparing, executing, and managing the contracts with the DOT, contractors, engineers, etc. involved in the project
- Managing the Federal Aid Process (16 steps)
- Hiring the consulting engineer
- Project Team organization and management
- Public input meetings
- Public relations with homeowners/landowners
- Project Management activities
- Reviewing documents
- Attending evening meetings; and

WHEREAS, several Monroe County Towns and Ontario County Human Resources were consulted for what they have done in similar situations, and these municipalities do offer a stipend for out-of-title work on special projects, and

WHEREAS, the Victor Town Board is proposing a One Hundred dollars (\$100.00) per pay period stipend to Brian for 2016, 2017, and 2018 as compensation for the additional working hours of out-of-title work throughout the duration of both projects for 2016, 2017, and 2018, to be paid in equal payroll increments throughout 2016, 2017, and 2018 from each year's Budget Line A.7021.100 Parks & Rec. Dept. Personal Services; now, therefore be it

RESOLVED that the Victor Town Board approves the One Hundred dollars (\$100.00) per pay period stipend to Brian for 2016, 2017, and 2018 as compensation for the additional working hours of out-of-title work for the walkable communities and transportation grant projects, to be paid in equal payroll increments throughout 2016, 2017, and 2018, said funds are available in each year's Budget Line A.7021.100 Parks & Rec. Dept. Personal Services; and be it further

RESOLVED that a copy of this resolution be sent to Brian Emelson, the Finance Dept., Human Resources, the Town Clerk, and Ontario County Human Resources.

8G

RESOLUTION #
APPROVAL OF ACQUISITION OF AN EASEMENT BY THE MONROE COUNTY
WATER AUTHORITY PURSUANT TO §1096(6-a) OF NEW YORK'S PUBLIC
AUTHORITIES LAW – 962 COUNTY ROAD 9

WHEREAS, the Monroe County Water Authority (“Authority”) is responsible for the existing water main that provides water service to 962 County Road 9, Victor, NY 14564, located, in the Town of Victor; and

WHEREAS, the acquisition of one (1) easement is necessary for the operation, maintenance and future replacement of the water main; and

WHEREAS, the easement, is located along the frontage of 962 County Road 9 (Tax Acct. No. 16.00-1-47.000), which is owned by David T. Hahn and is approximately 208' x 15'; and

WHEREAS, the acquisition is necessary to allow for the operation, maintenance and future replacement water main which will allow the Water Authority to continue to provide potable water supply and fire protection to this property and the property owner has agreed to voluntarily grant the easement to the Water Authority; and

WHEREAS, §1096(6-a) of New York's Public Authorities Law requires the Water Authority to obtain the prior approval of the above-referenced acquisition by the Town Board; now, therefore, be it

RESOLVED, that the Town hereby approves of the Water Authority's voluntary acquisition of easements over 962 County Road 9, in accordance with §1096(6-a) of the New York Public Authorities Law; and be it further

RESOLVED, that a copy of the filed easement be forwarded to the Victor Town Clerk; and further

RESOLVED, that a copy of this resolution be provided to Margo Phelan, Monroe County Water Authority; Kenneth Wilson, Town of Victor Stormwater Management Officer; Wayne Pickering, Town Assessor; Town Attorney, Mark Years, Highway Superintendent; and Debra Denz, Town Clerk.

8H

RESOLUTION #
APPROVAL OF ACQUISITION OF AN EASEMENT BY THE MONROE COUNTY
WATER AUTHORITY PURSUANT TO §1096(6-a) OF NEW YORK'S PUBLIC
AUTHORITIES LAW – 7124 GILLIS ROAD

WHEREAS, the Monroe County Water Authority ("Authority") is responsible for the existing water main that provides water service to 7124 Gillis Road, Victor, NY 14564, located, in the town of Victor; and

WHEREAS, the acquisition of one (1) easement is necessary for the operation, maintenance and future replacement of the water main; and

WHEREAS, the easement, is located along the frontage of 7124 Gillis Road (Tax Acct. No. 6.04-2-41.000), which is owned by Adam M. Snyder and is approximately 100' x 15'; and

WHEREAS, the acquisition is necessary to allow for the operation, maintenance and future replacement water main which will allow the Water Authority to continue to provide potable water supply and fire protection to this property and the property owner has agreed to voluntarily grant the easement to the Water Authority; and

WHEREAS, §1096(6-a) of New York's Public Authorities Law requires the Water Authority to obtain the prior approval of the above-referenced acquisition by the Town Board; now, therefore, be it

RESOLVED, that the Town hereby approves of the Water Authority's voluntary acquisition of easements over 7124 Gillis Road, in accordance with §1096(6-a) of the New York Public Authorities Law; and be it further

RESOLVED, that a copy of the filed easement be forwarded to the Victor Town Clerk; and further

RESOLVED, that a copy of this resolution be provided to Margo Phelan, Monroe County Water Authority; Kenneth Wilson, Town of Victor Stormwater Management Officer; Wayne Pickering, Town Assessor; Town Attorney, Mark Years, Highway Superintendent; and Debra Denz, Town Clerk.

81

RESOLUTION #
AFTER PUBLIC HEARING - ADOPT LOCAL LAW NO. _____ -2016 TO AMEND THE VICTOR TOWN CODE AT CHAPTER 150, "PEDDLING AND SOLICITING" IN ORDER TO REVISE PROVISIONS RELATED TO THE REGULATION OF PEDDLING AND SOLICITING ACTIVITIES IN THE TOWN

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Victor on the 28th day of December, 2015, calling for a Public Hearing to be held by the Town Board of the Town of Victor on the 11th day of January, 2016 at the Victor Town Hall, 85 East Main Street, at 7:30 P.M., to hear all interested parties on a proposed Local Law to amend Chapter 150 entitled "Peddling and Soliciting"; and

WHEREAS, notice of said Public Hearing was duly advertised in accordance with law; and

WHEREAS, said Public Hearing was duly held at the Victor Town Hall on the 11th day of January, 2016 at 7:30 PM, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any parts thereof; and

WHEREAS, the Town Board of the Town of Victor finds and hereby determines that Chapter 150 entitled "Peddling and Soliciting" of the Town Code of the Town of Victor be amended; and

WHEREAS, the Town Board of the Town of Victor, after due deliberation, finds it in the best interest of the Town to adopt said Local Law; now, therefore, be it

RESOLVED by the Town Board of the Town of Victor that the Town Board hereby adopts said Local Law No. ___-2016 to amend Chapter 150 entitled "Peddling and Soliciting" of the Town Code of the Town of Victor as follows:

LOCAL LAW NO. _____ -2016 TO AMEND THE VICTOR TOWN CODE AT CHAPTER 150, "PEDDLING AND SOLICITING" IN ORDER TO REVISE PROVISIONS RELATED TO THE REGULATION OF PEDDLING AND SOLICITING ACTIVITIES IN THE TOWN

BE IT ENACTED, by the Town Board of the Town of Victor, Ontario County, State of New York, as follows:

Section I. Authorization

The adoption of this Local Law is in accordance with Section 10 of the New York Municipal Home Rule Law.

Section II. Title and Purpose

This law shall be known as and may be cited as Local Law No. _____-2016, To Amend The Victor Town Code At Chapter 150, "Peddling and Soliciting" In Order To Revise Provisions Related To The Regulation Of Peddling And Soliciting Activities In The Town.

Section III. Legislative Finding

The Town Board of the Town of Victor finds and hereby determines that the Victor Town Code should be revised in order to better regulate peddling and soliciting activities in the Town.

Section IV. Amendment.

Chapter 150 entitled "Peddling and Soliciting" Section 150-4 shall be amended to read as follows:

In all areas of the Town of Victor, exclusive of those listed in Section 150-3 of this chapter and the Village of Victor, it shall be unlawful to peddle or solicit without first having obtained and paid for, and having in force and effect, a license issued by the Town Clerk's office. Each permitted peddler or solicitor must carry a copy of the license.

Chapter 150 entitled "Peddling and Soliciting" Section 150-5A(12) shall be amended to read as follows:

(12) The applicant, at the time of executing such application, shall submit as identification a driver's license or non-driver's photo identification, reasonably satisfactory to the Town Clerk, and a completed Ontario County Sheriff's Release of Information.

Chapter 150 entitled "Peddling and Soliciting" Section 150-5A(14) shall be amended in its entirety with the following:

(14) Food vendors must provide proof of NYS Health Department approval.

A new sub-Section 150-5A(15) shall be added to read as follows:

(15) For each person soliciting, a driver's license or non-driver's photo identification and a completed Ontario County Sheriff's Release of Information shall be submitted.

Chapter 150 entitled "Peddling and Soliciting" Section 150-14 shall be amended to read as follows:

Within the Town of Victor, exclusive of the Village of Victor, soliciting or peddling door to door shall be prohibited before 9:00 a.m. and after 7:00 p.m., Monday through Saturday. No peddling shall be permitted on Sundays.

Section V. Validity and Severability

Should any word, section, clause, paragraph, sentence, part or provision of this local law be declared invalid by a Court of competent jurisdiction, such determination shall not affect the validity of any other part hereof.

Section VI. Repeal, Amendment and Supersession of Other Laws

All other ordinances or local laws of the Town of Victor which are in conflict with the provisions of this local law are hereby superseded or repealed to the extent necessary to give this local law force and effect during its effective period.

Section VII. Effective Date

This Local Law, after its adoption by the Town Board of the Town of Victor, shall take effect immediately upon its filing with the Office of the Secretary of State of the State of New York.

RESOLVED that the Town Clerk of the Town of Victor be and hereby is directed to enter said Local Law into the minutes of this meeting and to give due notice of the adoption of said Local Law to the Secretary of State of the State of New York, the Code Enforcement Officer, and the Town Clerk.