

OFFICE


COPY



Village of Tannersville

ORDINANCES

1954



NOTICE
VILLAGE OF TANNERSVILLE
NOTICE IS HEREBY GIVEN that the following set of ordinances will become the laws of the Village of Tannersville ten days after this publication pursuant to Section 95 of the Village law of the State of New York. Hearing of these ordinances was duly had after the required notice pursuant to Section 90 of the Village law.

William E. Moseman, Clerk

ARTICLE I
GENERAL PROVISIONS
Section 1.1

For the better government of the village and the management of its business, the ordinances of the Village of Tannersville are hereby arranged, classified, and enacted as the unified code of ordinances, Village of Tannersville, New York, 1954, which supersedes and repeals all ordinances heretofore enacted, except such as by reference thereto are saved from repeal or continued in force for any purpose. The repeal of any ordinance or any portion thereof by this enactment or by any future enactments hereof by this enactment or by any future enactments hereunder shall not affect or impair any act done or right vested or accrued for any proceeding, suit or prosecution had or commenced in any cause before such repeal shall take effect; But every such act done, or right vested or accrued, or proceeding, suit or prosecution had or

commenced shall remain in full force and effect as if such ordinance or part thereof so repealed has remained in force. No offense committed and no liability, penalty, or forfeiture either civilly or criminally incurred prior to the time when any such ordinance or part thereof shall be repealed or altered shall be discharged, or affected by such repeal or alteration, but prosecutions and suits for such offenses, liabilities, penalties or forfeitures shall be instituted and proceeded with in all respects as if such prior ordinances or part thereof had not been repealed or altered.

ARTICLE II
PERSONAL CONDUCT

Section 2.1

No person shall gamble or play any game of chance upon which money or anything of value is wagered; or keep or maintain any gambling-house; house of illfame, or disorderly house within the limits of said village.

Section 2.2

No person or persons shall be intoxicated in or upon any of the streets or public places within said village; or use or engage in profane, indecent, obscene, or disorderly conduct in or upon any such street or public place.

Section 2.3

No person shall willfully and maliciously break, mar, injure, remove or deface any

building, fence, awning, sign, tree, shrubbery or other ornamental thing in this village; or willfully injure any bridge sidewalk, post or railing upon or alongside of any public place within said village; nor willfully tear down, destroy or mutilate any notice or handbill lawfully posted upon in this village; or incite dogs to fight in any of the public streets or places of this village or commit any act the person committing which is declared to be a vagrant under the provisions of section 887 of the Code of Criminal Procedure.

Section 2.4

No person shall make, aid or abet in making, unnecessarily, any loud or unusual noise or noises, or blow horns, trumpets or other like instruments, or ring bells, or make any noise which disturb or tends to disturb the peace, and quiet of said village.

Section 2.5

Any person violating any of the provisions of Sections 1 thru 4 shall be liable to a penalty for each violation thereof, of not less than \$5.00 nor more than \$25.00.

Section 2.6

No person shall wilfully give make or cause to be given or made any false alarm of fire within said village. While the Tannersville Fire Department, or any of the members of said department shall be engaged in the discharge of their duties respecting the extinguish-

ment of fires, every person other than a member of the Fire Department is strictly prohibited from touching, handling or getting upon the Tannersville Fire Trucks, either going to, while at, or returning from any fire or any place where said truck may be by reason of a reported fire; any and all persons are further prohibited from touching or handling any hose, fire apparatus or equipment of any kind belonging to or under the authorized jurisdiction of the Tannersville Fire Department, or any of the members of the Department, and all persons are further strictly prohibited from interfering with any of the firemen of the Village of Tannersville while in the discharge of any of their duties as firemen.

Any person or persons, guilty of violating any or all of this ordinance shall be punished by a fine of not less than \$25.00 and not more than \$50.00 for each and every violation thereof.

Section 2.7

No person shall discharge any firecrackers or other fireworks or explosive compound within the settled limits of said village, fire, discharge, aid or assist in firing or discharging any gun or other fire arm within said village to the damage or annoyance of any person therein; or make or assist in making any bonfire within

the said village, unless upon his own premises. Any person violating any of these provisions of this ordinance shall be liable to a penalty of not less than \$2.00 and not more than \$25.00.

ARTICLE III

STREETS, SIDEWALKS AND PUBLIC PLACES

Section 3.1

No person shall encumber the streets, sidewalks or public places within said village with any material whatever; nor throw place or deposit any refuse, fish or meat, stones hay straw or paper, brush tacks or nails, scraps of iron, glass steel or tin, or any other rubbish, refuse or filthy substance in or upon the streets or sidewalks of said village, or push draw or haul any vehicle or thing containing swill, refuse, offal or other foul or noxious matter over or upon any sidewalk within said village; or ride any bicycle or tricycle upon any such sidewalk, or mark or advertise upon or deface any sidewalk in said village; or loiter congregate on or obstruct any such sidewalk, or lead drive or ride any horse, cow, mule or other such animal upon any of the sidewalks within said village; or construct, erect or maintain any awning over any sidewalk in said village which shall not be at all times at its lowest point at least seven and one half (7 1-2) feet a-

bove the sidewalk, and so arranged and maintained as to carry any water which may fall thereon to the outer edge of the sidewalk.

Any person violating any of the provisions of the foregoing ordinance shall be liable to a penalty for each violation thereof not less than \$5.00 or more than \$25.00.

Section 3.2

No person, persons or corporation shall dig or cause to be cut into, through or across any street, alley or sidewalk or public ground or place or immediately adjacent thereto within the limits of said village, any ditch trench or excavation or other opening for any purpose, without first obtaining the consent of the Board of Trustees of this village, and all such openings or excavations shall at all times be carefully guarded, and danger lights at night.

Any person who violates any of the provisions of this ordinance shall be liable to a penalty of not less than \$10.00 and not exceeding \$25.00.

Section 3.3

No person shall lay or construct any sidewalk along any of the public streets or public places within said village, unless so laid and constructed under the supervision and in accordance with the directions of the Board of Trustees of said village. Any persons violating any of the pro-

visions of this ordinance shall be liable to a penalty of not less than \$5.00 and not exceeding \$25.00.

Section 3.4

If any fence, building or other permanent obstruction shall at any time encroach upon the boundaries of any street in said village, the owner or owners thereof or the occupants of the lot which shall adjoin the same shall remove the same within ten days after notice in writing to do so shall be served upon them by any trustee and for neglect or refusal to so remove, shall be liable to a penalty of ten dollars for every twenty-four hours such encroachment shall continue after the expiration of said ten days.

Section 3.5

No person, firm or corporation shall place or erect or cause to be erected, any gasoline tank, or pump or other contrivance or container for keeping of gasoline or the pumping thereof, on any sidewalk or portion of any sidewalk within the corporate limits of the Village of Tannersville. On Main Street in said village any gasoline pump that may hereinafter be placed or erected along the sidewalks of said street, the point or projection of said pump nearest said Main St. shall be at least six feet from the nearest curb of said street.

Any person or persons, firm or corporation guilty of violating this ordinance shall be punished by a fine of not less than \$25.00 and not more than \$50.00 for each and every violation thereof. In addition to the penalty so fixed the Board of Trustees also ordains that a violation of this ordinance shall constitute disorderly conduct and the person or persons violating the same shall be disorderly persons.

Section 3.6

Every person or persons, firm or corporation keeping horses or cows within the limits of said village of Tannersville are hereby required to remove all manure accumulation therefrom to a point or place beyond the corporate limits of the village, unless the same be spread upon the ground for the purpose of fertilizing the same, not later than 10 o'clock in the morning of each day.

Any person or persons guilty of violating this ordinance shall be punished by a fine of not less than \$10.00 and not more than \$50.00 for each and every violation thereof. In addition to the penalty so fixed the Board of Trustees also ordains that a violation of this ordinance shall constitute disorderly conduct and the person or persons violating the same shall be a disorderly person or persons.

ARTICLE IV LICENSES

Section 4.1

No person shall play ball, or aid, abet or assist in the playing of any game of ball in or upon any of the public streets in said village.

Any person violating any of the provisions of this ordinance shall for each such violation be liable to a penalty of not less than \$3.00 and not exceeding \$10.00.

Section 4.2

No person shall engage in, follow or pursue within the said village without having paid for and obtained a license permitting the same from the Clerk of the village any of the following named businesses, trades or occupations Viz. Auctioneering, except sales by executors, administrators, sheriff or his deputies, constables or residents of said village in good-faith disposing of their own goods and chattels; Hawking and Peddling of every kind nature and description except as follows: Farm produce offered for sale by the growers or producer thereof, and the peddler of Newspapers. \$15.00 pre week license fee, is a condition of obtaining the above mentioned license.

Section 4.3

No person whether acting as principal or agent for another shall conduct or transact retail business in any store with-

in this village for the sale of goods which shall be represented or advertised as a bankrupt stock or as an assigned stock or as goods damaged by fire, water or otherwise or by any such like representative or device without first taking out a license therefore from the Mayor of the Village.

Any person violating any of the provisions of the foregoing ordinance shall be liable to a penalty for each violation thereof, of not less than \$10.00 or more than \$50.00.

ARTICLE V TRAFFIC & HIGHWAY REGULATIONS

Section 5.1

No person shall race or run any horse or team or engage in fast or reckless driving on any bicycle, motorcycle or automobile, in or upon any of the streets or public places within this village. Any person violating any of the provisions of this ordinance shall be liable to pay a penalty of not less than five (5.00) dollars and not exceeding twenty-five (\$25.00) dollars.

Section 5.2

a—A vehicle except when passing a vehicle ahead shall keep to the right of the center of the street or road.

b—A vehicle meeting another shall pass on the right.

c—A vehicle overtaking another shall pass on the left side of the overtaken vehicle.

age of Tannersville shall have exclusive jurisdiction to hear, try and determine all criminal cause arising under these Highway & Traffic Ordinnace or by reason of any violation cause arising under these or by reason of any violation thereof, summarily and without the intervention of a Jury.

**ARTICLE VI
ORDINANCES IN RELATION
TO HEALTH AND SEWER
MATTERS**

Section 6.1

No person or persons, firm partnership or corporation shall burn or bury or otherwise dispose of any garbage or garbage accumulations within the confines of the Village of Tannersville, but all persons having garbage or garbage accumulations within the confines of the Village of Tannersville shall be required and are hereby required to dispose of said garbage by transporting the same to the dump so designated as the Village dump by the Village Board. All such garbage accumulations shall be removed at least twice each week during the period from May 30th until September 15th of each year.

All vehicle used in transporting said garbage to the designated dump shall be so loaded and covered by a tarp or other adequate means so that no garbage shall fall off the load during the trip.

Section 6.2

No person, firm or corporations shall be allowed, within the incorporated limits of the Village of Tannersville, N. Y. to conduct within the buildings or upon the grounds of any property the business of slaughtering, except on the conditions that said person or persons obtain a license from the Village Clerk therefore and pay the license fee of \$1.00 per year. This license shall be subject to suspension or revocation if the licensee fails to pass the inspection by the Village Health Officer; which inspection shall be made weekly during the months of July and August. Any person or persons violating this ordinance shall be subject to a fine of Twenty-five (\$25.00) Dollars or to be confined to the County Jail for thirty days or both.

Section 6.3

All water carried wastes originating in or in connection with any building located within the Town of Hunter and within the Village of Tannersville in said Town, and upon the highway and within the limits of the sewer disposal system constructed in the Village of Tannersville and vicinity by the City of New York, which buildings were erected and completed prior to the completion of the construction of the sewerage system shall, under the provisions and conditions of this

regulation be discharged into house connections laid and provided for that purpose by the City of New York. All such water carried wastes originating in or in connection with any building erected and completed after the completion of the construction of the sewerage system, and within a distance of 250 feet from the sewerage system shall be similarly discharged into house connections to be laid and provided for that purpose by the owner or lessee of the land on which such building is located.

Section 6.3.2

Where used in this regulation, singular words shall be considered as including the plural, and the following terms and expressions shall have the meanings respectively designated for each:-

a—The term "Board" shall mean the Village Board of the Village of Tannersville constituting the local Board of Health in and for the Village of Tannersville.

b—The term "Village Clerk" shall mean the Village Clerk of the Village of Tannersville.

c—The term "Local representative of the City of New York" shall mean the person designated by the department or officer of the City of New York as in charge for that City of the maintenance and operation of the sewerage system.

d—The term "Sewerage Sys-

tem" shall mean all of the pipes provided for the collection of sewage outside of the foundations of all buildings except in the special case covered under Section 6.3.6 where the house connection may terminate at a manhole instead of at the outside line of the building.

e—The term "Sewage" shall mean any water carried waste that may, under this ordinance, be discharged into the sewerage system.

f—The term "House Connection" shall mean that part of the sewerage system which lies immediately beyond and outside of the outside line of the foundation of any building except as otherwise provided under the provisions of Section 6.3.6.

g—The term "House Drain" shall mean the pipe through which the sewerage is discharged from one or more water-closets and which connects with the house drain.

i—The term "waste Pipe" shall mean any pipe which received sewage from any plumbing fixture and delivers it into a soil pipe or into the house drain.

j—The term "vent pipes" shall mean any pipe provided for connecting any waste pipe or house drain or trap with the outside air.

k—The term "trap" shall mean any depression or device placed on any pipe for the purpose of preventing the

passage of air or gas.

1—The term "approved" shall mean the approval or consent of the Board and the concurrence of the local representative of the City of New York.

Section 6.3.3

No house drain shall be connected to any house connection nor shall any house connection be connected to the sewerage system except upon written authorization of the Village Clerk granted after the application in writing of a property-owner or lessee. No permit for a connection between a house drain and a house connection shall be made unless and until all of the provisions of this ordinance have been complied with. The Village Clerk, on granting any such authorization, shall immediately notify the local representative of the City of New York, and no such connection shall be made except in the presence and under the supervision of said local representatives.

Section 6.3.4

In case of failure on the part of any owner or lessee of property occupied and having water carried wastes therein or thereupon to promptly proceed with all arrangements necessary and prerequisite to the discharge of his water carried wastes into the sewerage system under the provisions of the regulation by the board at any time but not less than

ten days after sending, by registered mail, to such owner or lessee, a notice in writing, may fix a date for the completion of all necessary arrangements on his property, and any owner or lessee failing to comply with the requirements of this regulation before the date so fixed by the Board shall be considered as having violated the provisions of this regulation.

Section 6.3.5

No trap of any kind shall be installed on any house drain or soil pipe, and before any house drain is connected to any house connection all existing traps shall be removed from all house drains and soil pipes. Each soil pipe shall be extended, undiminished in size up to and through the roof of the building, and shall terminate at a point at least two feet above any door or window opening, unless such doors or windows are distant more than ten feet therefrom. The upper end of each soil pipe shall be open to the air and no cap, cowl, bend or other device shall be attached thereto. A "Y" branch shall be provided on every house drain for clean-out purposes and shall be located in the cellar just inside the foundation wall: in case of outside plumbing or where there is no cellar such "Y" branch shall be placed just outside the foundation wall. Every house drain and soil pipe shall be laid so

as to drain freely and directly into the house connection.

Section 6.3.6

In any case where several soil pipes or waste pipes or both are or may be installed in one building, all of them shall be led to one house drain located inside of the building. In certain cases and at the option of the owner or lessee such pipes may be led to a convenient point outside the building, where the owner or lessee shall construct a suitable watertight manhole through which the sewage shall pass into the house connection. In every such case the house connection shall be considered as terminating at the outside of the manhole structure instead of at the outside line of the building foundation.

Section 6.3.7

No steam exhaust, blow-off or drip pipe, rain-water leader, cellar drain, surface or ground-water drain shall discharge into any house drain, house connection, soil pipe, waste pipe or vent pipe, no waste from refrigerator or other receptacle where food is kept, soda-water or other fountain dish-washing machine, or dental cuspidor, shall be connected directly with any house drain, soil, vent or kind shall be discharged into a water supplied sink, which in turn, shall be connected to the house plumbing system. Refrigerator wastes may, however, be discharged inde-

pendently outside the building.

Section 6.3.8

No drain from a carriage or automobile wash or garage floor shall connect with any house drain, house connection, waste, soil or vent pipe, except through an approved sand, gasoline and oil trap of ample capacity. All such traps and their connecting waste pipes shall be properly ventilated so as to prevent the passage of gasoline and its vapor into the sewerage system.

Section 6.3.9

No person shall throw or deposit or cause or allow to be thrown or deposited in any pipe or plumbing fixture leading to any house connection, any garbage, vegetable parings, ashes, cinders, rags or anything whatsoever that will impair the free flow of the sewage therein. The owner or lessee of any property shall maintain the house connection located therein free from stoppage. No cesspool or privy vault shall be connected with or discharge into any soil pipe, drain pipe, house drain, vent pipe or house connection.

Section 6.3.10

Wastes from battery service stations and other acid or strong alkali or corrosive chemical wastes shall be conducted through pipes entirely separate from the house plumbing system. Pipes for

carrying such wastes shall, unless otherwise approved, connect with the house connection at least ten feet beyond the foundation wall of the building and the pipe in which they are carried shall be extended independently to an outlet above the roof, in a manner similar and equal to that specified for soil pipes in Section 4, hereof all such wastes may be required to be diluted in tanks of approved capacity and design and treatment with satisfactory reagents may be required before such wastes are discharged into the sewerage system.

Section 6.3.11

Any person failing to comply with any provisions of this regulation or of interfering with, entering or using the sewage system without authorization as provided in Section 3, shall be guilty of a misdemeanor and punishable by a fine not exceeding Fifty (\$50) Dollars for each violation thereof or sixty (60) days in the County Jail or both.

ARTICLE VII ANIMALS

Section 7.1

No person or persons owning or keeping cattle, sheep, mules, horses or swine shall allow or suffer them to run at large in or upon any street or public place within said

village; and in case the commissioner or police constable of said village shall find any such animal so running at large, they are hereby authorized to impound the said animal or animals and sell and dispose of same at public auction to the highest bidder for cash after due and reasonable public notice of the time and the place of such sale, and out of the proceeds of such sale to pay the costs and expenses of such sale and the keeping of said animals, and the penalty enforced by said Village for such violation of this ordinance, the remainder of said moneys, if any, to be paid over to the owner of such animal or animals so impounded and sold.

Any person violating any of the provisions of this ordinance shall be liable to a penalty of not less than five dollars and not exceeding ten dollars.

Section 7.2

No person shall give an exhibition of bears or other wild and dangerous animals in or upon any of the public streets or public places of said village.

Any person violating any provision of this ordinance shall be liable to a penalty of not less than five or more than twenty-five dollars. The violation of any provision of this ordinance shall constitute dis-

orderly conduct and any person violating the same shall be and is hereby declared to be a disorderly person.

**ARTICLE VIII
CIVIL DEFENSE**

Section 8.1

February 27th, 1942 the Village Board passed a war or-

dinance to give police and fire powers in an emergency. This would even have its relevancy today but it covered considerable space thus to avoid the publication costs it is advisable to keep such an ordinance on a standby basis and it could be quickly enacted in the event of another emergency.