

Local Law Filing

(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 Town Village
(Select one)

of St. Johnsville

Local Law No. 3 of the year 2021

A local law amending Section 110-5 of the Village Code to add requirements regarding fire pit
(Insert Title)
burning

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

County City Town Village
(Select one)

of St. Johnsville as follows:

AS ATTACHED

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

(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 2021 of the ~~(County)(City)(Town)(Village)~~ of St. Johnsville was duly passed by the Board of Trustees on August 17 2021, 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 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ and was deemed duly adopted (Elective Chief Executive Officer*) on _____ 2021, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____. (Elective Chief Executive Officer*)

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 _____ 20____, in accordance with the applicable provisions of law.

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 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* 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 chairperson 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.)

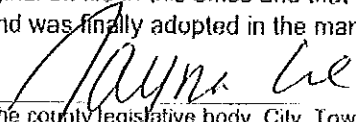
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____, 20____, 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 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, 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 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 _____¹ above.



Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: August 18, 2021

(Seal)

LOCAL LAW NO. 3 OF 2021

A Local Law Amending Section 110-5 of the Village Code to Add Requirements Regarding Fire Pit Burning.

I. FINDINGS. Upon reporting of the Chief of Police this Board of Trustees finds, and accepts, that the increasing occurrence of uncontrolled outdoor fires and burning in the Village is not adequately addressed under local law and which such failure unnecessarily increases risks inconsistent with safety.

II. DEFINITION. For purposes of this law the following definition shall apply.

FIRE PIT. A below ground opening, freestanding self-constructed or manufactured fireplace, and any self-constructed or manufactured portable device, all of which are intended to contain and control an outdoor fire, excluding propane fueled apparatus.

III. AMENDMENT. Section 110-5 of the Village Code is amended to hereafter provide as follows, to wit:

It shall be unlawful for any person within the Village of St. Johnsville, New York, to set, light, or cause to be set or lighted, an open fire within said Village unless in accordance with a properly implemented fire pit which shall satisfy, as applicable, both the following general and specific requirements.

A. General.

A fire pit, at any time, must (1) be used only for the burning of natural seasoned firewood or commercial logs, and, (2) be located a minimum of fifteen

(15) feet below the lowest hanging tree branches or limbs and fifteen (15) feet away from foliage or shrubbery in any direction, and, (3) be constantly attended and supervised until a fire has been completely extinguished, and, (4) have readily available a portable fire extinguisher or other approved extinguishing equipment such as, but not limited to, a garden hose.

B. Specific.

1. All below ground fire pits shall (a) be at least four (4) inches in depth, and, (b) be surrounded on the outside, above ground, by a non-combustible material such as steel, brick, or masonry, and, (c) not exceed three (3) feet in diameter nor contain a fire pile exceeding two (2) feet in height, and, (d) be located a minimum of fifteen (15) feet away from any structure or combustible material.

2. All free-standing fireplace fire pits shall be (a) used, as applicable, in accordance with any manufacturer's directions and warnings, and, (b) located a minimum of fifteen (15) feet away from any structure or combustible material.

3. Portable device fire pits shall be located a minimum of fifteen (15) feet away from any structure or combustible material.

IV. EFFECT. This local law shall take effect upon its filing with the Secretary of State.