

L A W S

OF THE

S T A T E O F N E W Y O R K ,

P A S S E D A T T H E

O N E H U N D R E D A N D T E N T H S E S S I O N

O F T H E

L E G I S L A T U R E ,

B E G U N J A N U A R Y F O U R T H , A N D E N D E D M A Y T W E N T Y - S I X T H , 1 8 8 7 ,
I N T H E C I T Y O F A L B A N Y .



ALBANY :
BANKS & BROTHERS, PUBLISHERS.
1887.

Chap. 131.

AN ACT to amend chapter two hundred and twenty-nine of the laws of eighteen hundred and seventy-five, entitled "An act supplementary to chapter seven hundred and eighty of the laws of eighteen hundred and sixty-seven, entitled 'An act to supply the city of Binghamton with pure and wholesome water,' and the acts amendatory thereof."

PASSED April 11, 1887; three-fifths being present; without the approval of the Governor.*

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section four of chapter two hundred and twenty-nine of the laws of eighteen hundred and seventy-five entitled "An act supplementary to chapter seven hundred and eighty of the laws of eighteen hundred and sixty-seven, entitled "An act to supply the city of Binghamton with pure and wholesome water, and the acts amendatory thereof," is hereby amended so as to read as follows:

§ 4. The water commissioners of the city of Binghamton shall have the power and are hereby authorized to levy and collect a frontage tax in each and every year, on all real estate lying along or facing on either side of any street or alley in which a water main is now laid, or may hereafter be laid, said frontage tax not to exceed in any one year fifty cents for each twenty-five feet frontage, or fraction thereof, of any and all tracts or parcels of land lying along or fronting on either side of any such street or alley; and the money collected on such tax shall be applied to the maintenance of the water supply of said city or the payment of interest on outstanding water bonds. The water commissioners of said city, shall on or before the first day of May in each year, prepare and deposit with the clerk of the board of water commissioners an assessment roll of the frontage tax assessed for that year, which roll shall contain in four columns the name of the persons assessed, the street upon which the property assessed to each person is situated, the number of feet frontage assessed upon each piece of real estate and the amount of tax imposed thereon; such roll shall remain with the said clerk for the period of ten days from the depositing thereof and during that time shall be open for the inspection of all persons who are assessed thereby or interested therein; and during the last three days of said time the water commissioners, or a majority of them, shall meet at the office of said clerk, between the hours of ten in the forenoon and three in the afternoon of each day, for the purpose of hearing objections to and making corrections of the said roll. Said commissioners shall forthwith, upon the depositing of said roll with the said clerk, cause due notice of the depositing of said roll with the said clerk, and of the time and place of their meeting to hear objections to and make corrections of said roll, by publication thereof in the official paper of said city for a period of at least one week, and said commissioners, or a majority of them, shall meet at the time and place specified in such notice for said purposes, and shall hear all objections which may be then and

Frontage tax, how levied and collected.

Avails, how applied.

Roll of frontage tax, how deposited. Contents thereof.

Review and correction of roll.

Notice thereof, how published.

* Not returned by the Governor within ten days after it was presented to him, and became a law without his signature. [Art. IV, Sec. 9, Constitution of the State of New York.]

Roll,
when to
be filed.

Tax
therein to
be final.

How pay-
able.

Interest
upon
unpaid
frontage
tax.

Collection
of tax,
how en-
forced.

Avails
payable
to city
treasurer.

Rights of
action for
use of
water,
etc.

Violation
of water
regula-
tions, how
punished.

there made to said roll, and shall make such corrections thereof as may be proper, and for that purpose they are hereby given the same power as are given assessors by law in making corrections of the annual assessment-roll. At the expiration of the said ten days, and after the making of said corrections, the said roll as corrected, shall be forthwith filed with the clerk of the board of water commissioners, and all taxes and assessments imposed thereby shall, from the time of such filing, be final and conclusive upon all persons against whom such taxes or assessments are made, and shall be a lien upon such premises and shall bind the same in the same manner as the city taxes of said city which are assessed and levied as provided by law. Said frontage tax shall be payable at the office of said water commissioners; and if any frontage tax imposed or assessed as herein provided, shall remain unpaid on the first day of November following the assessment thereof, said unpaid taxes shall, from that date, draw interest at the rate of twelve per centum per annum, and the clerk of the board of water commissioners shall file with the city clerk a list of such unpaid taxes, duly certified by him, and the same shall be enforced and collected together with the interest as before provided, and expenses of sale, advertising and necessary searches, in the same manner as city taxes in said city are collected by sale of real estate, and the moneys collected therefrom shall be paid over by the city treasurer to the said board of water commissioners. The water commissioners of said city shall have a right of action against any party or parties using the water of the said city, and also for the collection of the water tax or rent due from any party, and all property liable to be taken for any other tax, levied by law in said city, shall be liable to be taken upon execution issued upon any judgment obtained for such taxes or rents. And any intentional violation of such regulations, rules and by-laws, as the said commissioners are or shall be authorized to make and shall make under such authority, and publish or serve upon, or cause to be served upon the water-takers of said city, shall be deemed disorderly conduct, and shall be punished as other disorderly acts are punished by the recorder of said city.

§ 2. This act shall take effect immediately.