

CODE OF THE VILLAGE OF HORSEHEADS, NEW YORK, v23 Updated 12-15-2007

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NEW YORK, v23**

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**OFFICIALS
OF THE
VILLAGE OF
HORSEHEADS**

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2008

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PREFACE**

PREFACE

The Valley of Horses' Heads

A twenty-eight-square-mile memorial, unparalleled in American military history, is the proud distinction that enshrines the Town and Village of Horseheads, New York.

Nowhere on the American continent has the writer, through considerable government and public research, been able to find a town or village that perpetuates the same patriotic drama laid at the doorstep of Horseheads, New York, on September 24, 1779.

This date hallmarks the time and hallowed ground where lie the true relics and sun-bleached skulls (some estimates run as high as three hundred) of the American military pack horses of the Armies of Major-General John Sullivan. These peaceful servants of General Sullivan and his officers, with about five thousand "ragged rebels" (as expressed by King George III), brought forth a gallantry in the American Revolutionary War's Western Campaign against the Six Nations of Indians (Iroquois), worthy of greatness to exalt these pack horses to any American military "Valhalla."

Burdened down with heavy military equipment in their four-hundred-fifty-mile journey through a wooden wilderness from Easton, Pennsylvania, over to Wyoming and on up the Susquehanna River Trail to Elmira, New York; they continued north through Horseheads to the Finger Lakes region and west to Geneseo. Returning the same route to Horseheads, these military pack horses had reached the end of their endurance. Here, General Sullivan, through humanitarian reasons, was compelled to dispose of these partners in the cause of American freedom.

A few years later, the skulls of the horses were arrayed along the trail by a few returning

Indians. On this spot, the first settlers built their homes. This location, first known as the "Valley of Horses' Heads," was later changed to "Horseheads." Indeed, Horseheads takes pride to enshrine themselves in monumental devotion to proclaim:

"Horseheads is the first and only town and village in the United States dedicated to the service of the American military horse."

Today, this twenty-eight-square-mile memorial to the American military horse has no single town and village range, but stands to evoke in any American a deep feeling for the part played by the horse in all of America's military expeditions.

It is to this heritage that Horseheads, New York, dedicates itself to their last honor.

The Village of Horseheads has, over the years, passed through a process of legislative change common to many American communities. While only a few simple laws were necessary at the time of the establishment of the village, subsequent growth of the community, together with the complexity of modern life, has created the need for new and more detailed legislation for the proper function and government of the village. The recording of local law is an aspect of municipal history, and as the community develops and changes, review and revision of old laws and consideration of new laws, in the light of current trends, must keep pace. The orderly collection of these records is an important step in this ever-continuing process. Legislation must be more than mere chronological enactments reposing in the pages of old records. It must be available and logically arranged for convenient use and must be kept up-to-date. It was with thoughts such as these in mind that the Board of Trustees ordered the following codification of the village's legislation.

Contents of Code

The various chapters of the Code contain all currently effective legislation of a general and permanent nature enacted by the Board of Trustees of the Village of Horseheads, including revisions or amendments to existing legislation deemed necessary by the Board of Trustees in the course of the codification.

Division of Code

The Code is divided into parts. Part I, Administrative Legislation, contains all village legislation of an administrative nature, namely, that dealing with the administration of government, that establishing or regulating municipal departments and that affecting officers and employees of the municipal government and its departments. Part II, General Legislation, contains all other village legislation of a regulatory nature. Items of legislation in this part generally impose penalties for violation of their provisions, whereas those in Part I do not.

Grouping of Legislation and Arrangement of Chapters

The various items of legislation are organized into chapters, their order being an alphabetical progression from one subject to another. Wherever there are two or more items of legislation dealing with the same subject, they are combined into a single chapter. Thus, for example, all legislation pertaining to the regulation of streets and sidewalks may be found in Part II, in the chapter entitled "Streets and Sidewalks." In such chapters, use of Article or Part designations has preserved the identity of the individual items of legislation.

Table of Contents

The Table of Contents details the alphabetical arrangement of material by chapter as a means of identifying specific areas of legislation. Wherever two or more items of legislation have been combined by the editor into a single chapter, titles of the several Articles or Parts are listed beneath the chapter title in order to facilitate location of the individual item of legislation.

Reserved Chapters

Space has been provided in the Code for the convenient insertion, alphabetically, of later enactments. In the Table of Contents such space appears as chapters entitled "(Reserved)." In the body of the Code, reserved space is provided by breaks in the page-numbering sequence between chapters.

Pagination

A unique page-numbering system has been used, in which each chapter forms an autonomous unit. One hundred pages have been allotted to each chapter, and the first page of each is the number of that chapter followed by the numerals "01." Thus, Chapter 6 begins on page 601, Chapter 53 on page 5301, etc. By use of this system, it is possible to add or to change pages in any chapter without affecting the sequence of subsequent pages in other chapters, and to insert new chapters without affecting the existing organization.

In the event that a piece of legislation requires more than one hundred pages, the page numbering will run over into the subsequent chapters. For example, if Zoning legislation is one hundred fifty pages long, the Zoning could be designated as Chapter 125, beginning with the usual pages 12501 through 12599, then continuing with pages 12600 through 12650. The Table of Contents would reflect Chapter 126 as "Zoning (continued)."

Because of this system of page numbering, some chapter numbers may not be available for use during supplementation. In the above example, for instance, a new piece of legislation could not

be added as Chapter 126 because the new material would duplicate page numbers already used in the Zoning Chapter. Consult the Table of Contents to determine whether a chapter number is available.

Numbering of Sections

A chapter-related section-numbering system is employed, in which each section of every item of legislation is assigned a number which indicates both the number of the chapter in which the legislation is located and the location of the section within that chapter. Thus, the first section of Chapter 6 is § 6-1, while the fourth section of Chapter 53 is § 53-4. New sections can then be added between existing sections using a decimal system. Thus, for example, if two sections were to be added between §§ 53-4 and 53-5, they would be numbered as §§ 53-4.1 and 53-4.2.

Scheme

The Scheme is the list of section titles which precedes the text of each chapter. These titles are carefully written so that, taken together, they may be considered as a summary of the content of the chapter. Taken separately, each describes the content of a particular section. For ease and precision of reference, the Scheme titles are repeated as section headings in the text.

Histories

At the end of the Scheme in each chapter is located the legislative history for that chapter. This History indicates the specific legislative source from which the chapter was derived, including the enactment number (e.g., ordinance number, local law number, bylaw number, resolution number, etc.), if pertinent, and the date of adoption. In the case of chapters containing Parts or Articles derived from more than one item of legislation, the source of each Part or Article is indicated in the History. Amendments to individual sections or subsections are indicated by histories where appropriate in the text.

Codification Amendments and Revisions

New chapters adopted during the process of codification are specifically enumerated in chapter Histories with reference to "Ch. 1, General Provisions," where the legislation adopting this Code and making such revisions will appear after final enactment. Sections amended or revised are indicated in the text by means of Editor's Notes referring to the chapter cited above.

General References; Editor's Notes

In each chapter containing material related to other chapters in the Code, a table of General

References is included to direct the reader's attention to such related chapters. Editor's Notes are used in the text to provide supplementary information and cross-references to related provisions in other chapters.

Appendix

Certain forms of local legislation are not of a nature suitable for inclusion in the main body of the Code but are of such significance that their application is community-wide or their provisions are germane to the conduct of municipal government. The Appendix of this Code is reserved for such legislation and for any other material that the community may wish to include.

Disposition List

The Disposition List is a chronological listing of legislation adopted since the publication of the Code, indicating its inclusion in the Code or the reason for its exclusion. The Disposition List will be updated with each supplement to the Code to include the legislation reviewed with said supplement.

Index

The Index is a guide to information. Since it is likely that this Code will be used by persons without formal legal training, the Index has been formulated to enable such persons to locate a particular section quickly. Each section of each chapter has been indexed. The Index will be supplemented and revised from time to time as new legislation is added to the Code.

Instructions for Amending the Code

All changes to the Code, whether they are amendments, deletions or complete new additions, should be adopted as amending the Code. In doing so, existing material that is not being substantively altered should not be renumbered. Where new sections are to be added to a chapter, they can be added at the end of the existing material (continuing the numbering sequence) or inserted between existing sections as decimal numbers (e.g., a new section between §§ 45-5 and 45-6 should be designated § 45-5.1). New chapters should be added in the proper alphabetical sequence in the appropriate division or part (e.g., Part I, Administrative Legislation, or Part II, General Legislation), utilizing the reserved chapter numbers. New chapter titles should begin with the key word for the alphabetical listing (e.g., new legislation on abandoned vehicles should be titled "Vehicles, Abandoned" under "V" in the Table of Contents, and a new enactment on coin-operated amusement devices should be "Amusement Devices" or "Amusement Devices, Coin-Operated" under "A" in the Table of Contents). Where a reserved number is not available, an "A" chapter should be used (e.g., a new chapter to be included

between Chapters 45 and 46 should be designated Chapter 45A). The Table of Contents should always be consulted before designating a new chapter number (see the notes under "Pagination" above). New Articles may be inserted between existing Articles in a chapter (e.g., adding a new district to the Zoning Regulations) by the use of "A" Articles (e.g., a new Article to be included between Articles XVI and XVII should be designated Article XVIA). The section numbers would be as indicated above (e.g., if the new Article XVIA contains six sections and existing Article XVI ends with § 45-30 and Article XVII begins with § 45-31, Article XVIA should contain §§ 45-30.1 through 45-30.6).

Supplementation

Supplementation of the Code will follow the adoption of new legislation. New legislation or amendments to existing legislation will be included and repeals will be indicated as soon as possible after passage. Supplemental pages should be inserted as soon as they are received and old pages removed, in accordance with the Instruction Page which accompanies each supplement.

Acknowledgment

The assistance of the village officials is gratefully acknowledged by the editors, Sarah M. White and Dena A. Billotti. Special thanks is reserved for Chris Lawrick, Manager; Tom Skebey, Code Enforcement Officer; and John G. Groff, Village Attorney. The codification of the legislation of the Village of Horseheads reflects an appreciation of the needs of a progressive and expanding community. As in many other municipalities, officials are faced with fundamental changes involving nearly every facet of community life. Problems increase in number and complexity and range in importance from everyday details to crucial areas of civic planning. It is the profound conviction of General Code Publishers Corp. that this Code will contribute significantly to the efficient administration of local government. As Samuel Johnson observed, "The law is the last result of human wisdom acting upon human experience for the benefit of the public."