

## Chapter 1

### GENERAL PROVISIONS

#### ARTICLE 1 ADOPTION OF CODE

Be it enacted by the Board of Trustees of the Village of Lansing as follows:

##### **§ 1-1. LEGISLATIVE INTENT.**

In accordance with Subdivision 3 of §20 of the Municipal Home Rule Law, the local laws, ordinances, and certain resolutions, regulations, policies and codes of the Village of Lansing have been revised and codified into the document to be known as the “Code of the Village of Lansing,” hereafter termed the “Code.” consisting of chapters 1 through 145, together with appendices. From the effective date of this Local Law forward, all such local laws, ordinances, resolutions, regulations, policies and codes of the Village of Lansing shall be deemed to be Chapters or Articles of the Village Code, as referenced in the Code, and shall be referred as such Chapters or Articles.

##### **§ 1-2. CONTINUATION OF EXISTING PROVISIONS.**

The provisions of the Code, to the extent substantively the same as the provisions of local laws, ordinances, and certain resolutions, regulations, policies and codes in force immediately prior to the enactment of the Code by this Local Law, shall continue in full force and effect in accordance with their respective current provisions, and not as new enactments, and their effectiveness shall date from their respective original dates of adoption. All such provisions are hereby affirmed as to their adoption by the Board of Trustees of the Village of Lansing, as these appear in the Code. Only such former local laws, ordinances, resolutions, regulations, policies and codes or provisions thereof as are omitted from this Code shall be deemed repealed in accordance with the provisions of § 1-3 below.

##### **§ 1-3. REPEAL OF ENACTMENTS NOT INCLUDED IN CODE.**

All local laws, ordinances, resolutions, regulations, policies and codes of a general and permanent nature of the Village of Lansing in force on the date of the adoption of this local law and not contained in such Code or recognized and continued in force by reference therein are hereby repealed from and after the effective date of this local law.

##### **§ 1-4. ENACTMENTS SAVED FROM REPEAL; MATTERS NOT AFFECTED.**

The repeal of local laws and ordinances provided for in § 1-3 of this local law shall not affect the following classes of local laws, ordinances, resolutions, regulations, policies, codes, rights and obligations, which are hereby expressly saved from repeal:

- A. Any right or liability established, accrued or incurred under any legislative provision of the Village of Lansing prior to the effective date of this local law or any action or proceeding brought for the enforcement of such right or liability.

- B. Any offense or act committed or done before the effective date of this local law in violation of any legislative provision of the Village of Lansing or any penalty, punishment or forfeiture which may result therefrom.
- C. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered prior to the effective date of this local law, brought pursuant to any legislative provision of the Village of Lansing.
- D. Any franchise, license, right, easement or privilege heretofore granted or conferred by the Village of Lansing.
- E. Any local law, ordinance, resolution, regulation, policy and code of the Village of Lansing providing for the laying out, opening, altering, widening, relocating, straightening, establishing grade, changing name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place within the Village of Lansing or any portion thereof.
- F. Any local law, ordinance, resolution, regulation, policy and code of the Village of Lansing appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond of the Village of Lansing or other instruments of the Village's indebtedness.
- G. Local laws, ordinances, resolutions, regulations, policies and codes authorizing the purchase, sale, lease or transfer of property, or any lawful contract or obligation of the Village of Lansing.
- H. The levy or imposition of taxes, special assessments or charges.
- I. The annexation or dedication of property.
- J. Any local laws, ordinances, resolutions, regulations, policies and codes relating to salaries.
- K. Any local law or ordinance amending the Zoning Map.
- L. Any local laws, ordinances, resolutions, regulations, policies and codes adopted subsequent to the date of adoption of this local law.
- M. Any local laws, ordinances, and certain resolutions, regulations, policies and codes relating to or establishing a pension plan or pension fund for municipal employees.

**§ 1-5. SEVERABILITY.**

If any clause, sentence, paragraph, section, article, chapter or part of this local law or of any local law, ordinance, resolution, regulation, policy or code included in the Code now or through supplementation shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, section, article, chapter or part thereof directly involved in the controversy in which such judgment shall have been rendered.

**§ 1-6. COPY OF CODE ON FILE.**

A copy of the Code, in loose-leaf form, has been filed in the office of the Village Clerk of the Village of Lansing and shall remain there for use and examination by the public until final action is taken on this local law. If this local law is

adopted, such copy shall be certified by the Village Clerk of the Village of Lansing by impressing thereon the Seal of the Village of Lansing, and such certified copy shall remain on file in the office of the Village Clerk to be made available to persons desiring to examine the same during all times while said Code is in effect. The enactment and publication of this local law, coupled with the availability of a copy of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

**§ 1-7. AMENDMENTS TO CODE**

A. Any and all additions, deletions, amendments or supplements to any of the local laws, ordinances, resolutions, regulations, policies and codes known collectively as the “Code of the Village of Lansing” or any new local laws, ordinances, resolutions, regulations, policies and codes when enacted or adopted in such form as to indicate the intention of the Board of Trustees to be a part thereof, shall be deemed to be incorporated into such Code so that reference to the Code shall be understood and intended to include such additions, deletions, amendments or supplements. Whenever such additions, deletions, amendments or supplements to the Code shall be enacted or adopted, they shall thereafter be printed and, as provided hereunder, inserted in the loose-leaf book containing said Code as amendments and supplements thereto.

B. Nothing contained in this local law to adopt the Code shall affect the status of any local law, ordinance, resolution, regulation, policy and code of the Village of Lansing other than as expressly stated in the Code. All local laws, ordinances, resolutions, regulations, policies and codes as set forth in the Code may be deleted, amended, supplemented or repealed from time to time as the Board of Trustees deems desirable. In each case and to any extent that prior to its incorporation into the Code, any Article, Chapter, section or provision of the Code could have been deleted, amended, supplemented or repealed by resolution of the Board of Trustees (rather than by adoption of a local law), such Article, Chapter, section or provision may continue to be so deleted, amended, supplemented or repealed by resolution of the Board of Trustees, and such deletion, amendment, supplementation or repeal shall not require the adoption of a local law.

**§ 1-8. CODE BOOK TO BE KEPT UP-TO-DATE**

It shall be the duty of the Village Clerk to keep up-to-date the certified copy of the book containing the Code of the Village of Lansing required to be filed in the office of the Village Clerk for use by the public. All changes in said Code and all local laws, ordinances, resolutions, regulations, policies and codes adopted by the Board of Trustees subsequent to the enactment of this local law in such form as to indicate the intention of said Board to be a part of said Code shall, when finally enacted or adopted, be included therein by temporary attachment of copies of such changes, local laws, ordinances, resolutions, regulations, policies and codes until such changes, local laws, ordinances, resolutions, regulations, policies and codes are printed as supplements to, or replacement pages for, pages in said Code book, at which time such supplements or replacement pages shall be inserted therein.

**§ 1-9. SALE OF CODE BOOK; SUPPLEMENTATION.**

Copies of the Code may be purchased from the Village Clerk of the Village of Lansing upon the payment of a fee to be set by resolution of the Board of Trustees, which Board may also arrange by resolution for procedures for the periodic supplementation thereof.

**§ 1-10. CHANGES IN PREVIOUSLY ADOPTED LEGISLATION; NEW PROVISIONS.**

In compiling and preparing the local laws, ordinances, resolutions, regulations, policies and codes for publication as the Code of the Village of Lansing, a variety of both substantive and non-substantive changes have been made to such local laws, ordinances, resolutions, regulations, policies and codes, including many grammatical changes and other minor changes to format, numeration and punctuation. Substantive changes to the text of such local laws, ordinances, resolutions, regulations, policies and codes are identified by footnotes in the text of the Code. The addition or deletion of clauses, sentences, paragraphs, sections, articles, chapters or parts of local laws, ordinances, resolutions, regulations, policies and codes included in the Code are also noted in the Code to identify such additions or deletions. Reference should be made to

the text of each Chapter of the Code, in comparison with the formerly adopted local laws, ordinances, resolutions, regulations, policies and codes from which such Chapter has been derived, to identify the specific details of all such changes, additions or deletions. It is the intention of the Board of Trustees that all such changes, additions or deletions be adopted as part of the Code as if the local laws, ordinances, resolutions, regulations, policies and codes had been previously amended to read as such.

**§1-11. INCORPORATION OF PROVISIONS INTO CODE**

The provisions of this local law are hereby made Article I of Chapter 1 of the Code of the Village of Lansing, such local law to be entitled "General Provisions, Article I, Adoption of Code," and the sections of this local law shall be numbered § 1-1 to 1-12, inclusive.

**§1-12. WHEN EFFECTIVE**

This local law shall take effect immediately upon filing with the Secretary of State of the State of New York.