C H A R T E R

AND

O R D I N A N C E S

OF THE

V I L L A G E O F C A T S K I L L

IN EFFECT

IN THE YEAR 1934

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C H A R T E R

OF THE

V I L L A G E O F C A T S K I L L

An Act to consolidate and amend the several acts relating to the Village of Catskill, passed March 14, 1860, as amended by Chapter 153 of the Laws of 1877, Chapter 254 of the Laws of 1888, Chapter 342 of the Laws of 1898, Chapter 86 of the Laws of 1908, Chapter 115 of the Laws of 1913, and Chapter 260 of the Laws of 1928.

SECTION 1. All that part of the town of Catskill, in the County of Greene, embraced in the following bounds, that is to say, beginning in the south of the Ramshorn creek, in north latitude forty-two degrees eleven minutes fifty-one and fifty-five one-hundredths seconds, and west longitude (from Greenwich) seventy-three degrees fifty-one minutes twenty-seven and twenty-three one-hundredths seconds, and running thence to a stone monument in latitude forty-two degrees twelve minutes forty-one and fifty-six one-hundredths seconds longitude seventy-three degrees fifty-two minutes fifty-eight and sixty-three one-hundredths seconds; thence to a stone monument in latitude forty-two degrees twelve minutes forty-four and seventy-five one-hundredths seconds, longitude seventy-three degrees fifty-three minutes twenty-three and fifty-four one-hundredths seconds; thence to a stone monument in latitude forty-two degrees twelve minutes forty-five and twenty one-hundredths seconds, longitude seventy-three degree fifty-three minutes twenty-four and sixty one-hundredths seconds; thence to a stone monument in latitude forty-two degrees twelve minutes fifty and twenty-three one-hundredths seconds, longitude seventy-three degrees fifty-three minutes twenty-one and eighteen one-hundredths seconds; thence in the same course fourteen and four-tenths feet; thence to a stone monument in latitude forty-two degrees twelve minutes fifty-one and five one-hundredths seconds, longitude seventy-three degrees fifty-three minutes twenty-two and seventy-two one-hundredths seconds; thence to a stone monument in latitude forty-two degrees twelve minutes and fifty-nine seconds, longitude seventy-three degrees fifty-three minutes nineteen and fourteen one-hundredths seconds; thence to a stone monument in latitude forty-two degrees twelve minutes fifty-nine and seventy-three one-hundredths seconds, longitude seventy-three degrees fifty-three minutes nine and ninety-nine one-hundredths seconds; thence to a stone monument in latitude forty-two degrees thirteen minutes seven and one one-hundredths seconds, longitude seventy-three degrees fifty three minutes five and fifty-four one-hundredths seconds; thence to a stone monument in latitude forty-two degrees thirteen minutes fifteen and eighteen one-hundredths seconds, longitude seventy-three degrees fifty-two minutes fifty-nine and fifty one-hundredths seconds; thence to the center of a fourteen inch white oak tree at the ground, in latitude forty-two degrees thirteen minutes seventeen and eighty-seven one-hundredths seconds, longitude seventy-three degrees fifty-two minutes fifty-eight and eighty-two one-hundredths seconds; thence to a stone monument in latitude forty-two degrees thirteen minutes twenty and thirty one-hundredths seconds, longitude seventy-three degrees fifty-three minutes two and eighty-

two one-hundredths seconds; thence to a three-quarter inch hole in a rock on the south side of the Catskill Creek at high water mark, in latitude forty-two degrees thirteen minutes twenty-four and thirteen one-hundredths seconds, longitude seventy-three degrees fifty-three minutes one and seven one-hundredths seconds; thence to a stone monument in latitude forty-two degrees thirteen minutes thirty-nine and twenty-six one-hundredths seconds, longitude seventy-three degrees fifty-two minutes twenty and twelve one-hundredths seconds; thence to a stone monument in latitude forty-two degrees thirteen minutes forty and twenty-one hundredths seconds, longitude seventy-three degrees fifty-two minutes four and seven one-hundredths second; thence to a hole in a rock on the north side of the mouth of the creek called Stuck, in latitude forty-two degrees thirteen minutes forty-one and eight-six one-hundredths seconds, longitude seventy-three degrees fifty-one minutes thirteen and fourteen one-hundredths seconds; thence south seventy-three degrees fifty minutes cast (true), to the eastern boundary line of the town of Catskill; thence southerly along said easterly boundary line of the town of Catskill to a point south seventy-one degrees eighteen minutes east (true) from the place of beginning; thence to the place of beginning, shall hereafter be known by the name of "the village of Catskill," and the territory, together with the inhabitants therein shall be a municipal corporation by the name of "the village of Catskill," and by that name shall have perpetual succession, and said corporation is hereby declared to be vested with and in possession of all the estate, real and personal, rights, privileges and immunities, which (at the time of the passing of this act) appertain and belong to the village of Catskill. The said corporation shall be capable of suing and being used, complaining and defending, in its corporate name, in any court, make and use a common seal and alter the same at pleasure, and shall have power to take by gift, grant or devise and to hold, purchase and convey such real and personal estate as the purposes of the corporation may require; and shall also have power to hold, purchase and convey such other real estate in the town of Catskill, outside the boundaries of said village for hospital and pest house purposes, as the corporation may require, no exceeding fifteen hundred dollars in value at the time of acquisition thereof. (As amended by Laws of 1913, Chapter 115.)

SECTION 2. The officers of the corporation shall consist of five trustees, one of whom shall be president of the village, who, at the time of their election shall have been assessed and paid a village tax upon real or personal property, assessed upon the last preceding assessment roll of said village; three assessors, one treasurer, one collector and one police justice, each to be elected by the people of the corporation qualified to vote at the annual state election for member of assembly; a village clerk to be appointed annually by the trustees for the term of one year; and the trustees may appoint four police constables, one pound-master, one sexton, and such other appointive officers as shall be authorized by law. No personal shall be eligible to an office unless he shall be, at the time, a resident and elector in said village; and when any officer of said village shall not have been at the time of his election or shall afterwards cease to be a resident of said village, his office shall thereby become vacant. The trustees may, if in their opinion the public good requires, appoint an extra number of police constables to serve during the pleasure of the said trustees,

and who shall have no authority to serve civil process. (As amended by Laws of 1913, Chapter 115.)

SECTION 3. An election of the officers of the corporation shall be held annually on the last Tuesday of March, at one o'clock in the afternoon, and continue until sunset of that day, at such place as shall be designated by the trustees, or by a majority of them, to be published weekly at least ten days prior to said election in one or more of the newspapers of the village.

SECTION 4. One or more of the trustees shall preside at such elections; and in case no trustee shall be present at the hour appointed for opening the polls, the electors assembled may appoint a chairman to preside. The presiding officer or officers at all such elections are authorized and required to preserve order, judge of the qualifications of electors, canvass the ballots, and declare the persons elected by the greatest number of votes; and all the powers possessed by inspectors of elections, by the election laws of this state, are hereby conferred upon them, for the purposes of such charter election; and the persons elected, except trustees and assessors, shall hold their offices respectively, one year and until others shall be elected, except as hereinafter provided. The trustees shall hold their office for three years, except as herein provided; within five days after the first election they shall meet, at a time and place to be designated by the clerk of the village, of which they shall be notified, and must determine by ballot, marked one, two and three, to be drawn in the presence of the clerk, their respective terms of service. The terms of the first trustees shall be two for one year, two for two years, and one for three years, according to the ballots they shall respectively draw. If either of the trustees shall fail to attend, the clerk shall draw for him; the result must be entered in the records of the village. At the expiration of the terms so drawn, respectively, the vacancies so existing shall be filled by an election of one or more trustees, as the case may be, and those so elected shall, respectively, hold their offices for the term of three years. The assessors shall hold their offices for three years, one to be elected each year; within eight days after the first election they shall meet, at a time and place to be designated by the president, of which they shall be notified, and must determine by ballot, numbered one, two and three, to be drawn in the presence of the clerk, their respective terms of service; the terms of the first assessors shall be, the first for one year, the second for two years, and the third for threee years, according to the ballots they shall, respectively, draw. If either of the assessors shall fail to attend, the clerk shall draw for him; the result must be entered in the records of the village. If a vacancy happen, it must be filled by the trustees until the next annual election, and if the vacant term be not then terminated, it must then be filled for the residue of the term by election; all elections under this section shall be by ballot, and determined by a plurality of votes, and the candidate having the greatest number of votes shall be declared to be elected. (As amended by Laws of 1913, Chapter 115).

SECTION 5. If any vacancy, except in the board of trustees, shall happen in any elective office, the board of trustees may appoint an elector of the village to fill the vacancy, and the person so appointed shall hold the office until the next annual election, and the election and qualification of a successor; and may at any time remove from office, for sufficient cause, any person who shall have been appointed by them. In case of a vacancy in the board of trustees occurring in any manner, it shall be filled at a special election called by the remaining trustees, upon like notice, and conducted in the same manner as an annual meeting.

SECTION 6. If any person who shall have been duly elected or appointed to any officer in the corporation (excepting the treasurer and collector), shall for five days, after being notified in writing of such election or appointment, neglect or refuse to take and subscribe an oath of office prescribed by the twelfth article of the Constitution of this State, or shall refuse to serve in said office, he shall forfeit to the use of the corporation the sum of five dollars, with costs of action; the said oath shall be filed with the clerk of the village, and may be taken before and certified by any officer authorized to administer oaths.

SECTION 7. The treasurer and police constables, before entering upon their official duties, shall respectively excute a bond to the corporation, in such sums and with such sureties as shall be appoved by the trustees, conditioned that they will faithfully perform the duties of their offices respectively and account for and pay over according to law all moneys belonging to the aid corporation that shall come to their hands, which bond shall be filed with the clerk of the village. (as amended by Laws of 1898, Chapter 342.)

SECTION 8. The trustees shall form a board, and shall meet within ten days after such annual election and by plurality of votes elect one of their number to be president of the board, who shall also be president of the village. They shall receive an annual salary of twenty-five dollars each for their services, but they shall not, nor shall either of them, be interested, directly or indirectly, in any contract, promise, engagement, wages or in other matter in which the corporation shall be a party. (As amended by Laws of 1898, Chapter 342.)

SECTION 9. It shall be the duty of the clerk of said village to keep the books, papers and records belonging to said corporation; to record, in a book to be provided for that purpose, the rules, votes, orders, regulations and proceedings, of the inhabitants at their annual and special meetings; and also all the by-laws, votes, ordinances and proceedings of the board of trustees; to notify officers of their election or appointment, and to perform such other duties as the trustees may, from time to time, require of him; and the trustees may allow to him such compensation for his services as they shall deem proper.

SECTION 10. The assessors shall perform all the duties in relation to the assessment of property in said village for the purpose of village taxation, in the same manner as town assessors; and their

assessment roll shall be completed, and notice of the time and place of meeting to review their assessment given, on or before the first Monday in May in each year; and it shall be the duty of said assessors, when engaged in making the annual assessment of real and personal estate in said village, to ascertain the names of all persons in the village who are liable to a poll tax for highway purposes, and to enter the same upon and return the same with their assessment roll to the trustees of the village. Each assessor shall receive, for his compensation, such reasonable sum, for every day actually spent in the performance of his duties, as the trustees may allow therefor, not exceeding the compensation allowed to town assessors.

SECTION 11. The treasurer shall receive, keep and disburse the funds of the village; he must keep proper accounts of all moneys received and paid out, and stating the name of the person to whom the payment was made; a separate account must be kept of all moneys raised from the ordinary expenses of the village, by tax, including in the same all receipts for licenses, and from other sources, not raised for a special purpose, and of the disbursements thereof; this is known as the general fund. A separate account must also be kept of the taxes and assessments for highway purposes, with the disbursements thereof, and also any tax or assessment for any special purpose, as well as any assessment for improving, lay out, widening or extending a street, and for the village debt respectively, with the disbursements thereof.

SECTION 12. The treasurer's book shall be, at all times, subject to the examination of the trustees; and he must prepare, and, three weeks before the annual meeting, present to the president a statement showing the condition of every fund; showing the receipts on account of the same, and the disbursements thereof, and where and to whom paid. It is his duty to pay, on presentment, all claims, allowed as provided in this act, out of the proper fund; and, if there be no fund out of which it can be paid, to make an entry on the claim, stating presentment and non-payment, and the reason therefor; he must also pay over to his successor in office, after he shall have taken the oath, and given the security required by this act, and not before, all balances of money received and not legally disbursed by him, and deliver to him the books and papers of his office. The treasurer shall receive for his compensation such reasonable sum as the trustees may allow therefor.

SECTION 13. The police constables of the said village shall possess and exercise the same powers, and give the like sureties, as constables of towns in this State are required to give, and may be removed by the trustees of the village for cause shown.

SECTION 14. The board of trustees shall meet at such places within said village, and at such times, as they shall by resolution direct; they may also meet at any time, and in any place within said village, when called upon for that purpose by the president, or notified by the clerk; and the clerk shall call special meetings of the board of trustees at any time, on the written request of any two trustees, and all such meetings may be adjourned from time to time.

SECTION 15. The president, when present, shall preside at all meetings of the board, and shall have a vote upon all questions. In his absence, any one of the trustees may be appointed president for the time. A majority of the board shall constitute a quorum for the transaction of business.

SECTION 16. The trustees shall have the management and control of the finances and all property, real and personal, belonging to the said corporation; and it shall be their duty to keep all buildings and other property belonging to the corporation insured against loss or damage by fire; and said trustees shall have power and authority, within said village, to make, ordain, enact, establish, publish, modify, amend and repeal rules, regulations, ordinances and by-laws for the following purposes:

1.) To prevent and suppress vice and immorality; to preserve the public peace; to protect the citizens and their property.
2.) To establish and maintain a competent police; to promote the order and good government of the said corporation; to appoint and empower night watchmen, and to prescribe their power and duties.
3.) To erect and maintain a lockup, or designate a place of detention for persons arrested under this act, or under any by-law or ordinance, and to confine and detain said persons therein.
4.) To apprehend and punish idlers, vagrants and disorderly or boisterous, or riotous or unruly persons, and persons unnecessarily congregated upon the sidewalks and corners, and persons disturbing any public assembly.
5.) To employ an attorney or attorneys in the prosecution or defense of any action by or against the corporation, or for the transaction of any business of the corporation requiring professional skill.
6.) To suppress and prohibit gaming houses, and prohibit the keep- of any public billiard table, gaming tabes for bowling alleys, and prohibit all other instruments or devices used for such purposes.
7.) To suppress and restrain houses of ill-fame, and all disorderly drinking and tippling houses.
8.) To prevent encumbering the streets, squares, sidewalks, cross-walks, lanes and alleys with teams, carriages, carts, sleighs, sleds, wheel-barrows, boxes, lumber, timber, firewood, coal, or any other substance or material whatever; to prohibit the hauling or drawing of sand and similar substances through any of the streets of the village except in tightly closed receptacles or conveyances; and to compel all persons to keep the sidewalks in front of premises owned or occupied by them clean from snow, ice, dirt, or other obstructions and in case of refusal or neglect so to do, to make the expense of the removal thereof a charge and lien on the premises in default. (As amended by Laws of 1980, Chapter 86.)
9.) To prevent or regulate the erection or construction of any projections from or opposite of any buildings in, over or upon any of the streets or sidewalks in said village, and to cause the same to be removed at the expense of the owner or occupant of the premises.
10.) To establish and maintain a public pound, appoint a keeper thereof, and regulate his compensation and fees.

11.) To restrain the funning at large of cattle, horses, swine or geese, and to authorize the distraining, impounding and sale of the same, for the penalty and costs of keeping and proceedings.
12.) To provide for lighting the streets.
13.) To erect and maintain fire engine houses, hook and ladder and hose houses.
14.) To provide for the purchasing and repairing of fire engines, hook and ladders, hose carts and hose, and all other necessary apparatus belonging to the same.
15.) To construct and maintain a sufficient number of reservoirs or cisterns, and supplying them with water for fire engines, and generally for providing all precautionary and proper measures and things to prevent and remove danger from fires; to provide for the extinguishment of fires; the removal and protection of property exposed to the destruction by or injury from fires.
16.) To regulate or prevent the burning of tar barrels and bonfires, and the firing of guns, pistols, crackers, rockets, squibs and fire-balls; the flying of kites, or any other act, amusement or practice endangering property, or having a tendency to frighten horses or annoy persons passing through the streets or over the sidewalks of the village.
17.) To regulate and prevent the running at large of dogs within the said village.
18.) To protect trees; to provide for keeping the sidewalks in said village clear from snow, ice and dirt, and other obstructions, and to direct the sweeping and cleaning of the streets in said village, by the person owning or occupying the premises fronting thereon.
19.) To regulate swimming and bathing in the waters within or bounding said village.
20.) To prevent immoderate riding or driving within the corporate limits; leaving horses untied in the streets; and to authorize any person to stop any one who shall be guilty of immoderate riding or driving in any of the streets of said village.
21.) To regulate the time, place and manner of keeping and selling meats, fish and vegetables, and the location of slaughter houses, and houses or places for storing gunpowder.
22.) To compel the removal or abatement of any public nuisance, and if not done within such time as the trustees may allow, to cause the same to be removed or abated at the expense of the village, and to declare such expense to be a lien upon the lot, and to enforce the collection thereof by selling the premises in the manner prescribed in this act, or by action against the owner of the lot, or any other person who may have created or maintained such nuisance.
23.) To prohibit or regulate all exhibitions of natural or artificial curiosities, caravans of animals, theatricals, or other shows or exhibitions, circuses or other performances or exhibitions for money or hire, or authorize the same on such terms as the trustees shall deem expedient.
24.) To restrain and prohibit hawking and peddling in the streets; to regulate, restrain or prohibit sales by auction, and to grant or withhold license to auctioneers.
25.) To provide for the safety of the public lamps, and to regulate the use of candles, lights and fires in barns and stables, and other places peculiarly liable to take fire.

26.) To regulate the duties of the sexton, and the compensation he shall receive for services performed in the discharge of those duties.
27.) To regulate and control all existing cemeteries and provide for the establishment of new ones, and to prevent all interments within the bounds of the corporation, except within those herein provided for.
28.) And generally, the said trustees shall have power to make and establish, from time to time, all such by-laws, ordinances, rules and regulations, not inconsistent with the laws of the United States and of this State, as may be necessary and proper for carrying into full effect the purposes of the said corporation, and the powers and privileges granted by this act, and not inconsistent with this act; and for the better enforcement of such by-laws, ordinances, rules and regulations, the said trustees shall also have power to prescribe such penalties as they may deem proper for a violation thereof, not exceeding two hundred and fifty dollars for each offense; but all such by-laws, ordinances, rules and regulations, shall be published in a newspaper published in said village before they shall take effect.

SECTION 17. The board of trustees shall have power, by resolution, or upon view, or upon testimoney of witnesses:
1.) To compel the owner or occupant of any grocery, tallow chandler shop, soap factory, tanning stall, privy, sewer, pig-sty, or any other unwholesome, offensive or nauseous house or place, to cleanse, remove or abate the same, from time to time, as often as in the opinion of the trustees the same may be necessary for the health, comfort or convenience of the inhabitants of said village; and in case such owner or occupant will not proceed forthwith, as directed, to cleanse, remove, or abate the same, to cause it to be done at the expense of such owner or occupant, and to sue for and recover the expense thereof in a civil action.
2.) To require the removal or destruction of any dead carcass or other unwholesome or offensive substance, or substance likely to become unwholesome or offensive, from any street, lot or building, by the owner or occupant thereof; and in case such owner or occupant wi-l not proceed forthwith, as required, to remove or destroy the same, then to cause the same to be done at the expense of such owner or occupant, and to sue for and recover the expense thereof in a civil action; but no dead carcass shall be thrown or deposited in the Hudson river or Catskill creek within the limits of saic corporation, under such penalties for each offense, not exceeding ten dollars, as the said trustees shall prescribe.

SECTION 18. The trustees are authorized and empowered to organize and establish a fire department, to consist of one or more fire companies, one or more hook and ladder companies, and one or more hose companies; to appoint a sufficent number, not exceeding sixty to each fire engine company, and not exceeding sixty to each hose and hook and ladder company, with the consent of the individuals so to be appointed; a foreman for each company shall be chosen by the members of each company, in the manner to be directed by the trustees, and subject to their approval and ratification. (As amended by Laws of 1888, Chapter 254.)

SECTION 19. Every member of the fire department shall, so long as he shall remain such member, be exempt from serving on juries in any court, and from paying any poll tax, and from serving in the militia, except in the case of war, invastion or insurrection; and every person who shall serve in such fire department five years successively, including the time he shall have served continually as a fireman in said village before the passing of this act, shall thereafter be entitled to the like exemption from military service, and a certificate of such service in the fire department, authenticated by the signature of the president and the seal of the corporation, shall be legal evidence before all the courts and officers, civil and military, of such exemption.

SECTION 20. The members of the fire department are authorized to elect a chief engineer, and one or more (not exceeding two) assistant engineers of the fire department, whose election shall be subject to the approval of the board of trustees, and who may be removed by said trustees for incapacity, neglect of duty or misconduct. The chief engineer, and in his absence the senior assistant engineer, shall have direction and control of the fire department, subject to such regulations as shall be prescribed by the by-laws of said corporation.

SECTION 21. The present firemen of the village of Catskill shall be firemen of said village, subject to be removed by the trustees in the same manner as other firemen.

SECTION 22. Every member of the fire department who shall, at the time of any fire refuse to obey the orders of the chief engineer, or, in his absence, the orders of the senior assistant engineer present, and every inhabitant of the corporation who shall, at the time of any fire, refuse to obey the orders of the president, or in his absence, the orders of any trustee present, shall, for each offense, forfeit such penalty as shall be prescribed by the by-laws, not to exceed ten dollars for each offense.

SECTION 23. Every person who shall, at the time of any fire, be guilty of mutinous conduct, or shall attempt to excite mutiny and in-subordination in others, or attempt to obstruct the operation of the fire department, or the execution of the orders of the proper officers, shall for each offense forfeit such penalty as shall be prescribed by the by-laws, not to exceed fifty dollars for each offense.

SECTION 24. The trustees may remove any member of the fire department for negligence, disobedience of orders, or misconduct, after giving him at least five days' notice in writing to show cause against such removal.

SECTION 25. The trustees shall, by virtue of their office, be fire warden of said village, and they and each of them, as such fire wardens, shall, when present at the occurrence of any fire, have general supervisory power over and authority to direct the officers and members of the fire department and other persons present at any such fire, in such manner as shall be prescribed by the by-laws.

SECTION 26. The said village shall constitute a highway district, and the powers and duties of commissioners and overseers of highways are hereby devolved upon, and shall be exercised by the trustees of the village, except as otherwise provided in this act; and the jurisdiction of the commissioners and overseers of highways of the town of Catskill within the limits of said village, over the taxable inhabitants, corporations and banking associations and the property therein, and the highway taxes levied or to be levied on the same, or any of them, or any part thereof, is hereby entirely abrogated, except such as shall be assessed on said village by the board of supervisors for roads and bridges.

SECTION 27. Streets. The trustees are authorized and empowered to lay out, make and open any street, alley or highway, of such width as they shall deem proper, and to cause any street, alley or highway already laid out, to be opened, altered, extended, widened, or discontinued, whenever they shall deem the public good to require, except that the trustees are not authorized to expend for any of the purposes of this section mentioned a sum to exceed one thousand dollars without being thereto especially authorized by a vote upon a resolution for raising money by tax.

DEDICATION OF STREETS.--An owner of land in the village, who has laid out a street thereon, may dedicate such street or any part thereof, or an easement therein, to the village for a public street, or an owner may dedicate, for such purpose, land not laid out as a street. Upon an offer in writing by the owner to make such dedication the board of trustees shall meet to consider the matter; and it may by resolution determine to accept a dedication of the whole or any part of the land described in such offer or of the whole or any part of such street, to be described in such resolution. Upon the adoption of such resolution the owner may execute and deliver to the village clerk a proper conveyance of the land to be dedicated. The board of trustees may by resolution accept the conveyance and a certified copy of such resolution, together with the conveyance, shall thereupon be recorded in the office of the county clerk. Upon the acceptance of the conveyance, the land described therein shall become and be a public street in the village. No street less than two rods in width shall be accepted by dedication. All offers of dedication must be entered at length in the minutes of the board of trustees.

PETITIONS FOR STREET IMPROVEMENT.--Five resident freeholders may present to the board of trustees a petition for laying out, altering, widening, narrowing or discontinuing a street in the village. The petition must be addressed to the board of trustees and must contain a statement of the following facts:

1.) The names and residences of the petitioners.

2.) If the petition be for the laying out of a street, the general course thereof and a description of the land to be taken.

3.) If the petition be for the alteration of a street, its name, the proposed alteration, and a description of the land, if any, to be taken.

4.) If the petition be for the widening of a street, its name and a description of theland to be taken.

5.) If the petition be for the narrowing of a street, its name, its proposed width after such alteration, and the manner

in which such narrowing is to be effected.

6.) If the petition be for the discontinuance of a street, its name and the part proposed to be discontinued.

7.) If the petition be for the laying out, alteration or widening of a street, the names and residences of the owners of all lands to be taken.

8.) If the petition be for the narrowing or discontinuance of a street, the names and residences of the owners of the adjoining lands affected.

NOTICE OF MEETING OF BOARD TO CONSIDER PETITION.--Upon the presentation of the petition the board shall immediately give notice that it will meet at a specified time and place, not less than ten nor more than twenty days from the date of such notice, to consider the petition. The notice must state the general object of the petition, and if it be for the laying out of a street, a general object of the petition, and if it be for the laying out of a street, a general description of its proposed course, and in any other case, the name of the street proposed to be changed or discontinued. The notice must be served upon the following persons, unless such service be waived by them in writing:

1.) If the petition be fore the laying out of a street, upon each owner of land to be taken.

2.) If the petition be for the alteration or widening of a street, upon each owner of land, if any to be taken, and upon each owner of land adjoining the part of the street affected.

3.) If the petition be for the narrowing of a street, upon each owner of land adjoining the part of the street affected.

4.) If the petition be for the discontinuance of a street, upon each owner of land adjoining the part of the street proposed to be discontinued, and also upon the owner of land otherwise affected by the proposed discontinuance.

If a person other than the owner is in possession of such land notice must also be served upon him. Such notice shall also be published in each newspaper published in the village and posted in five conspicuous places therein. The notice must be served, posted and published at least ten days before the hearing.

MEETING AND DETERMINATION OF BOARD.-- The board shall meet at the time and place specified in the notice, to consider the petition and also any objections thereto. A person affected by the proposed improvement, and upon whom notice has not been served, may appear upon the hearing. A voluntary general a-pearance of such a person is equivalent to personal service of the notice upon him. The board may adjourn the hearing and must determine the matter twenty days from the date fixed for such hearing. If the board determine to grant the petition, an order must be entered and its minutes containing a description of the land, if any, to be taken.

EFFECT OF DETERMINATION.--The determination of the board has the following effect:

1.) If the petition for the laying out, altering or widening of a street be granted, the board of trustees may acquire the land for such improvement by purchase or by proceedings under this section. But no street shall be laid out through a building or any fixtures or erectures for the purpose of trade or manufacture, without the consent of the owner, except upon the order of a justice of the supreme court residing in the judicial district in which said village is situated, to be granted upon an application by the board

of trustees on a notice to the owner of not less than ten days.

2.) If the petition for the narrowing of a street be granted, the board shall enter upon its records a description of the street after such narrowing, and the portion of the former street not included in such description is abandoned.

3.) If the petition for the discontinuance of a street be granted, such street or the part thereof so discontinued, is abandoned.

APPLICATION FOR COMMISSIONERS; NOTICE OF APPLICATION.--If a petition for the laying out, alteration or widening of a street be granted, and the board cannot agree with an owner upon the purchase price of the land necessary to be acquired, an application may be made by the board to the county court of Greene County for the appointment of commissioners to determine the compensation to be made such owner. At least ten days before the making of such application a notice specifying the time and place thereof must be served upon such owner.

APPOINTMENT OF COMMISSIONERS.--Upon such application the county court must appoint as such commissioners three residents, disinterested freeholders of the County of Greene, not nominated by a person interested in the proceeding. In case of a vacancy another commissioner may be appointed in like manner. The order of appointment must contain the name of each person whose compensation is to be determined by the commissioners.

NOTICE OF MEETING OF COMMISSIONERS.--The commissioners shall file with the village clerk the constitutional oath of office. They shall appoint a time and place for a hearing and serve a notice thereof upon the board of trustees and upon each person named in the order. Such notice must be served at least ten days before the hearing, which must be held within twenty days after their appointment.

MEETING AND AWARD OF COMMISSIONERS.--The commissioners shall meet at the time and place appointed and may adjourn from time to time. They shall personally examine the land, compensation for which is to be determined by them, and may take testimony in relation thereto. They shall keep minutes of their proceedings and reduce to writing all evidence taken by them. They shall award to each owner of land named in the order the compensation to which he may be entitled after making allowance for any benefit he may derive from the improvement. After the appointment of the commissioners and before any evidence is taken on the hearing, the board may make an agreement with an owner named in the order for the compensation to be made to him. If such an agreement be made, notice thereof must be served upon the commissioners, and thereupon the proceeding as to such owner is discontinued. The award shall be signed by a majority of the commissioners, and together with the minutes of their proceedings, the evidence taken by them, and any notice of agreement served upon them, shall be filed in in the office of the village clerk.

APPEAL FROM AWARD OF COMMISSIONERS.--The board of trustees or an owner to whom an award has been made by the commissioners may, within twenty days after the filing of the award, appeal therefrom to the said county court of Greene county. Such appeal

shall be taken by a notice of appeal to be served as follows:

1.) If the appeal be taken by the board of trustees, notice thereof must be filed by the village clerk in his office and addressed to and served upon each owner to whose award objection is made by the board.

2.) If teh appeal be taken by an owner, the notice of appeal must be addressed to the board of trustees and served upon the village clerk. The notice must, in either case, briefly state the grounds upon which the appeal is taken.

RETURN BY CLERK.--Within ten days after such appeal the village clerk shall transmit to the county judge the petition filed with the board for the laying out, alteration or widening of the proposed street, all papers and evidence in the proceeding subsequently filed in his office and a certified copy of each resolution of the board of trustees relating to the improvement.

HEARING OF THE APPEAL.--The appeal may be brought on by either party by a notice of not less than ten nor more than twenty days. If the appeal is by the board of trustees it brings up for review all proceedings by or before the commissioners, and the award made by them. If the appeal is by an owner it brings up for review all proceedings relating to the proposed improvement. If the appeal is by the board of trustees and two or more owners are made respondents, the county court may affirm or reverse, the award of the commissioners as to the whole or any number of such owners; and if the appeal is by an owner the county court may affirm or reverse the award. If the award be reversed, the order of reversal must state the reasons therefor, and if upon grounds relating to the amount of the award, or for errors in the proceedings by the commissioners, it must direct a re-hearing before the same or other commissioners. If it appears from the order of the county court that the award is reversed solely upon grounds relating to the amount of compensation, or for errors in the proceedings by the commissioners, no further appeal shall be allowed. The order of the county court upon such appeal, together with the papers transmitted by the village clerk, must be filed by the county judge in the office of such clerk. The order must also be entered in the office of the county of Greene county.

COMPENSATION OF COMMISSIONERS.--Each commissioner is entitled to five dollars for each day actually and necessarily spent in such proceeding, together with his necessary traveling and incidental expenses. Such compensation and expenses are a charge against the village.

COSTS ON APPEAL.--Costs on appeal may be allowed as follows:

1.) If on appeal by the board of trustees the award of the commissioners be affirmed, the county court may allow to the respondent costs of such appeal, against the village, not exceeding twenty-five dollars.

2.) If on such an appeal the award be reversed on the ground that as to a specified owner it is excessive, the court may fix the amount of costs, not exceeding fifty dollars, to be stated in the order, to be paid by the village to such owner, if upon re-hearing the amount awarded to him is not more favorable to the village by the amount of such costs than the first award.

3.) If on appeal by an owner the award be affirmed, costs

not exceeding twenty-five dollars may be awarded against him to be recovered by the village.

4.) If on such an appeal the award be reversed, the county court may allow to the owner a sum not exceeding twenty-five dollars for the costs of appeal, which shall be a charge against the village.

Upon filing the order in the Greene county clerk's office judgment may be entered for such costs and execution issued thereon the same as in an action in the Greene county court.

PAYMENT FOR PROPERTY ACQUIRED FOR STREET IMPROVEMENT.--Upon the making of an agreement for compensation to an owner under this section, or upon the final order or award fixing the amount of such compensation in proceedings therefor, the board shall immediately pay such amounts and the costs, if any allowed in such proceedings, if it has funds available for that purpose; if not, money may be borrowed by said board and certificates of indebtedness bearing interest issued therefor, or like certificates may be issued for such amounts, and payable, in either case, not more than one year from the date thereof; and the amount of such certificates shall be included in the next annual tax levy.

The county court of Greene county is always open for the hearing of an application or appeal under this section. (As amended by Laws of 1898, Chapter 342.)

SECTION 28 It shall be the duty of the owner or owners of any lot or lots on any of the public streets in said village, to grade, construct, relay and keep in repair, all sidewalks opposite, and on the same side of the street with their respective lots, in such time and manner, and of such materials, as the board of trustees, may, by a by-law, resolution or ordinance for such purpose direct; and if any such owner or owners shall refuse or neglect so to grade construct, relay or repair the sidewalk adjoining such lot or lots, when so directed, then it shall be lawful for the trustees to cause the same to be graded, constructed relaid or repaired, by such persons as they may employ or appoint for an on account of the owner or owners, as aforesaid, and such owner or owners shall be liable to pay the expenses of such grading, constructing, relaying or repairing, and all sums so expended on such sidewalks, after being audited by the board of trustees, shall thenceforth be a tax to that amount upon every such lot. Whenever any sidewalk shall be required to be made or repaired, graded, constructed or relaid upon or adjoining any unoccupied lot of land, all the owner or owners of which shall be non-residents of said village, or unknown, and such owner or owners shall neglect or refuse to grade, construct, relay or repair, after notice of such requirement shall have been published in any newspaper printed in said village for four weeks successively, it shall be the duty of the trustees to grade, construct, relay or repair such sidewalks, for and on account of such owners or owners, the expense of which, and of such publication, shall be a lien or charge against and upon the premises and property along the line and fronting on such improvements, in proportion to the benefit such property and premises sustain and shall receive therefor, to be determined by said trustees. The expense of making, repairing or improving any such sidewalk, as specified in the sections of this act, opposite to an on the same side of the street with any lot, shall be a lien upon such lot; and if the owner or

any one or more of several owners be a resident or residents of said village, or if such lot be occupied, although owned by a non-resident or non-residents, the trustees shall serve a written notice upon such resident owner or owners or upon the occupant of such lot of the manner in which such sidewalks are required to be made, repaired or improved, and of the time, not less than thirty days, within which it may be done, by such owner or occupant, at their own expense, under the superintendence of the trustees; or if a non-resident owner or owners of an unoccupied lot or lots, notice having been published in any newspaper printed or published in said village for four weeks successively as in this section provided, which notice shall be taken and deemed to be sufficent. If the owner occupant shall not make such sidewalk, or repair or improve the same as required by such notice, within the time and in the manner directed by the trustees as aforesaid, the trustees may cause the same to be done. They shall keep an account of the expenses thereof, which shall be a tax charge against such owner or occupant; they may borrow the necessary money to defray such expenses, to be repaid with interest from such tax, when collected, and they shall issued their warrant to the collector for the collection of such tax, and the same shall be collected in the same manner as other village taxes, by sale of real or personal property, and all the provisions of section thirty-six of this act are hereby made applicable to such sales, except that it shall not be necessary for the collector to give any notice of the time and place for the payment of such taxes; but the amount of such expenses, and the items thereof, shall be duly verified by the trustees and filed by the village clerk before they shall constitute a lien upon any such lot or before any such warrant shall issue. A copy of the notice required to be served, by this section, upon resident owners or occupants, or published in case of non-resident owners, with an affidavit stating the time of such service or publication shall be filed within ten days of the time of such service or publication of such notice, with the clerk of said village. Every such warrant shall be returned, and may be renewed like other warrants for the collection of taxes in said village; and it shall set forth plainly by some brief description, the lot charged with the tax, assessment or expenses, the time the resolution, ordinance or direction for the improvement was made, under which the expenses charged on such lot were made or incurred, the amount of such tax or assessment, and the street or part thereof, as near as may be, where such improvement was required to be made. Whenever the clerk of said village shall return on oath that within the time specified for the return thereof, in any warrant for the collection of taxes, or the expenses of making any sidewalks, or repairing or improving the same, he was unable to find, within such village, sufficient property out of which he could collect such tax or expenses specified in such warrant, the trustees may, in the corporate name of said village, prosecute the person liable to pay such tax or expenses, in any court having cognizance of such case, recover the amount thereof remaining uncollected, with ten per centum interest from the date of the warrant, and costs; or may sell for a term of years a lease of the said land, as hereinafter provided in the thirty-sixth section of this act. (As amended by Laws of 1888, Chapter 254.)

SECTION 29. The trustees shall give notice of such leasing by posting such notice in at least six of the most public places in said village, at least four weeks before leasing. Such notice shall specify the time and place of such leasing, a brief description of each lot to be leased, so that its locality can be easily ascertained, and it shall state the name of the person against whom such tax or assessments were assessed, and shall also publish for at least four weeks successively, in a weekly newspaper published and having the largest circulation in said village, a copy of each notice; proof of which publication shall be filed in the office of the clerk of said village.

SECTION 30. The trustees may cause common sewers and drains to be made and kept in repair in any part of the village, and may determine what share or proportion, if any, of the expense of the same shall be paid by the village, and may require the assessors to apportion and assess the expenses thereof, or the residue of such expense, upon the owner or owners of or others interested in the buildings, tenaments, lots and real estate which they shall deem benefitted thereby, in proportion, as near as may be, to the benefits and advantages which each shall derive therefrom. A certificate of such assessment and apportionment, signed by the assessors making the same shall be filed in the office of the clerk, and shall be binding and conclusive upon the owner or owners, or others interested; and the amount assessed against the owners of and persons interested in each of such lots and real estate, respectively, shall be a lien upon such lots and real estate; and for all such liens and charges the trustees shall issue their warrant, and cause the same to be collected, with interest from date of the assessment, in the same manner as other village taxes and assessments are collected. The owner or occupant of any real estate may, in the discretion of the trustees, be deemed the owner thereof for all the purposes of this section.

SECTION 31. The expenses of working, paving, repairing, grading, leveling, improving and cleaning the streets, and the erection and repair of bridges, shall be denominated street expenses, and shall be provided for as follows: The said trustees shall assess, levy and collect by tax upon the taxable inhabitants and property in said village, annually, such an amount, denominated highway tax, as they shall deem necessary, not exceeding the sums hereinafter specified, which highway tax shall be assessed as follows: Each male inhabitant of twenty-one year of age and upwards (except ministers of the gospel and priests of every denomination, not assessed for real or personal property, firemen and lunatics), the sum of seventy-five cents, and the balance shall be assessed in just proportions, according to the last assessment roll, among and upon all persons owning property and estates, real and personal, non-resident owners of property, incorporated companies, banks and banking associations in said village, not exceeding ten cents for every hundred dollars, which moneys, or so much thereof as the said trustees shall deem necessary, shall be expended by the said trustees upon the streets, highways and bridges in said village. Any surplus, more than enough for said street expenses, shall remain in the treasury. The said trustees shall keep an accurate account of the street expense, and shall report the same, with

any surplus on hand, to the annual meeting of said village.

SECTION 32. The trustees are authorized and empowered to raise money by tax in the manner herein provided, to pay all expenses of the corporation and also to carry into effect the several powers and privileges granted by this act. But no such tax except as by this act otherwise provided or to provide for the payment of any judgment duly recovered and outstanding against the village, or to provide for the payment of the bonded indebtedness of said village due and payable during the current fiscal year, and the poll and highway tax and the dog tax hereinafter provided for, shall be levied or collected until the same shall have been authorized by a vote of the taxable inhabitants of the corporation, at their annual election of officers or at a meeting called by the trustees for the purpose of authorizing the assessment and collection of taxes. Before any such tax can be voted for at any such meeting, a notice must be published by order of the trustees and signed by the president and clerk, for at least ten days before such meeting, in the newspaper in the village having the largest circulation therein, stating that the meeting will be called upon to vote for a tax or loan, specifying the object or objects and stating the sum to be raised for each object. The conduct of meetings called for the purpose of authorizing the assessment and collection of taxes shall be governed by the usual rules of parliamentary law, unless herein otherwise provided. If, upon the question of raising any sum or sums by tax, any five tax payers present demand that the vote be taken by ballot, it shall be so taken, and no person shall vote except he possess the qualifications required by section fifty of this act; each ballot to have written or printed thereon "for the tax" or "against the tax." The sum to be raised for each object if more than one, shall be voted for separately, and the result of each vote shall be recorded by clerk. A greater or less sum than proposed by the trustees for any object may be voted for in a like manner at such meeting. No tax, not thus presented and voted upon shall be collected, except as by this act or by law otherwise provided, and no item thus voted or any part thereof shall be used for any other purpose than the specific purpose for which it was voted, and any surplus thereof, unexpended for that specific purpose, shall be and remain in the treasury, and be accounted for and reported by the trustees; but its purpose and object may be changed to any other object by a subsequent vote of another meeting, after due notice, in the same manner as herein provided for the vote directing such tax, when such change can be made without violating a contract. (As amended by Laws of 1898, Chapter 342.)

SECTION 33. Whenever any tax shall have been voted to be raised as herein provided, the assessors shall apportion the same amount the taxable inhabitants of the corporation, and non-resident owners or property therein, and corporated bodies therein, in just proportions, according to the last assessment roll, or according to a new one, when thereunto required by the trustees; and a new assessment roll shall be made at least once in each year. They shall add to the tax to be assessed against each individual who shall have refused or neglected to pay his tax of any former year, and which shall not have been collected, the amount of his tax

so unpaid; they shall give ten days' notice of the time and place at which they will meet to review the assessment roll, which shall be given by posting said notice in five public places in the corporation. When the assessors' rollshall have been reviewed and completed, and the taxes, including the dog tax, hereinafter provided for, highway tax, and local assessments are therein entered, and the assessors shall have annexed their certificate thereto, the same shall be filed with the clerk of the village, and shall be denominated the tax roll of the village; a duplicate thereof shall be made, which, with the proper warrant, under the hands of the trustees, and the seal of the village, directed and delivered to the collector, shall be the authority of the collector to collect said taxes, including said dog tax, highway taxes and assessments.

SECTION 34. All tax rolls, when corrected and completed, and filed with the clerk of the village, shall be a lien on the real estate therein described to the amount of the several taxes and assessments as aforesaid; and all taxes and assessments levied as aforesaid, shall be collected by the collector of said village, subject to the provisions of this act, by virtue of such warrant as aforesaid, together with his fees, which shall be one per cent if paid within three weeks after the first public notice given by the collector of the receipt of such roll, which notice, containing the fact of the receipt of said roll, and the times (not less than three), and one day in each week, and the place or places where the same may be paid, shall be published three consecutive weeks in a newspaper published in said village, and upon all sums paid or collected after that time, five per cent; and in case any person, corporation or corporated body shall refuse to pay his or her taxes or assessment, or any of them, and the fees aforesaid, the collector shall levy the same by distress and sale of the goods and chattels of the delinquent, in the same manner as collectors of town and county taxes are authorized to do; and such warrant shall command, require and authorize such collection of such taxes and assessments, and such enforcement thereof; and all moneys collected by the collector shall, after deducting his compensation therefor, be paid by him into the treasury of the village.

SECTION 35. Every person elected or appointed collector under the provisions of this act shall, before he enters upon the duties of his office as collector, and within five days after the tax roll shall be filed with the clerk, execute to the said village, by its corporate name, and file with the clerk, a bond, with two or more sureties, to be freeholders of the county of Greene, and to be approved by the president, in a penalty not less than double the amount of the tax roll, and conditioned for the faithful discharge of his duties as such collector, and for the honest and faithful accounting and paying over all moneys which shall come to his hands as such collector. In case the person elected or appointed collector under the provisions of this act shall not comply with all the directions contained herein, then, and in that case, the trustees are authorized to appoint a collector, under their hands and seal of the village, who shall, after his appointment, execute and file a like bond within five days, to be approved, in the penalty and with the same

condition as the bond of the person elected or appointed is required to do.

SECTION 36. Whenever the collector shall receive any warrant for the collection of any tax or assessment directed to be levied by the trustees as provided by this act, it shall be his duty to give the notice required to be given, as specified in section thirty-four of this act; but after the expiration of the time mentioned in said notice, it shall be his duty to proceed and collect the same out of any personal property of the persons, corporations or associations whose real or personal estate is assessed or taxes, in the manner required by law, for the collection of town and county taxes by collectors of towns; and in case the said collector cannot find sufficient personal peroperty to levy on, and from which to make any tax or assessment, upon any real estate assessed or taxed on said roll,with his fees and costs; it shall be his duty to advertise the premises assessed or taxed to be sold in the manner and for the time required in cases of sales of real estate on execution, and conduct the sale in the same manner. Any person may stop the proceedings at any time before sale by paying the collector the amount of tax and assessment charged upon such real estate, with the interest thereon, collector's fees, and the costs and expenses of advertising. All sales of real estate under this act shall be for the shortest period for which any bidder will take the premises and pay the amount of tax, assessments, collector's fees, costs and expenses. When any sale shall be made by the collector, he shall make and subscribe duplicate certificates thereof containing a description of the property sold, the amount and times for which it was sold, stating the amount of taxes and assessments, and the items of the fees, costs and expenses for which the sale was made, and the time within which the premises may be redeemed, one of which shall be filed with the clerk of the village, and the other shall be delivered to the purchaser. The collector shall be entitled to a fee of one dollar for drawing said certificates, which shall be included in and form part of his fees, which he shall be entitled to receive in case of a sale. The owner and his judgment creditors shall have the same right of redemption in all cases of such sales in the same manner, and to the same extent as is allowed by law in cases of sales of real estate by execution, except that the purchaser shall receive interest at the rate or fourteen per cent per annum on the sum bid on said sale, from the time of sale; and the money, in case of redemption, shall be paid to the purchaser or village for him. In case the premises shall not be duly redeemed, it shall be the duty of the president and clerk to issue to the purchaser, or to the redeeming crditor or creditors, as the case may be a declaration under the corporate seal of teh village, and signed by said president and clerk, and duly acknowledged by said president before any officer authorized to take the acknowledgment of deeds, in teh same way and manner as deeds are acknowledged, containing a description of the premises sold, the aggregate amount of taxes, assessments, collector's fees, costs and expenses of sale, and the period for which the premises were sold; which declaration shall be sufficient evidence of the right to the use and occupancy of said premises for said period, to be computed from the day of sale. All buildingswhich may be erected on the premises during the period of

such occupancy, under the right given by such sale and proceedings, may be removed at or before the expiration of the time for which the premises were sold, and all the provisions of the act entitled "An act authorizing mortgagees to redeem real estate sold for taxes and assessments," passed May fourteenth, eighteen hundred and forty, shall apply to every such sale. And every mortgagee of the premises, or any part thereof, shall have the benefit of said act. And the notice required to be given by the second section of said act shall not be given until after the time limited for the owner or his judgment creditor or creditors to redeem.

SECTION 37. The warrant of the trustees to the collector, annexed to the tax roll delivered to him, shall be returnable within sixty days after the receipt thereof by the collector; and the board of trustees may extend the time for the return of such warrant thirty days beyond the said sixty days, and such extension shall not affect the validity of the bond given by the collector. On receiving such tax roll and warrant the collector shall make thereon a certificate, signed by him, stating the time of its receipt by him, which certificate shall be sufficient evidence, in all cases, of the time of the receipt of such tax roll and warrant by said collector; and in cases where the collector is obliged to resort to the sale of real estate for the collection of any tax or assessment, the sale of such real estate may be made at any time within three months after the return day of said warrant or extension, and such sale shall be valid, notwithstanding such return day shall have passed. (As amended by Laws of 1898, Chapter 342.)

SECTION 38. Within the time limited by his warrant, the collector shall pay over all moneys collected by virtue thereof to the treasurer of the village; and if any taxes or assessments remain unpaid or uncollected for any cause, he shall make a return, containing a statement of such taxes and assessments, the persons against whom the same are assessed, and if any of them are charged upon real estate; the said statement shall contain a brief description of such real estate, corresponding substantially with the entries in the tax roll, which return or statement shall ver verified by oath and filed with the clerk. The clerk shall thereupon deliver to the treasurer a statement, showing the unpaid taxes returned by the collector. All taxes so returned unpaid shall be increased five per centum, and if remaining unpaid thirty days after such return shall bear interest at the rate of ten per centum per annum from the time of their return by the collector to the time of their subsequent payment, and such tax and increase may be paid to the treasurer at any time after such return and before the same have been reassessed or proceedings taken for the sale of real estate to pay them. If any collector shall refuse or neglect to pay over to the treasurer the sums required by his warrant to be paid over, or to account for the sums so unpaid, the treasurer shall, after the expiration of ten days from the time such warrant is returnable, issue a warrant under

his hand and seal, directed to the sheriff of the county of Greene, commanding him to the same effect in substance as in the warrant authorized by law to be issued by a county treasurer, and if any moneys shall remain uncollected on said warrant to the sheriff, the village treasurer shall immediately give notice thereof to the president, whose duty it shall be to cause the bond of the collector and his sureties to be prosecuted in the name of the corporation, and the moneys collected in such action shall be paid into the village treasury. (As amended by Laws of 1898, Chapter 342.)

SECTION 39. If any tax or assessment, assessed on the personal estate of any person, corporation or banking association in said village, shall not be paid, and no goods or chattels of such person, corporation or association can be found, whereof to make the same by distress and sale, such tax or assessment may be levied and made by sale of any real estate in said village, owned by or assessed to such person, corporation or banking association, in the same manner as if the same were assessed upon such real estate; and any tax or assessment upon the peronal estate of any person, corporation or banking association, to whom any real estate owned by such person, corporation or corporatins or associations is assessed, shall be a lien thereupon; and in all cases where any taxes or assessments shall remain unpaid or uncollected for want of sufficient goods and chattels whereof to make the same by distress and sale, and at any time after the time for the return of the warrant by the collector shall have expired, an action may be brought and maintained by the corporation against the persons, corporations or associations taxed and recover the same, together with the increase provided by the last section, with costs of the action, in any of the courts of this state, and the same proceedings shall be had to enforce the collection of any judgment which may be recovered in such action as are provided in this act for the collection of judgments recovered in action to recover penalties of forfeitures; but such action shall not operate to release any lien upon property for such tax until the judgment recovered in such action shall have been fully satisfied. (As amended by Laws of 1898, Chapter 342.)

SECTION 40. If, at the time of levying any annual tax, any tax or assessment levied upon real estate in any previous year, shall for any reason remain unpaid, the amount thereof, with the increase provided by section thirty-eight of this act, may be added to such annual tax and charged upon the real estate upon which it was originally assessed, and the same proceedings in all respects for the collection thereof may be had and with the like effect as in case of the tax or assessment on the same real estate for the then current year, but in all cases of the charging of any tax or assessment of any previous year upon any such real estate, the year or years which the same was originally levied shall be specified on the roll, and the amount thereof shall be separately specified in the proper column, and the real estate upon which it was charged shall be properly and sufficiently described on the roll by the trustees, in case it is not already

sufficiently described therein by the assessors. (As amended by Laws of 1898, Chapter 342.)

SECTION 41. The owner or possessor of every dog in the village of Catskill shall be taxed in said village in addition to the usual town tax on dogs: and every person, who owns or harbors one or more dogs within the corporate limits of said village shall procure a yearly license for each animal, paying the sum of one dollar for each one. Licenses shall date from the first day of May in each year, and must be renewed prior to the expiration of the term by the payment of one dollar for each renewal.

SECTION 42. The owner or possessor of every dog liable to the above tax shall prior to the first day of May in each year apply in writing to the village clerk for such license, stating in the application the name, sex, breed, age, color and markings of the dog for which the same is to be procured. For every neglect or refusal so to do and for every false statement made in such application he shall forfeit the sum of five dollars to be recovered in an action brought by the village in any court of competent jurisdiction, and the board of trustees may also by ordinance provide for the enforcement of this section and ordain further penalties for the violation thereof. (As amended by Laws of 1908, Chapter 86.)

SECTION 43. Every dog so licensed shall at all times have a collar about its neck with the name of its owner marked thereon. On or after the first day of June in each and every year the village clerk shall issue to the chief of police and to the police constables, a list of all dogs in said village licensed for such year, and it shall thereupon become the duty of said chief of police and police constables to seek out and seize all dogs harbored or kept in said village not on said list and duly licensed, and keep and confine them for the period of forty-eight hours. Any person claiming any such dog and proving ownership, may redeem the same within said period of forty-eight hours on payment of the sum of two dollars. Every dog not so redeemed shall be destroyed or otherwise disposed of. (As amended by Laws of 1908, Chapter 86.)

SECTION 44. The moneys collected for taxes on dogs, shall be paid to the treasurer of said village for the general purposes of said village. (As amended by Laws of 1908, Chapter 86.)

SECTION 45. One week before the annual meeting in each year, the trustees shall make and file with the clerk a detailed and specific statement of the expenditure of all moneys which have been received by tax the preceding year, for any purpose, which statement shall show how much money has been received and collected, and for what purpose, and to whom it has been paid out, and for what purpose; which statement shall be signed by the trustees and verified as to its fullness and accuracy by the affidavits of the president and clerk. The said statement shall also be open for inspection, and be presented to the annual meeting.

SECTION 46. The trustees shall have no power to borrow money on the credit of the corporation, except as herein otherwise provided, nor shall they have any power or authority to expend more than two hundred dollars beyond the amount of the taxes for the current year, without being thereto specially authorized by a vote of the taxable inhabitants of said village, qualified to vote upon a resolution for raising money by tax. (As amended by Laws of 1898, Chapter 342.)

SECTION 47. All officers not made elective by this act shall be appointed by the trustees, and may be removed by them at pleasure.

SECTION 48. The trustees shall have power to remit any poll tax levied upon any indigent person, who is sick, lame or infirm, and to discharge him from payment thereof.

SECTION 49. The trustees shall have full power, in all cases, to correct the assessment or tax roll, whenever it shall be made to appear to them that any mistake has been made therein; and they shall also have full power and authority to correct the descriptions of real estate therein, and to add all necessary descriptions of real estate thereon, where a proper disposition thereof has been omitted by the assessors, or where the description thereof by the assessors shall appear to the trustees to be in any way defective.

SECTION 50. A person shall be entitled to vote upon all propositions to raise money by tax or assessment or upon any proposition relating to the disposition of any funds or property of the corporation or for the dissolution of the village, or for the borrowing of money upon the bonds or other obligations of the village, payable in future fiscal years, who is

1. A citizen of the United States.
2. Twenty-one years of age.
3. A resident of the village for a period of thirty days next preceeding the meeting at which he or she offers to vote; and who in addition thereto is the owner of real or personal property in the village assessed upon the last preceding assessment roll thereof.

No person shall be deemed to be ineligible, by reason of sex, to vote upon the proposition enumerated in this section, who has the other qualifications required by this section. (As amended by Laws of 1913, Chapter 115.)

SECTION 51. At any village meeting for the raising of money by tax or the disposition of any funds, money or property belonging to the corporation, the qualified voters present shall choose from among their number a moderator, who is authorized and required to preside at such meeting, preserve order, judge of the qualification of voters, and, with the aid of the clerk, canvass the votes and declare the result thereof; and any person who shall unlawfully vote at such meeting shall be guilty of a misdemeanor and liable to be indicted and punished therefor. (As amended by Laws of 1898, Chapter 342.)

SECTION 52. The term "person" in this act shall be deemed to include all corporations and associations, as well as natural persons.

SECTION 53. No person shall be deemed incompetent as judge, justice, juror, witness, sheriff or constable, in any suit, cause or proceeding, in which the corporation shall be a party, by reason of his being an inhabitant of said village.

SECTION 54. In any action brought by or in the name of said corporation to recover any fine, penalty of forfeiture imposed by this act or which may be imposed or given by any rule, regulation, ordinance or by-law, passed ordained or enacted by the trustees, it shall in all cases be sufficient, without setting forth any special matter, to allege in the complaint that the defendant is indebted to the said corporation in the amount of such fine, penalty or forfeiture whereby an action hath accrued, according to the provisions of this act, naming the subject thereof by reference to the section, or according to the rules, regulations, ordinances or by-laws of said village, naming the subject thereof, and referring briefly to the section or other division of the rule, regulation, ordinance or by-law, for a violation of which the action is brought, and process for the commencement of any such action shall have an indorsement thereon, to the effect that it is issued to enforce a penalty or forfeiture imposed in accordance with the provisions of this act, incorporating the village of Catskill, and no other indorsement thereon shall be necessary.

SECTION 55. The trustees shall have power to enforce all provisions of this act, and all rules, regulations, ordinances and by-laws by them enacted or ordained, in pursuance of the powers conferred upon them by this act, by enacting or ordaining penalties or forfeitures to be incurred for each and every violation of the same, not exceeding two hundred and fifty dollars for any one offense, to be recovered with costs in the corporate name of teh village, in any court having cognizance thereof. The pleadings or proceedings, except as herein otherwise directed, shall be the same as prescribed by the code of civil procedure, and the party in whose favor judgment shall be rendered shall have execution of judgmnt in like manner as in other cases; all expenses incurred in prosecuting for any penalty or forefeiture shall be defrayed by the corporation and all moneys recovered or collected therefor shall be paid into the treasury for the general purposes of the village. In addition to the penalty, or in lieu thereof, the trustees may also ordain that any violation of any such ordinance, rule, regulation or by-law shall constitute disorderly conduct, and that the person violating the same shall be a disorderly person. (As amended by Laws of 1898, Chapter 342.)

SECTION 56. All persons who shall sell strong and spirtuous liquors within the limits of said village without a license or in violation of any license granted; all habitual drunkards, all drunken persons or persons found intoxicated in the streets of said village; all riotous persons or persons found engaged in quarreling or fighting in said village, and

all persons found engaged in quarreling or fighting in said village, and all persons who shall assemble on Sunday unlawfully or without justifiable or sufficient cause on the premises of or with the corporation, and all persons declared by any ordinance of the village to be disorderly persons, shall be deemed disorderly persons, and every such person may be proceeded against and punished according to the provisions of this act; and the trustees of said village, and each of them, and the police constables, shall have power and are herey authorized, at any and all times, to arrest or cause to be arrested, with or without process, any disorderly person or persons mentioned in the preceding part of this section, and shall have power, with or without process, to enter or cause to be entered any building or place within the limits of said village and arrest or cause to be arrested any such disorderly person or persons, and shall take them forthwith before the police justice or other officer having jurisdiction as the case may be, to be dealt with according to the provisions of this act; and the said trustees and each of them, and the said police constables, shall have power at any and all times, to command assistance from the inhabitants of said village to make such arrest. In case the police justice or officer having jurisdiction, as the case may be, cannot be found in said village, then the officer so arresting any such offenders may detain him or her in custody, or commit him or her to the lockup in said village, for safe keeping, until the police justice or officer having jurisdiction can be found, but not to exceed forty-eight hours, when the officers making the arrest shall immediately bring such offender before the police justice or officer having jurisdiction as the case may be, to be tried as herein provided. And all persons offending against any of the provisions of sub-divisions eight, eighteen, nineteen, twenty,, twenty-two, twenty-three and twenty-four of section sixteen of this act or either of said subdivisions, or against any ordinance passed by said trustees under said subdivisions of said section, or either of them, shall be deemed guilty of a misdemeanor, and be punished on conviction by a fine not exceeding the amount named in such subdivisions or ordinances, or in default of payment of such fine by imprisonment, not exceeding ten days. Nothing in the foregoing provision making certain offenses misdemeanors shall in any way abridge or take away or affect the power of said village and its trustees to enforce said subdivisions of said section or said ordinances, in any other way or manner whatsoever, either civilly or criminally. (As amended by Laws of 1898, Chapter 342.)

SECTION 57. When a person charged or complained against as a disorderly person, under the provisions of this act, shall be arrested and brought before the police justice or officer having jurisdiction, such magistrate shall proceed forthwith to hear, try and determine the complaint or charge upon which such person is so arrested, or he may, in his discretion, adjourn the hearing or trial, on cause shown, not to exceed five days, and in the meantime shall commit the offender to the village lock-up, county jail or place of detention, until such day, or suffer him or her to go at large on his or her executing a bond, with surety, under the approval of said

justice, conditioned that he or she will appear on said adjourned day; and upon the conviction of any such offender, either by confession or competent testimony, the said justice or officer having jurisdiction, as the case may be, shall have power and is hereby authorized to punish by fine not exceeding fifty dollars, or by imprisonment in the county jail of Greene county, not to exceed six months, or both such fine and imprisonment, (As amended by Laws of 1898, Chapter 342.)

SECTION 58. Whenever any real estate in said village shall be owned by two or more persons jointly, or as tenants in common, a notice served on one of such persons shall be sufficient notice to all, for any purposes requiring a notice under this act.

SECTION 59. The trustees may, and it shall be their duty, to take precautionary measures to guard the public health in times of pestilence, and to provide against infectious or pestilential diseases, when they appear in the village, by providing suitable places for the temporary removal of persons having such diseases from the populous parts of the village and to pay the expenses incident to such removal. (As amended by Laws of 1898, Chapter 342.)

SECTION 60. The order for the payment of moneys allowed by the board of trustees, shall state the purpose for which it is drawn, and the fund which it is drawn upon; it shall be signed by the president and clerk, and unless so drawn shall not be paid by the treasurer.

SECTION 61. All former acts incorporating the village of Catskill, and the several acts amendatory thereof, are hereby repealed; but this repeal shall not affect the provisions of an act entitled "An act authorizing the trustees of the village of Catskill to permit the construction of gas work, and to loan the credit of the corporation for the same", passed April seventeenth, eighteen hundred and fifty-eight, nor any act done, right acquired, or privilege granted, or any proceeding, suit or prosecution had or commenced previous to the time when such repeal shall take effect; but every such act, right, privilege, proceeding, suit or prosecution shall remain as valid and effectual as if said acts had remained in force; and all the officers elected or appointed under and by virtue of the acts hereby repealed, shall continue in office until and including the Wednesday succeeding the first annual election under this act.

SECTION 62. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SECTION 63. This act shall be deemed and taken to be a public act, and the same shall be construed benignly and favorably for every beneficial purpose.

SECTION 64. No wooden building or buildings shall be hereafter erected or constructed on Main street in said

village, or within seventy-five feet of the line of either side of said street between the westerly end of the long dock and where the street leading from the iron bridge intersects said Main Street, without the consent of a majority of the board of trustees of said village. (As amended by Laws of 1877, Chapter 153.)

SECTION 65. Notice; how served.--Service of a notice under this act must be personal, if the person to be served can be found in the village, otherwise the notice may be served personally or by mail by depositing a copy thereof in the post office of the village, addressed to such person at his last known place of residence, with the postage thereon prepaid. The provisions of the code of civil procedure relating to the service of a summons in an action in the supreme court, except as to publication, apply, so far as practicable, to the service of notices under this act. If a person to be served cannot with due diligence be found in the village, or his last known place of residence cannot be ascertained, the county judge of Greene county may by order direct the manner of such service, and service shall be made accordingly, and such service, so made, shall be valid and effectual. A service on one or two or more joint tenants or tenants in common shall be sufficient notice to all, for any purposes requiring a notice under this act. (As amended by Laws of 1898, Chapter 342.)

SECTION 66. The village of Catskill is hereby authorized to incur indebtedness and to issue bonds for any village purpose within the limitations and in accordance with the provisions of the general laws relating to villages. Said village shall possess all the powers conferred upon a village incorporated under general laws relating to villages not inconsistent with the provisions of the charter of the village of Catskill, as amended. (As amended by Laws of 1928, Chapter 260.)

O R D I N A N C E S

At a Special Meeting of the Board of Trustees of the Village of Catskill, duly called and held in the Trustees Rooms in the Village Building in said village, on the 20th day of June, 1934, at 7:30 o'clock in the evening, the following members were present:

President: Clarke

Trustees: Hitchcock, Knoll, Warden and Thomas

The following resolution was offered by Trustee Warden, who moved its adoption, to-wit:

RESOLVED, that the Board of Trustees of the Village of Catskill hereby enacts and adopts the following ordinances of and for the Village of Catskill, to-wit:

Article I.	Promotion of Public Peace and Welfare (Secs. 1-4).
Article II.	Good Morals and Conduct (Secs. 5-8).
Article III.	Injury or Destruction of Property (Secs. 9-11).
Article IV.	Cemeteries (Sec. 12-14).
Article V.	Licenses (Secs. 15-19).
Article VI.	Use of Public Streets (Secs. 20-36).
Article VII.	Fire Department (Secs. 37-63).
Article VIII.	Traffic (Secs. 64-74).
Article IX.	Establishment of Police Department (Sec. 75).
Article X.	Miscellaneous provisions (Secs. 76-82).
Article XI.	Imposition and Enforcement of Penalties (Secs. 83-85).
Article XII.	Repealing Clause, when Ordinances Take Effect (Secs. 86-87).

ARTICLE NO. 1

Promotion of Public Peace and Welfare

Sec. 1. DISTURBANCE IN PUBLIC ASSEMBLAGES. No person shall make or assist in making any improper noise or disturbance by whistling, stamping, shouting, singing, indulging in any improper conduct or conversation or otherwise in any church, place or public amusement, or in any room or building in the Village of Catskill, in which any number of persons are lawfully assembled.

Any person violating any provision of this section shall forfeit and pay a penalty of not to exceed Ten Dollars for each offense.

Sec. 2. ANNOYANCE OF PERSONS. No person shall make or assist in making any improper or unnecessary noise or disturbance, or wilfully commit any act or use any language which shall annoy or be intended to annoy, disturb, or endanger the peace, comfort or safety of any person or persons then present or passing, on any public street, avenue, sidewalk, lane, alley or

or public place, or on any premises in the Village of Catskill.

Any person violating any provision of this section shall forfeit and pay a penalty of not to exceed Ten Dollars for each offense.

Sec. 3. INCITING DOGS TO FIGHT. No person shall incite or induce dogs to fight upon any public street, avenue, sidewalk, lane, alley, or any public place, or on any premises in the Village of Catskill.

Any person violating any provision of this section shall forfeit and pay a penalty of not to exceed Twenty-Five Dollars for each offense.

Sec. 4. GIVING FALSE ALARMS OF FIRE. No person shall knowingly give or assist in giving a false alarm of fire in the Village of Catskill, either by firing any material or substance for the purpose of creating such false alarm, or by false cries of fire, or by pulling or interfering with any fire alarm box or apparatus in the Village of Catskill, for the purpose of giving a notification of fire to the fire department.

Any person violating any provision of this section shall forfeit and pay a penalty of not to exceed Twenty-Five Dollars for each offense.

ARTICLE NO II

GOOD MORALS AND CONDUCT

Sec. 5. FREQUENTING AND LETTING DISORDERLY HOUSES. It shall be unlawful for any person to frequent, be an inmate of, or be in any way connected with, any house of prostitution or assignation in the Village of Catskill, or, as owner, agent or lesee, to let or rent any room or building or part thereof, in said Village, knowing that it is intended to be used for any such purpose, or to knowingly permit any room, building or part thereof in said Village, which is owned, occupied by or under the control of such person, to be used for the purpose of prostitution or assignation.

Any person violating any provision of this section shall forfeit and pay a penalty of not to exceed One Hundred Dollars for each offense.

Sec. 6. INDECENT MARKS AND OBSCENE PICTURES. No person shall write, paint, print, draw, cut or place in or upon any building, post, fence, walk, bridge, sign or other object exposed to public view in the Village of Catskill, any indecent or obscene mark, figure, character, word, image, sentence or design, or aid or advise in so doing.

Any person violating any provision of this section shall forfeit and pay a penalty of not to exceed Fifty Dollars for each offense.

Sec. 7. BATHING. No person shall bathe or swim in the Catskill Creek or Hudson River, within the limits of the Village of Catskill without being properly clothed with a bathing suit.

Any person violating any provision of this section shall forfeit and pay a penalty of not to exceed Ten Dollars for each offense.

Sec. 8. GAMBLING HOUSE AND ROOMS. It shall be unlawful for any person to have or keep a house, building, room, tent, enclosure or place in the Village of Catskill in which any table, cards, dice, device or apparatus whatever, commonly used or intended to be used for gambling purposes, shall be used or kept, whereon or with which money shall be wagered or in any manner played for. It shall be lawful for any police officer or the Village President or any Trustee of the Village of Catskill, to enter any such building, room, tent, enclosure or place and take possession of any such table, cards, dice, device or other apparatus therein, and to deliver the same to any magistrate of said Village. It shall be unlawful for any owner, keeper, clerk, agent, tenant or person in charge of or within any such house, building, room, tent, enclosure or place, or connected therewith, to refuse to permit any police officer or the President or any Trustee of the Village of Catskill, to enter the same or obstruct or resist any such officer, President, Trustee or any other person or persons summoned by him or them to assist in entering such place or in taking possession of any such table, cards, dice, device or apparatus.

Any person violating any of the provisions of this section shall forfeit and pay a penalty of not to exceed One Hundred Dollars for each offense.

ARTICLE NO. III
INJURY OR DESTRUCTION OF PROPERTY

Sec. 9. INJURY OR DESTRUCTION OF PUBLIC LAMPS AND FIXTURES. No person shall wilfully deface, injure, break or destroy any lamp, lamp-post, lamp supporter or part thereof, or any globe, wire fixture or protection of such lamp, lamp-post, or lamp supporter or part thereof, or wilfully meddle with or light any lamp or obstruct or extinguish the light thereof on any public street, avenue, sidewalk, lane, alley, or in any public place, in the Village of Catskill.

Any person violating any provision of this section shall forfeit and pay a penalty of not to exceed Twenty-Five Dollars for each offense.

Sec. 10. INJURY TO FIRE APPARATUS. No person shall wilfully injure or destroy any engine, motor truck, wagon, hose, ladder, apparatur or implement of the fire department, or any engine house or place where fire apparatus of any kind is kept or stored, or any fixture, article or property in or about such place, or wilfully and unlawfully remove any engine, motor truck, wagon, hose, ladder, apparatus or implement from any such engine room or place in the Village of Catskill.

Any person violating any provision of this section shall forfeit and pay a penalty of not to exceed One Hundred Dollars for each offense.

Sec. 11 INJURY TO PROPERTY GENERALLY. No person shall wilfully and unlawfully cut, injure, mark, break, deface, remove or destroy any building, structure, bridge, fence, awning, sign, signboard, tree, shrubbery, or other property or part thereof, or wilfully and unlawfully break any window or window glass in any building or structure, or tear down or remove any notice lawfully posted in the Village of Catskill.

Any person violating any provision of this section shall forfeit and pay a penalty of not to exceed Fifty Dollars for each offense.

ARTICLE NO. IV
CEMETERIES

Sec. 12. SEXTON. The trustees of said village may from time to time appoint a sexton for said village, who shall, under the direction and control of said trustees, have the care of the cemetery of said village, and shall perform such work, and take such care thereof, as the said trustees shall direct, and he shall receive such compensation as the trustees shall fix. The said sexton shall hold his office during the pleasure of said Trustees.

Sec. 13. NUISANCES IN CEMETERIES. No person shall commit any nuisance, or deposit any filth or unclean or offensive substance, or ride or drive any horse, team, motor vehicle, motorcycle, car-iage, wagon or other vehicle, over or on any burial lot, sidewalk or foot-path within the cemetery of the Village of Catskill, or tread down any grass or pluck, break or cut or remove any tree, shrub, plant, flower, or turf in said cemetery.

Any person violating any provision of this section shall forfeit and pay a penalty of not to exceed Fifty Dollars for each offense.

Sec. 14. INTERMENT. All interments of the dead within the limits of said village shall be in the cemetery now existing or established, and no new or other cemetery or burying ground shall be opened, made or established within the limits of said village, without the permission and authority of the trustees of said village, by ordinance duly passed.

Any person violating any provision of this section shall forfeit and pay a penalty of not to exceed Fifty Dollars for each offense.

ARTICLE NO. V
LICENSES

Sec. 15. LICENSES FOR CERTAIN TRADES AND OCCUPATIONS. No person, firm or corporation without first having obtained a license therefor, as provided in this article, shall peddle goods, wares or merchandise on any public street, avenue, sidewalk, lane, alley or in any public place in the Village of Catskill, or sell or offer for sale any goods, wares or merchandise in open or from any booth or stand in any public street, avenue, sidewalk, lane, alley, or in any public place in said village.

Provided, however, that this section shall not apply to wholesale salesmen selling goods, wares, or merchandise exclusively to merchants or dealers, or to the peddling of meats, fish, fruit or farm produce, or to sales by public officers by order of any court of competent jurisdiction, or to the sale of meats, fish, fruit and farm produce in any public market now or hereafter authorized or established by the Board of Trustees of the Village.

Any person, firm or corporation applying for such license shall at the time of making application therefor, pay a fee as follows:

1.) For each license for one year for peddling goods, wares and merchandise, except where a license for one or more days is issued, as provided in Subdivisions 2 and 3 of this section, without a vehicle $20.00; with a vehicle $25.00

2.) For each license to peddle goods, wares or merchandise as above provided, for each day without a vehicle $2.00; for each day with a vehicle $4.00.

3.) For each license to sell goods, wares or merchandise in, or from any booth, or stand, as above provided, for each day $4.00

Any person, firm or corporation violating any provision of this section shall forfeit and pay a penalty of not to exceed Twenty-five Dollars for each offense.

Sec. 16. LICENSES FOR AUCTIONEERS. No person, firm or corporation shall, without first having obtained a license therefor as provided in this article, sell or offer for sale, or cause or permit to be sold or offered for sale, any goods, wares or merchandise of any name or description whatsoever, at auction in the Village of Catskill.

Any person applying for an auctioneer's license shall at the time of making application therefor, pay the fee required in this section. The fee for a general auctioneer's license for one year is hereby fixed at and shall be the sum of Twenty-five Dollars, and except where a general auctioneer's license is issued as above provided, the fee for an auctioneer's license is hereby fixd at and shall be the sum of Five Dollars for the first day and One Dollars for each successive day during which such auction shall be conducted. Such general auctioneer's license shall only authorize the sale of goods, wares or merchandise in a store or place of business owned or leased by the auctioneer for the purpose of conducting nad in which he regularly conducts in his own name a general auction business, and the sale of household furniture and effects upon the premises of the owner thereof. No license issued as herein provided shall give or permit, and nothing herein contained shall be construed to give or permit the person, firm or corporation to whom such license is issued, the right or privilege of conducting a transient sale of bankrupt or injured stocks, for which provision is made in the next se-tion of this article, and nothing herein contained shall prohibit judicial sales by auctioneers without a license.

Any person, firm or corporation violating any provision of this section shall forfeit and pay a penalty of not to exceed Twenty-Five Dollars for each offense.

Sec. 17. LICENSE FOR SALE OF BANKRUPT AND INJURED STOCKS. In accordance with Section 85 of the General Municipal Law of the State of New York, the license fee for conducting a transient retail business in any store in the Village of Catskill, for the sale of goods, wares or merchandise represented or advertised as bankrupt stock, or as assigned stock, or as goods damaged by fire, water or otherwise, or by any such representation or device, is hereby fixed at and shall be the sum of Fifty Dollars for the first month and at Twenty-Five Dollars for each additonal month thereafter during which such business is conducted.

Any person, firm or corporation violating any provision of this section shall forfeit and pay a penalty of not to exceed Twenty-Five Dollars for each offense.

Sec. 18. LICENSES FOR CIRCUSES, ETC. No person, firm or corporation shall exhibit for gain or profit any show, circus, or any other exhibition of strength or dexterity, or any caravan, menagerie, or other exhibition of natural or artificial curioscities, or maintain, operate or conduct any merry-go-round or other revolving wheel or device for public amusement, and no owner or occupant of any house, outhouse, lot, yard, field, shed or other place shall furnish or allow the same to be used for the accommodation of any such exhibit, circus, performance or place of public amusement within the bounds of the Village of Catskill, unless the person or persons purposing to exhibit such show, circus, performance or place of public amusement shall first have and obtain a license or permit from the trustees of the Village of Catskill for such exhibit, show or performance, specifying the time for and during which the same shall be allowed to exhibit. The fee charged for such license shall not be less than five or more than fifty dollars.

Any person, firm or corporation violating any provision of this section shall forfeit and pay a penalty of not to exceed Fifty Dollars for each offense.

Sec. 19. ISSUANCE, EXPIRATION AND REVOCATION OF LICENSES. The President of the Village shall issue all li-enses which shall be signed by him and countersigned by the Village Clerk, who shall keep a record thereof, including the number and date of the license, the time and purpose for which it is granted and the amount of fee to be paid therefor; and upon presentation of such license, to the Treasurer of the Village, so signed and countersigned, and the payment to the Treasurer of the fee therein specified, the Treasurer shall endorse thereon his receipt of the license fee, showing that such fee is paid therefor. A license shall not take effect until the receipt of the Treasurer shall have been endorsed thereon, showing that the fee has been paid therefor. A license shall only be issued to such person, firm or corporation as the President of the Village shall deem to be a fit and proper person, firm or corporation to conduct the trade, occupation or business for which such license is required, and a license may be refused for any trade or occupation specified in Subdivisions 3 and 4 of Section 91 of the Village Law of the State of New York, which shall, in the judgment of the President of the Village, be carried on or is intended to be carried on in any building or place which is not provided with a suitable and safe means of ingress and egress in case of panic or fire, or, which shall, in the judgment of the Village President be likely to be immoral or improper or disturb the peace and order of the Village.

Any applicant who shall have been refused a license by the Village President under the provisions of this article, may apply to the Board of Trustees of the Village at a meeting thereof, for the same, and such license may be granted or refused by the Board of Trustees. The President of the Village may suspend any license theretofore granted until the next meeting of the Board of Trustees and thereupon such a license may be continued, or may be revoked by the Board of Trustees for cause shown, after notice to the licensee. Every such license shall specify the object and length of time for which it is granted and when it shall expire. All licenses granted as provided in this article shall expire on the 1st day of May in each year, except such licenses as may be

granted for one or more days, as provided in any of the foregoing sections of this article

Whenever any license shall have been revoked by the Board of Trustees, a notice of such revocation shall be served by the Village Clerk upon the licensee, either personally or by mail, whereupon such license shall be of no force or effect.

ARTICLE VI

USE OF PUBLIC STREETS AND SIDEWALKS

Sec. 20. VEHICLES AND ANIMALS ON SIDEWALKS. No person shall operate, drive, propel, place or leave any motor vehicle, motor cycle, wagon, truck, sleigh or similar vehicle, or lead, drive, ride or leave any horse or other animal upon or along any public sidewalk or footpath in the Village of Catskill, or so near to such public sidewalk or footpath as to interfere with or obstruct travel thereon. Provided, however, that this section shall not apply to any person necessarily driving a vehicle or animal across such public sidewalk or footpath to or from any adjoining premises, or to any person drawing or pushing a small carriage, cart or sleigh commonly used forthe carrying of children, or to any person riding in, operating or pushing a wheel chair commonly used by persons who are sick, crippled or infirm.

Any person violating any provision of this section shall forfeit and pay a penalty of not to exceed Ten Dollars for each offense.

Sec. 21. COASTING UPON PUBLIC SIDEWALKS AND STREETS. No person shall coast with any handsled, bob, cart, or other vehicle on runners or wheels on any public sidewalk or footpath in the Village of Catskill; nor shall any person coast with any handsled, bob, cart or other vehicle on runners or wheels on any public street or avenue in the Village of Catskill, except upon such public street or avenue or part thereof, as may be designated for such purpose by the Board of Trustees.

Any person violating any provision of this section shall forfeit and pay a penalty of not to exceed Five Dollars for each offense.

Sec. 22. BICYCLES. No person shall ride or propel any bicycle on any public sidewalk or pathway in the Village of Catskill; no person shall ride or propel a bicycle on any public street or avenue, or in any public place in the Village of Catskill, at a greater rate of speed than fifteen miles an hour. Nor shall any person riding or propelling a bicycle on any public street, avenue or in any public place in the Village of Catskill, coast or proceed by inertial or momentum with the feet off the pedals, nor shall any such person carry a child under the age of five years on any such bicycle on any public street, avenue or in any public place in the Village of Catskill.

Any person violating any provision of this section shall be subject to a fine not exceeding the sum of Five Dollars for each offense.

Sec. 23. LEAVING ANIMALS AND VEHICLES ON STREETS. No person shall leave any horse, mule, team or other animal or animals, without being securely tied, on any public street or avenue, or in any public place in the Village of Catskill; nor shall any person tie or fasten any horse, mule, team or other

animal or animals to any tree, lamp-post or electric light post, or to any box or framework protecting any place in the Village of Catskill, or unnecessarily permit any horse, team, mule or other animal or animals with or without a vehicle attached thereto, or any motor vehicle, wagon, sleigh or other vehicle to remain standing crosswise on any public street or avenue, or upon or so near any crosswalk on any public street or avenue in the Village of Catskill, as to interrupt or obstruct travel thereon.

Any person violating any provision of this section shall forfeit and pay a penalty of not to exceed Ten Dollars for each offense.

Sec. 24. OBSTRUCTIONS UPON SIDEWALKS AND STREETS. No person shall saw, cut or split any wood or lumber, or deposit or permit to be deposited any coal, wood, lumber, furniture, scales, groceries, boxes, barrels, merchandise or any other substance whatsoever on any public street, avenue, sidewalk or crosswalk in the Village of Catskill, except when necessary and for immediate removal. Nor shall any person leave or permit to be left any coal, wood, lumber, furniture, scales, groceries, merchandise, boxes, barrels or any other substance whatsoever, on any public street, avenue, sidewalk or cross walk in the Village of Catskill, more than one hour.

Any person violating any provision of this section shall forfeit and pay a penalty of not to exceed Ten Dollars for each offense.

Sec. 25. THROWING OFFENSIVE LIQUIDS AND SUBSTANCES UPON STREETS AND SIDEWALKS. No person, firm or corporation shall throw or deposit or cause to be thrown or deposited any obnoxious, impure or noisome liquid or substance whatsoever, or any ashes, dirt, sweepings, papers or other rubbish, or any broken glass or broken crockery, or tacks, nails, wire or other material likely to cut, injure, or puncture tires on motor vehicles, motor cycles or other vehicles, or commit any nuisance on any public street, avenue or sidewalk, or in any public place in the Village of Catskill.

Any person violating any provision of this section shall forfeit and pay a penalty of not to exceed Ten Dollars for each offense.

Sec. 26. BOOTHS AND BANNERS ON STREETS. No person, firm or corporation shall, without first having obtained the permission of the Board of Trustees therefor, evidenced by a resolution adopted at a meeting thereof and entered in its minutes, erect any booth or stand for the purpose of selling or exposing for sale or advertising any goods, wares or merchandise, or erect any platform or grandstand, or hang or cause to be hung any banner or advertising device of any kind, upon, across or over any public street, avenue, sidewalk, or in any public street in the Village of Catskill.

Any person violating any provision of this section shall forfeit and pay a penalty of not to exceed Ten Dollars for each offense.

Sec. 27. CELLARWAYS AND TRAPDOORS. No person, firm or corporation shall construct or use or permit to be constructed or

used any cellarway leading from any public street, avenue or sidewalk in the Village of Catskill, unless the same shall have trapdoors so constructed as to be on a level with the sidewalk, or with the platform if any, in front of the building where such cellarway is located, so that it will be entirely safe for persons to pass over the same; nor shall any person, firm or corporation keep open or permit to be kept open any trapdoor or grate in any sidewalk in the Village of Catskill, except while the same is necessarily and actually in use for the receipt or delivery of goods, fuel or other property and while the same is properly guarded to prevent persons walking or falling into the same.

Any person, firm or corporation violating any provision of this section shall forfeit and pay a penalty of not to exceed Ten Dollars for each offense.

Sec. 28. REMOVAL OF SNOW AND ICE. The owner of any house, building, lot or lots, and if the same shall be occupied by any person or persons other than the owner thereof, then also such occupant or occupants, within twenty-four hours after any snow or other storm which leave snow or ice on the sidewalks of said Village, shall cause such snow and ice to be removed from such sidewalk or sidewalks in front of and along the premises so owned or occupied by such person or persons. And every such owner or occupant shall at all times keep the sidewalks adjacent to the premises so owned or occupied by him, free and clear from snow, ice, dirt or other obstructions.

Any person, firm or corporation violating any provision of this section shall forfeit and pay a penalty of not to exceed Five Dollars for each offense.

In case any such owner or occupant shall refuse or neglect for the period of twenty-four hours after the fall of any snow, to remove the same from such sidewalk or sidewalks in front of the premises so owned or occupied by him, the trustees may cause the same to be removed. The Superintendent of Streets or other person in charge of such work shall make and verify an account thereof and file the same in the office of the Village Clerk. The trustees may thereupon serve a notice of at least ten days upon the owner or occupant of such property in the manner provided by Section 65 of the Village charter, stating that such expenditure has been made, its purpose and amount, and that at a specified time and place the Board of Trustees will meet to make an assessment of the expenditure upon such land. The Board shall meet at the time and place specified. It shall hear and determine all objections that may be made to such assessment, including the amount thereof and shall assess upon the land in case of default, the amount stated in the notice.

The amount so assessed shall immediately become and be a charge and lien upon such premises, and if not paid within twenty days after such asse-sment an action may be maintained by the Village against the owner or occupant liable therefore, or a special warrant may be issued by the Board of Trustees for the collection of such assessment, or the amount thereof may be included in the next annual tax levy.

Sec. 29. SNOW AND ICE, ETC., FALLING FROM BUILDINGS. The owners of buildings adjacent to public streets and sidewalks shall prevent the accumulation of snow, ice or water thereon, and

shall prevent the falling of snow, ice or water from such buildings upon such streets or sidewalks.

Any person violating any provision of this section shall forfeit and pay a penalty of not to exceed Ten Dollars for each offense.

Sec. 30. BUILDING MATERIALS ON SIDEWALKS AND STREETS. No person, firm or corporation shall deposit or place any lumber, wood, iron, sand, lime, brick, stone, concrete blocks or other building materials on any public street, avenue or sidewalk in the Village of Catskill, without first having obtained permission from the Board of Trustees of said Village so to do, which permission shall be evidenced by a resolution duly adopted at a meeting of the Board of Trustees and entered in its minutes. Whenever the Board of Trustees may consider it advisable to grant to any person, firm or corporation the permission to deposit any building materials on any part of any public street or sidewalk, such permission may be given by the Board of Trustees for such time and upon such conditions as in its judgment shall be deemed advisable. Said building materials shall not occupy more than one-third of the width of the street nearest the building under construction, and under no circumstances shall such materials be so placed as to prevent or hinder free access to any fire hydrant. Nor shall any person, firm or corporation permit any sand, gravel, cement, stone, brick, lumber, iron, wood or other materials to be and remain in or upon any public street, avenue or sidewalk at night, unless he or it shall keep or cause to be kept a lamp or lamps with red globes, continually lighted during each night, upon or near such materials, so as to distinctly cast light upon the same to warn travelers of its presence on such street or sidewalk.

Any person, firm or corporation violating any provision of this section shall forfeit and pay a penalty of not to exceed Twenty-five dollars for each offense.

Sec. 31. EXCAVATIONS IN STREETS.

1.) No person, firm or corporation shall remove from or deposit on any public street, avenue, lane, alley or sidewalk, any dirt, gravel, stone or other material, without first having obtained permission from the Board of Trustees, which permission shall be evidenced by a resolution duly adopted by the Board of Trustees at a meeting thereof, and entered in its minutes.

2.) No person, firm or corporation shall intentionally injure any pavement, sidewalk, sewer, catch-basin, crosswalk, drain, gutter, or public ground, nor without permission of the Board of Trustees dig, make or cause to be dug or made any hole or excavation in or under any public street, avenue, alley, sidewalk or ground, which permission shall be evidenced by a resolution duly adopted by the Board of Trustees at a meeting thereof and entered in its minutes. Application for permission to dig or make any such hole or excavation in or under any public street, avenue, sidewalk, alley, lane or public ground, shall be in writing and subscribed by the applicant, and shall specify the object of the proposed excavation, the location thereof, the name of the person for whom the work is to be done, the name of the contractor, if there be one; and the Board of Trustees may exact security for the restoration of such public street, avenue, sidewalk, alley, lane or ground, either by a bond or guarantee of some responsible party, or by

depositing with the Village Treasurer a sum of money deemed by the Board of Trustees to be sufficient security for such restoration is completed to the satisfaction of the Board of Trustees; but the giving of such security of money shall not be held to relieve any party from liability under any ordinance of the Village of Catskill.

3.) In case any excavation shall have been made in or under any public street, avenue, sidewalk, alley, lane or public place, and such street, avenue, sidewalk or place has not been restored and left in condition deemed by the Board of Trustees to be as good, substantial and permanent as before such excavation, the person, firm or corporation making such excavation, shall restore such public street, avenue, sidewalk or place to a condition deemed by the Board of Trustees to be as good, substantial and permanent as before such excavation, within five days after written notice shall be served upon such person, firm or corporation requiring him or it so to do.

4.) No person, firm or corporation making or having charge of any excavation in or under any public street, avenue, sidewalk, alley, lane or public place, shall permit such excavation to remain open or uncovered, either day or night, without having and causing the same to be fenced in and guarded during the day by red flags and at night by lights with red globes so placed and kept as to properly warn all persons of such excavation.

Any person violating any provision of this section shall forfeit and pay a penalty of not to exceed Twenty-five Dollars for each offense.

Sec. 32 AWNINGS. The term "person" as used in this section shall mean and include one or more persons of either sex, natural persons, corporations, partnerships, associations, joint stock companies, societies and all other entities of any kind capable of being sued.

No person shall hereafter erect or maintain any awning of any material except cloth or canvas over any sidewalk or other public place in the Village of Catskill except as hereinafter provided.

All awnings of cloth or canvas, except temporary awnings as hereinafter provided for, hereafter constructed or maintained over any sidewalk or other public place shall be elevated at least six feet six inches at the lowest part thereof above the surface of the sidewalk and shall not project more than seven feet beyond the building line and in no event beyond a point one foot within the curb line. All such awnings shall be supported without posts by iron brackets or by iron frames attached to the building so as at all times to be safe and leave the sidewalk wholly unobstructed thereby, and so as to be lowered and raised with safety and convenience.

All awnings heretofore erected or constructed and operated in a manner different than that specified in this ordinance shall be removed by the owner, agent, or person in possession or control of the building or part thereof to which such awning is attached within five days after notice so to do.

Awnings without side curtains may be, from time to time, erected and maintained across the sidewalk of any street for temporary use, as a protection during inclement weather only; provided, however, that such awning shall be made of convas or cloth and shall be supported by upright posts of iron not exceeding two inches in diameter and not less than eight feet or more than ten feet in height above the sidewalk and shall not be wider than the entrance of the building in connection with which it is to be used. Awnings with side curtains may be erected for a limited time upon issuance of a special permit by the Board of Trustees.

Every owner or occupant of any building shall at all times keep the awning in front of such building free from ice, snow, dirt or other obstructions. Merchandise or other obstructions shall not be suspended from any awnings over any sidewalk.

No awning of wood shall be erected or maintained so as to project over any sidewalk or other public places.

Any person, firm or corporation violating any provision of this section shall forfeit and pay a penalty of not to exceed Twenty-five Dollars for each offense.

Sec. 33. SIGNS. It shall not be lawful for any person or persons to keep or suffer to remain any sign or projection from or opposite of any building, in, over, or upon any of the streets or sidewalks in said village, after the owner or occupant of any such building shall have been notified in writing by the said trustees, or a majority of them, to remove the same; and the owner or occupant of any such building who shall offend against any of the provisions of this section shall forfeit and pay the sum of Ten Dollars for each and every forty-eight hours after said notice that any such sign or projection shall be kept up or suffered to remain as aforesaid. And it is further ordained, that if said owner or occupant shall fail to remove such sign or projection for the space of forty-eight hours after said notice, then the said trustees shall remove or cause the same to be removed, at the expense of such owner or occupant to be recovered of him by action by said trustees, in the same manner as the aforesaid penalties are directed to be collected.

Sec. 34. COLLECTION OF WASTE MATERIAL. No person, firm or corporation who is the owner of any dwelling house or other building or lot or if the same shall be occupied by any person other than the owner thereof, then said o-cupant or owner, shall place or deposit in any street, or on any sidewalk in said village, in front of the buildings or lot owned or occupied by such person or persons, any ashes, oyster shells, clam shells, garbage, offal, or any deleterious substance on such mornings of each week as the person under contract with the village for cleaning the streets shall designate as the time when he will remove such ashes, oyster shells, clam shells, garbage, offal, or deleterious substances, from the several streets, the owners or occupants of buildings and premises on the streets so designated shall, before ten o'clock in the forenoon, gather together and place in barrels, boxes, or other receptacles, the dirt, filth and rubbish which has accumulated in the streets so designated by such street cleaner to be on that day cleaned

by him, and when so gathered such owner or occupant may deposit in such barrels, boxes, or other receptacles with such dirt, filth or rubbish, his or her ashes, and other rubbish which is not offensive to the senses, not exceeding three bushels in quantity and the same shall be removed on the same day, at the expense of the village.

Any person violating any provision of this section shall forfeit and pay a penalty of not to exceed Ten Dollars for each offense.

Sec. 35. PLAYING IN STREETS. No person or persons shall fly any kite, drive any hoop, or play at ball or quoits, or carelessly or wantonly throw any snow-ball, stone, or other missile, in, above or from any street of said village.

Any person violating any provision of this section shall forfeit and pay a penalty of not to exceed Five Dollars for each offense.

Sec. 36. SOLICITING SHINING OF SHOES. No person or persons shall solicit upon the streets, sidewalks and footpaths of the Village of Catskill any customers for the shining of shoes.

Any person violating any provision of this section shall forfeit and pay a penalty of not to exceed Five Dollars for each offense.

ARTICLE NO.VII

FIRE DEPARTMENT

Sec. 37. OFFICERS. The fire department of the Village of Catskill shall consist of a chief engineer, two assistant engineers and three or more fire companies, which chief engineer and assistant engineers shall hold their respective offices for one year, and until their respective successors are elected, unless such chief engineer or assistant engineers shall be removed from office as provided by Section 20 of the Charter.

Sec. 38. ELECTION OF OFFICERS. The chief engineer and his assistant engineers, to be designated "First Assistant Engineer" and "Second Assistant Engineer," shall be elected by ballot on the first Wednesday in September in each year, at such place in said village, and time of day, as shall be designated by the trustees of said village, and of which time of day and place public notice shall be given by posting written or printed notices in five public places in said village, at least six days before the day appointed for holding such election, and by publishing such notice, at least once in a public newspaper published in said village, if any, and by delivering a copy of such notice to or leaving the same at the residence of the foreman of each fire engine, hook and ladder, and hose company, at least six days before the day appointed for holding such election. Each member of the fire engine, hook and ladder, and hose companies in said village, shall be entitled to vote at the election of the chief engineer and assistant engineers, and a plurality of votes for each of such officers shall be sufficient to elect.

Sec. 39. CONDUCT OF ELECTION. One of the trustees of said village, to be designated by the board of trustees, shall preside at the election of such chief engineer and assistant engineers, and shall receive and count the ballots cast at such election, declare the result of such election, and certify the same to the board of trustees, at their next meeting after such election, which said board shall by resolution approve or disapprove of the election of such officers separately, and in every case of approval by said board, of the election of any such officer, a certificate of election shall be issued under the hand of the president and clerk of said board of trustees, and delivered to the officer so elected and approved; and in case said board of trustees shall by resolution disapprove of the election of any such officer, a new election of such officer shall be had, at such time and place as said board shall designate, of which like notice shall be given as is hereinbefore provided, and such new election shall be held and conducted, and said board shall again disapprove of the election of such officer, the person holding office at the time of such election shall continue to hold such office until the next annual election of such officer.

Sec. 40 FILLING VACANCIES IN OFFICE. In case of death, resignation, removal from office or the village, or incapacity to act, of the chief engineer or either of the assistant engineers, the board of trustees may, if they deem it advisable so to do, order a special election to supply the vacancy caused by such death, resignation, removal or incapacity to act.

Sec. 41. CONTROL AT TIME OF FIRE. The chief engineer, and in case of his absence or inability to act at any fire, the first assistant engineer, and in case of the absence or inability to act of both the chief engineer and first assistant engineer, the second assistant engineer shall have full and absolute power at all fires, to order and direct the firemen in the management of the fire engines, hooks and ladders, hose and other fire apparatus, for the extinguishment of fire, subject only to the direction of the trustees of said village present at such fire.

Sec. 42. AUTHORITY OF TRUSTEES AT FIRE. The trustees of said village, who shall be present at any fire in said village, shall have full and absolute power to control and direct all the members of the fire department at such fire, also all citizens and persons present at such fire.

Sec. 43. CHIEF TO REPORT ANNUALLY. The chief engineer shall report to the board of trustees annually, and at such other times as the board of trustees may by resolution require, the condition of the engines, hose, hooks and ladders and other fire apparatus, and recommend such alterations or improvements in the same as he may think necessary and proper; and whenever he shall deem any repairs to any engine or other fire apparatus necessary, to an amount not exceeding twenty-five dollars, he shall cause the same to be made immediately, and it shall be his duty to superintend in person all repairs, and to examine and certify to the said trustees all accounts for such repairs.

Sec. 44. COMPANY MEMBERSHIP. Sixty men shall be allowed to each fire engine, hose and hook and ladder company.

Sec. 45. QUALIFICATION AND RECOMMENDATION OF MEMBERS. The different fire companies shall recommend in writing to the trustees suitable persons for members or to fill vacancies in their respective companies, and such recommendation shall state that such person is a resident of the Village of Catskill, of the age required by this section and of good moral character. No person shall be appointed a firemen unless he is a resident of the Village of Catskill and over eighteen years of age. No person under the age of twenty-one years shall be allowed to join the fire department without the written consent of the parent or guardian of such applicant.

Sec. 46. COMPANY ELECTIONS. Members of each fire company in said village shall hold an annual meeting on the first Tuesday in April in each year, at the engine house, hook and ladder or hose houses of such company, elect by ballot a foreman and assistant foreman, secretary, treasurer and steward from amoung the members of such company, and such foreman and assistant foreman, steward, secretary and treasurer shall hold their offices respectively until the next annual election for such officers, or until their successors shall respectively be appointed or elected.

Sec. 47. CERTIFICATES OF APPOINTMENT. Members of each fire company shall be appointed by the board of trustees, by resolution, and a certificate of such appointment signed by the president and clerk of said village shall be issued to each person so appointed, and said clerk shall keep a record of all certificates of membership and exemptions, with the respective dates thereof, granted by said board of trustees.

Sec. 48. CONDUCT OF COMPANIES AT FIRE. The different fire companies shall be under the control and direction of their respective foreman, or in case of their absence or inability to act of the foreman, under the control and direction of their respective assistant foreman; and upon any alarm of fire, the said companies shall immediately repair to the place of fire with the engines, hose, hooks and ladders and other implements and apparatus under their care or belonging to the fire department of said village, and there work and manage the same under the directions of the chief engineer or other person or persons having the charge and control of the fire department at such fire; and any of said companies shall not remove from or leave the place of such fire without the permission of such chief engineer or other person or persons having control of such fire department at such fire; and when such permission shall be given such companies shall return their respective hose carriages or carts, hooks, ladders, engines and apparatus, well washed and cleaned, to their respective places of deposit unless permission to return such hose carriages, carts, hooks, ladders, engines and apparatus unwashed to such houses on the night of any fire shall be given by the chief engineer or other person in charge of the fire department at such fire.

Sec. 49. REPORT UPON EQUIPMENT. The foreman or person having charge of the engine or other apparatus belonging to each company, shall have the same kept in the best order for immediate use, and report to the chief engineer on the third Monday of February in each year, as the condition of the engine or other apparatus under his charge. And it shall be the duty of the members of each fire company to meet at such time and place as the foreman of such company shall direct, once in every month, and at such other time as the foreman shall direct.

Sec. 50. TO REPORT VIOLATIONS. It shall be the duty of every engineer, and the foreman and assistant foreman of each fire company, to report forthwith to the trustees of said Village all violations of ordinances relating to the fire department.

Sec. 51. USE OF FIRE APPARATUS. If any foreman or other person, having charge of an engine or other fire apparatus shall suffer or permit the same to be used at any time on trial of skill or of the power and capacity of the machine, or for any other purpose than at a fire or for the purpose of washing or cleaning such machine or apparatus, or drilling and practicing the members belonging thereto, or remove the same from the village without the consent of the board of trustees, or shall make or suffer to be made any alteration of any engine or other apparatus (except as in this ordinance provided), without the consent of the trustees, he shall in either case forfeit the sum of twenty-five dollars, and be liable to be expelled by said trustees from the fire department.

Sec. 52. OUTSIDE USE OF FIRE APPARATUS. Hose Company No.1 is hereby authorized and permitted to go to the aid of another city, village, town or fire district or territory outside of the village of Catskill, in extinguishing a fire or fires therein, and while in the performance of their duties in extinguishing such fire the members of such department shall have the same immunities and privileges as if performing the same within the village of Catskill.

Sec. 53. USE OF FIRE HYDRANT. The first hose company that shall reach the hydrant nearest the fire shall (unless otherwise directed by the engineer or other persons then in command) have a prior right to the use of such hydrant; and any hose company attaching hose to any hydrant shall also attach to such hydrant the shut-off gate on the second outlet on such hydrant.

Sec. 54. EXEMPTION CERTIFICATES. Any fireman who shall apply for an exemption certificate shall, with such application, present to the trustees a statement verified by his oath, of the time he was in actual service as a member of the fire department, also to what company or companies he belonged and the term of such service in each, and a certificate of the foreman of each of such companies of the term of his membership.

Sec. 55. ATTENDANCE AT COMPANY MEETINGS. If any fireman shall neglect or refuse to attend any meetings of the company to which he shall belong, for exercising the men or cleaning the engine or other fire apparatus, belonging to or under the charge of such company, or for any other purpose required by the regulations of the fire department, he shall forfeit and pay the sum of twenty-five cents for each and every such neglect or refusal.

Sec. 56. ATTENDANCE AT FIRES. If any firemen shall neglect to attend at any fire without a sufficient excuse therefor, or shall refuse or neglect to do his duty, or work the engines or other apparatus to which he may be attached, or shall disobey the orders of the chief engineer, or either of the assistant engineers, or any of the officers in command at any time, or the foreman or officer in command of the company to which he shall belong, he shall be liable to expulsion from the fire department by the board of trustees.

Sec. 57. EXPULSION OF MEMBERS. The trustees of the village of CAtskill may in their discretion expel from the fire department of the said village any person or persons from any of the engine, hose or hook and ladder companies of said village under the constitution and by-laws of the company to which such person or persons belong, on giving such person or persons at least five days' notice in writing to show cause against such removal.

Sec. 58. RIGHT OF WAY OF FIRE APPARATUS. All engines, motor vehicles, trucks, wagons and movable apparatus of the fire department, when going to a fire, shall have the right of way through all streets and avenues in the Village of Catskill. On the approach of fire apparatus in any street or avenue, as evidenced by suitable warning or signal indicating the route of such fire apparatus, every driver or person in control of another vehicle, shall immediately drive such vehicle as near as practicable to the right hand curb or side of such avenue or street, and parallel thereto, and bring it to a standstill until such fire apparatus has passed.

Sec. 59. STREETS BLOCKADED AT FIRES. The chief engineer or any assistant engineer of the fire department in charge of any fire, may, when deemed necessary by him to insure the efficient working of the men or apparatus under his control, blockade any street, avenue, lane, alley or part thereof, or other place in the Village of Catskill, and no person shall break through such blockade.

Sec. 60. GOOD ORDER AT FIRES. Each and every person whether fireman or not, present at a fire, shall conduct himself in an orderly manner without noise or disturbance and shall promptly obey any order he may receive from the chief engineer or any of his assistants. And the chief engineer of the fire department, or any of his assistants, may command the aid of any perons to assist in extinguishing a fire, or the aid of any driver or person in charge of any motor vehicle or other vehicle or horse, or team, with his motor vehicle or other vehicle and team, to assist with such vehicle, horse, or team in taking any fire apparatus to any fire.

Sec. 61. FIRE HOSE IN STREETS OR ACROSS RAILROAD TRACKS. PROTECTION OF. Whenever any hose of the fire department of the Village of Catskill shall be placed in or upon any street or avenue, or across any railroad track in the Village of Catskill in response

to an alarm of fire, or for the purpose of putting out a fire, it shall be unlawful for any person, firm or corporation to drive or propel or cause to be driven or propelled on or across any hose, any motor vehicle, truck, wagon, locomotive, car or other vehicle.

Any person, firm or corporation violating any provision of this section shall forfeit and pay a penalty of not to exceed Twenty-five Dollars for each offense.

Sec. 62. FIRE PREVENION. It shall be the duty of the Chief of the Fire Department to inspect or cause to be inspected by fire department officers, as often as the Board of Trustees may direct, but not less than once a year in outlying districts and twice a year in the closely built portions of the village, all buildings, premises and public thoroughfares, except the interiors of private dwellings, for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire, or any violations of the provisions or intent of any ordinance of the village affecting the fire hazard.

Whenever any officer shall find in any building, or upon any premises or other place, combustible or explosive matter or dangerous accumulation of rubbish or unnecessary accumulation of waste paper, boxes, shavings, or any highly inflammable materials especially liable to fire, and which is so situated as to endanger property or any hazardous condition liable to cause fire, or shall find obstructions to or on fire escapes, stairs, passageways, doors, or windows, liable to interfere with the operation of the fire department, or egress of occupants, in case of fire, he shall order the same to be removed or remedied, and such order shall forthwith be complied with by the owner or occupant of such premises or buildings, subject to appeal within three days to the President of the Board of Trustees, who shall within five days thereafter review such order and file his decision thereon, and unless the order is revoked or modified it shall remain in full force and be obeyed by such owner or occupant.

Any owner or occupant failing to comply with such order within five days after said appeal shall have been determined or if no appeal is taken, then within five days after the service of the said order, shall be liable to a penalty as hereinafter stated.

The service of any such order shall be made upon the occupant of the premises to whom it is directed by either delivering a true copy of same to such occupant personally or by delivering the same to and leaving it with any person in charge of the premises, or in case no such person is found upon the premises by affixing a copy thereof in a conspicious place on the door to the entrance of said premises. Whenever it may be necessary to serve such an order upon the owner of premises, such order may be served either by delivering to and leaving with the said person a true copy of the said order, or, if such owner is absent from the jurisdiction of the officer making the order, by mailing such copy to the owner's last known post office address.

Sec. 63 VIOLATION OF PROVISION. Any person or persons, firm or corporation violating any of the provisions of this ordinance or any of its sections, shall, upon conviction, forfeit and pay a fine of not more than twenty-five dollars ($25) for each offense, and not more than twenty-five dollars ($25) for every day thereafter so long as the said violation exists, and a fine of not more than one hundred dollars ($100) for subsequent violations.

ARTICLE NO VII

Traffic Ordinance

Sec. 64 POLICE DEPARTMENT. The Police Department is hereby authorized, empowered and ordered to direct, control, restrict and regulate traffic on all highways and streets in the Village of Catskill, including the movements of pedestrians and animals and vehicular traffic, of every kind and nature, pursuant to the Village Ordinances and the temporary diversion and exclusion of traffic whenever said Police Department or any officer thereof, deems it necessary. All persons travelling upon any streets of the Village of Catskill or any part thereof, must obey and comply with the signals and directions of any officer and member of the Police Department as to speeding, starting, approaching or departing from any place, or themethod of taking on and unloading passengers, or loading and unloading freight or merchandise.

Any person violating any provision of this section shall forfeit and pay a penalty of not to exceed Twenty-Five Dollars for each offense.

Sec. 65 SPEEDING. It shall not be lawful for any person to run, drive or operate any motor vehicle over, upon or along any street in the Village of Catskill, at a greater rate of speed than one miles in three minutes, and the maintenance of a greater speed for one-eight (1/8) of a miles shall be presumptive evidence of driving at a rate of speed which is not careful and prudent.

Any person violating any provision of this section shall forfeit and pay a penalty of not to exceed Twenty-five Dollars for each offense.

Sec. 66. PARKING. It shall be unlawful for the operator of any vehicle to stop, stand or park such vehicle in any of the following places, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer, or traffic control sign or signal:

(a) Within an intersection.

(b) On a crosswalk.

(c) Upon the approach to an intersection, within fifteen (15) feet from the inside boundary line of the sidewalk, or if no sidewalk is in place, within fifteen (15) feet of the intersecting roadway.

(d) In front of any fire house, and directly across the street from the Village Building.

(e) Within ten (10) feet of any fire hydrant..

(f) In front of a private driveway.

(g) In front of Physicians' Offices.

(h) In front of theaters during the hours of any performance, exhibition or entertainment.

(i) On the sidewalk.

(j) Alongside or opposite any street excavation or obstruction when such standing or parking would obstruct traffic.

(k) Alongside that portion of any street in the Village of Catskill which is plainly marking "No Parking" either upon the pavement or curb, or upon a sign or standard, placed pursuant to the order of the Board of Trustees.

(l) On the north side of Factory Street between Water Street and Main Street; on the north side of Bridge Street from Hill Street to Spring Street; on the south side of Bridge Street from Water Street

to Spring Street; on the south side of Cooke Street; on the south side of Spring Street; on the south side of Cooke Street; on the south side of Thompson Street between Main and Academy Street; on the south side of William Street between Main and Franklin Street; on the south side of Clark Street.

No person shall place "No Parking" signs upon the street or sidewalks, or any parts thereof of the Village of Catskill without the permission of the Board of Trustees of said Village.

Any person violating any provision of this section shall forfeit and pay a penalty of not to exceed Ten Dollars for each offense.

Sec. 67. BUS STOPS. The following portions of the public streets of the Village of Catskill are hereby designated as Bus Stops:

(a) On the easterly side of Main Street between Clark Street and Bridge Street, in front of the Greene County Court House.

Sec 68. TAXI CAB STANDS. The following portions of the public streets of the Village of Catskill are hereby designated as Taxi Cab Stands:

(a) On the southerly side of Factory Street from Water Street to Main Street, and parallel to the curb thereof.

(b) On the westerly side of Main Street, next north of Thompson Street, for one car, headed south.

(c) At the foot of Howard Street on the easterly side of Main Street, for one car, headed north.

(d) On the easterly side of Main Street, south of Clarke Street, two cars, headed north, except Sundays and during church services.

Any person violating any provision of this section shall forfeit and pay a penalty of not to exceed Ten Dollars for each offense.

Sec. 69. SOLICITING PASSENGERS. No person shall solicit passengers for his taxi cab upon the streets of the Village of Catskill in any but a respectful and courteous manner and then when remaining in or upon his vehicle or not more than five (5) feet therefrom while the same is parked on one of the duly authorized taxi cab stands as herein prescribed.

Any person violating any provision of this section shall forfeit and pay a penalty of not to exceed Ten Dollars for each offense.

Sec. 70 ONE WAY TRAFFIC. No person shall ride or drive any horse or any automobile or vehicle of any kind upon Water Street in said Village between Church Street and Factory Street except in a northerly direction from Factory Street to Church Street upon the easterly side or upper side thereof and in a southerly direction from Church Street to Factory Street upon the westerly side or lower side thereof.

Any person violating any provision of this section shall forfeit and pay a penalty of not to exceed Ten Dollars for each offense.

Sec. 71. BUSES AND TAXI CABS PROHIBITED FROM PARKING EXCEPT IN DESIGNATED STANDS. It shall be unlawful for the operator of any bus, taxi cab or hackney, to stand or park upon any street in the Village of Catskill, at any place other than at a bus stop, taxi cab stand or hackney stand respectively except that this provision shall not prevent the operator of any such vehicle from

temporarily stopping in accordance with other parking regulations, at any place for the purpose of or while actually engaged in loading or unloading passengers.

Any person violating any provision of this section shall forfeit and pay a penalty of not to exceed Twenty-Five Dollars for each offense.

Sec. 72 PARKING TIME LIMITED IN DESIGNATED PLACES AND MANNER OF PARKING IN DESIGNATED PLACES. It shall not be lawful for any person desiring to park any automobile or other vehicle owned or driven by him or her or in his or her charge or under his or her control on the west side of Main Street between the Slide and Livingston Street, to park the same or cause the same to be parked in any other manner than head on and at an oblique angle, to the curb line, which angle shall be designated on the street surface by appropriate markings, the right front wheel of such vehicle so parked to be in contact with the curb line of such street; except any person desiring to park any automobile or other vehicle owned or driven by him or her or in his or her charge or under his or her control upon the east side of Main Street from said Livingston Street to the "Slide", shall park said automobile or vehicle parallel with the curb line of such street and within six inches of said curb.

It shall be lawful for any person to park or leave standing any automobile or other vehicle continuously on any street in the Village of Catskill from sunset to sunrise.

Any person violating any provision of this section shall forfeit and pay a penalty of not to exceed Twenty-Five Dollars for each offense.

Sec. 73. STANDING OR PARKING CLOSE TO CURB. Except as provided in this Ordinance and when necessary in obedience to traffic regulations or traffic signs or signals, the operator of a vehicle shall not stop, stand or park such vehicle in the roadway other than parallel with the edge of the roadway, headed in the direction of traffic and with the curb side wheels of the vehicle within six inches of the edge of the roadway, except as provided in the preceeding section for automobiles and vehicles parked on the westerly side of Main Street between the Slide and Livingston Street.

Any person violating any provision of this section shall forfeit and pay a penalty of not to exceed Twenty-Five Dollars for each offense.

Sec. 74. MAIN ARTERIES OF TRAVEL. Pursuant to Section 90 of the Vehicle and Traffic Law, as amended, Bridge Street, from the Catskill Creek to Spring Street; Spring Street, from Bridge Street north to the corporation line of the village of Catskill; West Bridge Street, from the Catskill Creek west to the intersection of the corporation line of the Village of Catskill; Railroad Avenue, from Main Street in said village to the intersection of West Bridge Street and said Railroad Avenue; and Main Street from Henry Street to Allen Street; are hereby designated as main arteries of travel and all vehicles approaching said main arteries of travel, shall, before entering the same, come to a full stop, unless otherwise directed by a peace officer or signal. The operator of any vehicle which has come to a stop as herein required, upon entering the main artery of travel, as well as the operator

of a vehicle on such main artery, shall be subject to the right of way regulations prescribed by Article 6 of Chapter 71 of the Consolidated Laws of the State of New York, being Chapter 54 of the Laws of 1929, and being known as the Vehicle and Traffic Law.

Signs bearing the word "stop", shall be erected and maintained at or near the curb in every highway intersecting a designated main artery of travel. Such signs and letters thereon shall be such a size and either so illuminated at night or so placed as to be illuminated by street lights or headlights of approaching vehicles as to be plainly visible and legible for a distance of fifty feet along such intersecting highway.

Any person violating any provision of this section shall forfeit and pay a penalty of not to exceed Twenty-Five Dollars for each offense.

ARTICLE IX

Establishment of Police Department

Sec. 75. There shall be established in the Village of Catskill, a Police Department, to consist of a Captain, Sergeant, and as many policemen as the Board of Trustees of said village deems necessary. The members of said Police Department shall be appointed by the Board of Trustees of the Village of Catskill for such term as said board may desire.

ARTICLE NO. X

Miscellaneous Provisions

Sec. 76. DESIGNATED PLACE OF DETENTION. The jail of Greene County is hereby designated as the place of detention for persons arrested under an act entitled "An act to consolidate and amend the several acts relating to the Village of Catskill" passed March 14th, 1860, or under any by-law or ordinance enacted or ordained by the trustees of said village, and all persons confined or detained under said act, by law or ordinance, shall be confined and detained in said jail.

Sec. 77. BONFIRES AND FIREWORKS. No person shall burn any tar barrel, bonfire, or fire any gun, pistol, or other firearms, crackers, rockets, squibs, or fire balls, or engage in any other practice or amusement endangering property, or having a tendency to frighten horses in said village or among persons passing through the streets or over the sidewalks of said village.

Any person violating any provision of this section shall forfeit and pay a penalty of not to exceed Five Dollars for each offense.

Sec. 78. SLAUGHTERING ANIMALS. No animal shall be butchered or slaughtered within the limits of said village (unless it be for individual and family use), except at some slaughter house at a place to be designated in writing by the trustees of said village, at a reasonable distance from any other building or place of business.

Any person violating any provision of this section shall forfeit and pay a penalty of not to exceed Five Dollars for each offense.

Sec. 79. CLEANING FISH, ETC. No person shall deposit or leave on any dock, wharf, or shore of the Catskill Creek or Hudson River, within the limits of the Village of CAtskill, any fish, offal, or heads of any description, nor shall any person or persons cast or deposit in any street, alley, yard or other place within the village, any heads, feet, skins, or skulls, of any animal or animals, or any dead carcass or other offensive matter, subject to putrefaction. It shall not be lawful for any person or persons, during the months of May, June, July, and August, in any year hereafter to deposit, cast or throw into the waters of the Catskill Creek, within the village of Catskill, any dead fish, fish heads, skins or offal.

Any person violating any provision of this section shall forfeit and pay a penalty of not to exceed Five Dollars for each offense.

Sec. 80. PUBLIC NUISANCE. No person or persons shall create, erect, establish, or maintain, or cause to be created, erected, established or maintained, any public nuisance within the said village. If the person or persons having the custody or possession of any such public nuisance, shall refuse or neglect, after forty-eight hours' notice from the trustees of said village, to remove or abate the same, then said trustees may remove or abate, or cause to be removed or abated, such nuisance, at the expense of said village, which expense shall be a lien upon the lot where such nuisance was situated, and the collection of said expenses shall be enforced by selling the said lot in the manner prescribed in the aforesaid act entitled "An act to consolidate and amend the several acts relating to the Village of Catskill," passed March 14, 1860. Also, the person or persons who shall have created or maintained such nuisance, shall be liable for such expense, and the same may be recovered of him or them by action, in the same manner that penalties under said act are collected.

Any person violating any provision of this section shall forfeit and pay a penalty of not to exceed One Hundred Fifty Dollars for each offense.

Sec. 81. OBSTRUCTION OF SEWER. No person or persons shall throw or place in or near any drain or sewer of said village, any dirt, stones, wood, brush or other substance or material, which shall obstruct or tend to obstruct the free passage of the water into or through the same.

Any person violating any provision of this section shall forfeit and pay a penalty of not to exceed Five Dollars for each offense.

Sec. 82. VILLAGE ATTORNEY. The trustees of said village may appoint an attorney for said village who shall, under the direction and control of said trustees prosecute or defend any action by or against the corporation and transact all of the business of the corporation requiring professional skill. Such attorney shall be appointed annually by said Board for a term of one year and shall be appointed by a majority vote of the said Board at the time of their first meeting after the annual election or as soon thereafter as may be possible. He shall receive a reasonable compensation for his services to be paid to him upon the order of said Board of Trustees after audit by said Board of his bill as such.

ARTICLE XI.

Imposition and Enforcement of Penalties

Sec. 83. RECOVERY OF PENALTY. In any action brought by or in the name of the Village of Catskill to recover any fine, penalty or forfeiture imposed or given by the foregoing ordinances, it shall in all cases be sufficient, without setting forth any subject matter, to allege in the complaint that the defendant is indebted to the said corporation in the amount of such fine, penalty or forfeiture whereby an action had accrued, according to the provisions of this act, naming the subject thereof and referring briefly to the section or other division of the ordinance for a violation of which the action is brought and process for the commencement of any such action shall have an endorsement thereon, to the effect that it is issued to enforce a penalty or forfeiture imposed in accordance with the provisions of the Act incorporating the Village of Catskill, and no other endorsement thereon shall be necessary.

Sec. 84. FORM OF PLEADINGS. The pleadings or proceedings shall be the same as prescribed by the Code of Civil Procedure, and the party in whose favor judgment shall be rendered shall have execution in judgment in like manner as to any other cases; all expenses incurred in prosecuting for any penalty or forfeiture shall be defrayed by the corporation and all moneys recovered or collected therefor shall be paid into the Treasury for the general purposes of the village.

Sec. 85. JAIL SENTENCE. Unless the penalty imposed by the court for the violation of any of the provisions of any of the sections of the foregoing ordinances be paid upon the conviction of the defendant, the court shall commit the defendant to the County Jail of the County of Greene, the county in which said village is situated, for a term not exceeding one day for each dollar of penalty imposed.

ARTICLE XII

Repealing Clause, When Ordinances Effective

Sec. 86. REPEALING CLAUSE. All Ordinances of the village of Catskill heretofore enacted and adopted, are hereby repealed, except, however, the ordinances, rules, regulations and water rents of the Board of Water Commissioners of the village of Catskill, New York, passed and adopted by that Board September 30, 1901, and approved by the Board of Trustees of the village of Catskill on the 9th day of October, 1901, but nothing herein contained shall affect or impair any right or remedy existing at the time the foregoing ordinances shall take affect.

Sec. 87. WHEN FOREGOING ORDINANCES SHALL TAKE EFFECT. It is Further Resolved, that each and all of the foregoing ordinances be entered by the Village Clerk in the minutes of the Board of Trustees of the Village of Catskill and that the Village Clerk be and hereby is directed to cause said foregoing ordinances to be published in the Catskill Daily Mail, once each week for two

consecutive weeks, and shall cause a printed copy thereof to be posted conspicuously in at least three public places in the village of Catskill, as required by the Charter of the village of Catskill and the Village Law of the State of New York, for at least ten days before the same shall take affect; and shall cause affidavits of the publication and an affidavit of the posting thereof, to be filed with the Village Clerk of said village; and it is

Further Resolved that the foregoing ordinances shall take affect upon the expiration of ten days after the publication and posting thereof, and the filing of the affidavits of the publication and posting thereof with the Clerk of the Village of Catskill.

Motion for the adoption of said resolution was seconded by Trustee Thomas. The vote upon said motion for the adoption of said resolution was then taken and recorded. The ayes and noes of the members of the Board of Trustees who were present resoluted as follows: Ayes 5, Noes 0, Absent none.

The resoltuion, together with each and all of the ordinances therein contained, was then declared adopted.