

8305--A

2013-2014 Regular Sessions

I N   A S S E M B L Y

December 6, 2013

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Introduced by M. of A. SANTABARBARA -- read once and referred to the Committee on Local Governments -- recommitted to the Committee on Local Governments in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to authorize the town of Mohawk to extend the Town of Mohawk Fire District into the village of Fonda

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Notwithstanding any contrary provisions of article 11 of  
2 the town law, commencing upon the effective date of a resolution adopted  
3 by the board of trustees of the village of Fonda, in the county of Mont-  
4 gomery, pursuant to section 10-1020 of the village law abolishing the  
5 fire department in such village, the town board of the town of Mohawk,  
6 in accordance with the procedures set forth in subdivision 2 of section  
7 170 of the town law, shall have the power to extend the Town of Mohawk  
8 Fire District, located in the town of Mohawk to include and encompass  
9 the entire corporate limits of the village of Fonda in such town.  
10    S 2. Upon the completion by the town of Mohawk of the proceedings  
11 authorized by section one of this act, the Town of Mohawk Fire District  
12 in the town as extended shall be a fire district governed by the  
13 provisions of article 11 of the town law, and the board of fire commis-  
14 sioners of such fire district shall have all of the powers and duties  
15 vested in and imposed on boards of fire commissioners by article 11 of  
16 the town law, and shall be subject to all of the limitations, procedures  
17 and restrictions set forth in such article.  
18    S 3. On and after the completion of the proceedings authorized by  
19 section one of this act, the district corporation established as the  
20 "Town of Mohawk Fire District" shall maintain its district corporate  
21 status and may continue to maintain apparatus, appliances and facilities  
22 within the village of Fonda for the furnishing of fire protection. Such

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

LBD11791-03-4

1 continued presence in the village of Fonda shall not render such  
2 district corporation to be the fire department of such village, nor  
3 shall it render such district corporation to be under the control of the  
4 village authorities.

5 S 4. The completion by the town of Mohawk of the proceedings author-  
6 ized by section one of this act shall be deemed to occur when the town  
7 adopts a resolution extending a fire district as required by subdivision  
8 2 of section 170 of the town law; provided, however, that nothing in  
9 this act shall be construed as relieving the town of Mohawk from comply-  
10 ing with the provisions of subdivision 1 of section 173 of the town law.

11 S 5. This act shall take effect immediately.