

VILLAGE OF BROCKPORT

LEGAL NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that pursuant to a resolution of the Board of Trustees of the Village of Brockport, New York, a public hearing will be held by the Board of Trustees on Monday, July 20, 2026, at 6:05 P.M. at the Village Municipal Building, 49 State Street, Brockport, New York, and via Zoom, to consider Proposed Local Law No. 2 of the Year 2026, entitled:

“A Local Law Amending Chapters 28 and 35 of the Code of the Village of Brockport Regarding Water and Sewer Rate Structures and Billing.”

The purpose of the proposed local law is to revise provisions of the Village Code relating to water and sewer rate structures and billing procedures.

All interested persons will be given an opportunity to be heard at said public hearing.

A copy of the proposed local law is available for public inspection during regular business hours at Village Hall, 127 Main Street, Brockport, New York and at www.brockportny.gov.

By Order of the Board of Trustees
Village of Brockport

Barbara Krizen
Village Clerk

Dated: July 1, 2026

LOCAL LAW NO. 2 OF 2026

A LOCAL LAW AMENDING CHAPTERS 28 AND 35 OF THE CODE OF THE VILLAGE OF BROCKPORT REGARDING WATER AND SEWER RATE STRUCTURES AND BILLING

Section 1. Legislative Intent

The Board of Trustees of the Village of Brockport hereby finds that the operation, maintenance, repair, replacement, and improvement of the Village water and sewer systems require the equitable allocation of both fixed and variable system costs among users of such systems. The Board further finds that modern utility billing practices commonly include minimum charges, volumetric usage charges, customer classifications, and differential rates for inside and outside district users.

The purpose of this local law is to modernize the Village utility rate structure and clarify the authority of the Village Board to establish and revise utility rates, minimum charges, classifications, and billing practices by resolution and fee schedule.

Section 2. Addition of § 28.5A and § 28.5B –Sewers

Chapter 28 of the Code of the Village of Brockport is hereby amended by adding a new **§ 28.5A** and **§ 28.5B** to read as follows:

§ 28.5A Definitions

For purposes of this Article:

CUSTOMER CLASSIFICATION: A category of sewer customer established by the Board of Trustees, including but not limited to residential, commercial, institutional, industrial, high-consumption, inside district, and outside district users.

MINIMUM BILLING: The minimum amount charged for sewer service during a billing period, which may include an allocation of usage as established by the Village Fee Schedule.

INSIDE DISTRICT USER: A property receiving utility service located within the Village of Brockport or within any utility district served by the Village.

OUTSIDE DISTRICT USER: A property receiving utility service located outside the Village of Brockport or outside any utility district served by the Village.

SEWER RENT: Any rate, fee, charge, assessment, minimum billing, volumetric charge, or other amount imposed pursuant to this Chapter for the operation, maintenance, repair, replacement, improvement, administration, or availability of the Village wastewater collection and conveyance system.

§ 28.5B Authority for Sewer Rents and Charges

A. This Article and the sewer rents and related charges authorized herein are enacted pursuant to the authority granted under Article 14-F of the General Municipal Law of the State of New York,

and any amendments thereto, for the purpose of establishing, imposing, collecting, and administering sewer rents and related charges for the operation, maintenance, repair, replacement, improvement, and administration of the Village wastewater collection and conveyance system.

B. Sewer rents and related charges authorized by this Article may include minimum charges, service charges, readiness-to-serve charges, volumetric usage charges, customer classifications, tiered rates, and differential rates for inside and outside district users, as established by the Board of Trustees by resolution.

Section 3. Repeal and Replacement of § 28.7 – Sewer Rent Computation and Billing

Section 28.7 of the Code of the Village of Brockport is hereby repealed and replaced with the following:

§ 28.7 Sewer Rent Computation and Billing

A. Sewer rents and charges shall be established and imposed for the use, operation, maintenance, repair, replacement and improvement of the Village wastewater collection and conveyance system.

B. Sewer rents may consist of one or more of the following components, including but not limited to:

- i. A minimum charge or base service charge;
- ii. A volumetric usage charge based upon metered or estimated water consumption;
- iii. Tiered consumption charges;
- iv. Charges based upon customer class or property type;
- v. Charges based upon frequency of billing;
- vi. Charges applicable to inside or outside district users; and
- vii. Charges or classifications based upon demand characteristics, usage patterns, meter size, property type, or other reasonable utility-related factors.
- viii. Such other charges, classifications, rate structures, or billing methodologies as the Board of Trustees may determine are reasonably necessary for the operation, maintenance, repair, replacement, improvement, or administration of the Village wastewater collection and conveyance system.

C. The Board of Trustees may establish and revise sewer rents, charges, classifications, billing categories, minimum billings, and volumetric rates by resolution and through the Village Fee Schedule as may be deemed necessary for the proper operation, maintenance, repair, replacement, and improvement of the sewer system.

D. Sewer rents may be billed monthly, quarterly, annually, or upon such other billing cycle as may be established by the Board of Trustees.

E. Sewer rents and charges may include minimum billings which include an initial allocation of usage, together with additional volumetric charges for usage exceeding such allocation.

F. All sewer rents and charges shall constitute charges imposed pursuant to Article 14-F of the General Municipal Law of the State of New York.

Section 4. Repeal and Replacement of Chapter 35 – Water Use

Chapter 35 of the Code of the Village of Brockport is hereby repealed and replaced in its entirety by adding a new § 35.1, § 35.2 and § 35.3 to read as follows:

Chapter 35 - Water Use

§ 35.1 Definitions

For purposes of this Chapter, the following terms shall have the meanings indicated:

CUSTOMER CLASSIFICATION: A category of water customer established by the Board of Trustees, including but not limited to residential, commercial, institutional, industrial, high-consumption, inside district, and outside district users.

INSIDE DISTRICT USER: A property receiving water service located within the Village of Brockport or within a water district served by the Village.

MINIMUM BILLING: The minimum amount charged for water service during a billing period, which may include an allocation of usage as established by the Village Fee Schedule.

OUTSIDE DISTRICT USER: A property receiving water service located outside the Village of Brockport or outside a water district served by the Village.

WATER RENT: Any rate, fee, charge, assessment, minimum billing, volumetric charge, technology fee, or other amount imposed pursuant to this Chapter for the operation, maintenance, repair, replacement, improvement, administration, or availability of the Village water system.

§ 35.2 Authority

The Village Board is authorized to establish, administer, and impose water rents, rates, fees, and charges for the operation, maintenance, repair, replacement, and improvement of the Village water system, including, but not limited to the following:

- i. Minimum service charges;
- ii. Volumetric usage charges based upon water consumption;
- iii. Meter-based charges;

- iv. Charges based upon customer classification, including but not limited to residential, commercial, institutional, industrial, high-consumption, inside district, and outside district users;
- v. Availability or readiness-to-serve charges;
- vi. Differential rates for monthly and quarterly billing accounts; and
- vii. Other charges, classifications, rate structures, or billing methodologies as the Board of Trustees may determine are reasonably necessary for the operation, maintenance, repair, replacement, improvement, or administration of the Village water system.

§ 35.3 Water Billing and Rates

The Village Board may establish and impose water rents, rates, fees, and charges including, but not limited to:

- i. Minimum service charges;
- ii. Meter-based charges;
- iii. Volumetric usage charges;
- iv. Charges based upon customer classifications;
- v. Availability or readiness-to-serve charges;
- vi. Differential rates for inside and outside district users;
- vii. Tiered usage structures;
- viii. Monthly, quarterly, annual, or other billing classifications; and
- ix. Such other charges, classifications, rate structures, or billing methodologies as the Board of Trustees may determine are reasonably necessary for the operation, maintenance, repair, replacement, improvement, or administration of the Village water system.

Section 5. Ratification

All prior water charges, sewer rents, classifications, minimum billings, and related charges heretofore established by the Village Board and included within the Village Fee Schedule are hereby ratified, validated, and confirmed.

Section 6. Severability

If any clause, sentence, paragraph, subdivision, or part of this local law shall be adjudged invalid by a court of competent jurisdiction, such judgment shall not affect the remainder thereof.

Section 7. Effective Date

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

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