

**Notice of Adoption of Local Law 2 of 2013
Town of Ovid
Seneca County, N. Y.**

NOTICE IS HEREBY GIVEN that after a public hearing duly held in the Town of Ovid, New York (the "Town") in accordance with law, the Town Board of said Town on the 12 day of June, 2013, adopted the following local law to wit: Local Law No. 2 of the year 2013: A local law repealing the "Unnecessary Noise" ordinance of the Town of Ovid.

SECTION ONE: LEGISLATIVE INTENT

In 1974, the Town of Ovid enacted "Unnecessary Noise" ordinance of the Town of Ovid. To the town board's knowledge, this ordinance has never been repealed.

It is currently the opinion of the town board that this ordinance may be void and/or unnecessary under various existing state and/or local enactments, including the town's local law providing for Licensing, Identification and Control of Dogs. Further, this ordinance prohibits prosecution therefor unless sworn statements from "at least three people residing in the Town of Ovid, at the time of the alleged disturbance" be filed with the Justice of the Peace, thereby discriminating against non-residents, including law enforcement officials, who may wish to file legitimate complaints and, further, contradicting the provisions of the Criminal Procedure Law of the State of New York, pertaining to local criminal court accusatory instruments' facial sufficiency.

It is, therefore, the opinion of the town board that the "Unnecessary Noise" ordinance of the Town of Ovid, duly adopted April 4, 1974, be repealed pending further review and study of the town's local laws and ordinances.

SECTION TWO: REPEALER

The "Unnecessary Noise" ordinance of the Town of Ovid, duly adopted April 4, 1974, is repealed in its entirety.

SECTION THREE: EFFECTIVE DATE

This Local Law shall take effect immediately upon its filing with the Secretary of State of the State of New York in accordance with the Municipal Home Rule Act of the State of New York.

Dated: June 12, 2013, Ovid, New York

By Order of the Town Board
Town of Ovid
James Vangalio, Town Clerk
Town of Ovid