

**Notice of Public Hearing on  
Proposed Local Law  
Town Of Ovid, New York  
Proposed Local Law No. "B" of the year 2013: "A local law repealing the "Unnecessary  
Noise" ordinance of the Town of Ovid,"**

**NOTICE IS HEREBY GIVEN** that the Town Board will hold a public hearing on the following proposed Local Law at the Town Office Building, 7160 North Main Street, Ovid New York at **7:00 p.m. on the 8th day of May, 2013**: Proposed Local Law No. "B" of the year 2013: "A local law repealing the "Unnecessary Noise" ordinance of the Town of Ovid," [set forth an abstract of the proposed local law]:

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 To the town board's knowledge, this ordinance has never been repealed.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opinion of the town board that the "Unnecessary Noise" ordinance of the Town of Ovid, duly adopted April 4, 1974, be repealed pending further review and study of the town's local laws and ordinances.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The "Unnecessary Noise" ordinance of the Town of Ovid, duly adopted April 4, 1974, is repealed in its entirety.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.

**At such time and place all persons interested in the subject matter thereof will be heard concerning the same.**

PLEASE TAKE FURTHER NOTICE that the environmental significance of the proposed local law will be reviewed at the said public hearing.

The complete text of the proposed local law is available during normal business hours at the Office of the Town Clerk, Ovid Municipal Building, 7160 North Main Street, PO Box 452, Ovid NY 14521.

**Dated: Ovid, N.Y., April 10, 2013**

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