Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of ____________________________

Local Law No. ________ of the year 2017

A local law extending the Moratorium on Certain Public Utility Installations

(Insert Title)

Through July 20, 2017

Be it enacted by the Town Board of the Town of Dryden as follows:

Section 1. Findings and Purpose. The Town Board of the Town of Dryden finds:

A. The Town Board of the Town of Dryden adopted Local Law No. 2 of the Year 2016, entitled “A Local Law Providing for a Moratorium on Certain Public Utility Installations for a Period of One Hundred Eighty (180) Days,” which local law became effective on July 26, 2016 and expires on January 21, 2017.

B. Town Board members, the Town’s Director of Planning, and the Town’s attorney have been researching and discussing issues related to potential new Town regulations of public utility installations.

C. The Town Board anticipates that its review, study and consideration of these issues can be completed, and legislation, if needed, can be drafted and properly adopted by July 20, 2017.

D. The Town Board is concerned that any new legislation would be significantly subverted if public utility installations covered by the moratorium were to be entertained and possibly approved before the Town Board completes the review and study process and considers legislation.

E. Extension of the moratorium until July 20, 2017, will protect the public health, safety and welfare and further the goals of the moratorium by preventing the consideration and approval of certain
types of public utility installations during the limited time the Town needs to complete such review and study and adopt such legislation.

Section 2. Local Law No. 2 of the Year 2016 is hereby amended as follows:

A. Section 1.H is amended to read as follows:

“H. It is anticipated that the Town Board’s review, study and consideration of the issues described above can be completed by July 20, 2017, and that legislation, if needed, can be drafted and properly adopted within that timeframe.”

B. The first sentence of Section 2 is amended to read as follows:

“Section 2. Prohibited Actions. The Town Board hereby declares a moratorium through July 20, 2017, prohibiting each of the following actions in the Town, regardless of the submittal or receipt of any application prior to the effective date of this local law, unless permitted under Section 3 hereunder:”

The rest of Section 2 (paragraphs A-D) remains unchanged.

C. Section 7 is revised to read as follows:

“Section 7. Term. This local law shall be in effect through July 20, 2017, provided, however, that the Fines, Penalties and Other Remedies section shall remain in full force and effect after such date for the purpose of prosecuting any violation which occurred during the effective period of this local law.”

Section 3. Any provision of Local Law No. 2 of the Year 2016 not amended herein remains in full force and effect.

Section 4. Validity. In the event that any portion of this law is declared invalid by a court of competent jurisdiction, the validity of the remaining portions shall not be affected by such declaration of invalidity.

Section 5. Effective Date. This local law shall take effect immediately upon filing with the New York Secretary of State.
I hereby certify that the local law annexed hereto, designated as Local Law No. 1 of 2017 of the Town of Dryden was duly passed by the Town Board on January 12, 2017, in accordance with the applicable provisions of law.

...
5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. __________ of 20__ of the City of ______________________ having been submitted to referendum pursuant to the provisions of section (36)(37) of the municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _______________ 20__, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. __________ of 20__ of the County of ______________________ State of New York, having been submitted to the electors at the General Election of November __, 20__, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

________________________________________
Bambi L. Avery, Town Clerk

Date: __January 13, 2017________________

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF __TOMPKINS__

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

________________________________________
Signature

________________________________________
Town Attorney

Town of Dryden

Date: