

# Local Law Filing

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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.

County  City  Town  Village  
(Select one.)

of Warren

FILED  
STATE RECORDS

SEP 20 2019

DEPARTMENT OF STATE

Local Law No. 4 of the year 2019

A local law to enact the Town of Warren Site Plan Review Law  
(Insert Title)

Be it enacted by the Town Board of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one.)

of Warren

as follows:

## Article I Introductory Provisions

Section 1.010 Enactment. The Town Board of the Town of Warren, Herkimer County, New York, does hereby ordain and enact the Town of Warren Site Plan Review Law pursuant to the authority and provisions of Section 10 of the Municipal Home Rule Law and Section 274-a of the Town Law.

1.020 Short title. This local law shall be known as the "Town of Warren Site Plan Review Law." The Town of Warren is hereinafter referred to as the "Town".

1.030 Intent and Purpose. Through site plan review, it is the intent of this local law to promote the health, safety and general welfare of the Town. A clean, wholesome, attractive environment is declared to be of importance to the health and safety of the inhabitants of the Town and, in addition, such an environment is deemed essential to the maintenance of the quality of life in the Town and the general welfare of its inhabitants. It is further the intent of this local law to ensure optimum conservation, protection, preservation, development and use of the natural and man-related resources of the Town, by regulating land use activity within the Town through review and approval of site plans consistent with the adopted Town of Warren Comprehensive Plan. This includes promoting agriculture and conserving and protecting agricultural resources. It is not the intent of this local law to prohibit per se any land use activity but to allow all land use activities which will meet standards set forth in this local law. It is the intent of this Article to promote and encourage good design standards, adequate site amenities and visual and physical qualities in residential, commercial and industrial development.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

**1.040 Authorization of the Planning Board to review site plans.** The Planning Board is hereby authorized to review and approve or disapprove site plans for land uses within the Town as hereinafter designated pursuant to and in accordance with the standards and procedures set forth in this local law.

**1.050 Costs.** Cost incurred by the Planning Board for consultation fees or other extraordinary expenses including but not limited to engineering, legal, architectural, planning or traffic engineering services in connection with the review of the proposed site plan shall be charged to the applicant. The applicant shall deposit into an escrow account, established by the Town Planning Board specifically for this purpose, a sufficient amount to be used solely by the Town of Warren to retain the qualified experts needed for adequate review of the proposal as determined by the Planning Board.

## **Article II**

### **Applicability and Definitions**

**Section 2.010 Applicability of review requirements.** All new land use activities within the Town, including erection of signs, shall require site plan review and approval before being undertaken except the following:

1. Construction of one, two, multi-family or farm dwellings and ordinary accessory structures (not to include an accessory apartment/elder cottage), and related land use activities such as home business;
2. Additions or accessory structures to existing residential properties;
3. Landscaping or grading which is not intended to be used in connection with a land use reviewable under the provisions of this local law;
4. Ordinary repair or maintenance or interior alterations to existing structures or uses;
5. Exterior alterations or additions to existing non-residential or non-agricultural structures which would not increase the square footage of the existing structure by more than 25% of the structure footprint;
6. The sale of agricultural produce and temporary structures related to sale of agricultural produce;
7. Garage, lawn and porch sales;
8. Agricultural Buildings as defined in Chapter 2, Section 202 the New York State Uniform Fire and Building Code Regulations, including, but not limited to barns, storage sheds, and silos;
9. Interior alterations that do not substantially change the nature or use of an existing commercial or industrial structure.

Any person uncertain of the applicability of this local law to a given land use activity may apply to the Code Enforcement Officer for such determination. Should an applicant disagree with the determination of the Code Enforcement Officer, they can apply for review by the Planning Board for a written jurisdictional determination.

**2.020 Required Setbacks.** The following standards shall apply, as consistent with neighboring properties and where appropriate. If an Applicant is unable to meet the required standard, the Applicant may seek a waiver.

1. Front Yard Setback – Road setbacks shall be at least 75 feet from the center of the road on all roads and highways in the Town. If the Applicant proposes a front setback of less than 25 feet from the edge of the maintenance right-of-way, the Planning Board may require review by the Town Highway Department.
2. Property Line Setbacks – All principal structures and major home systems, including the well and septic system, must be located at least 20 feet from the side and rear property lines. Accessory structures such as fences and sheds may be located closer but must be shown on the proposed site plan and approved by the Planning Board.

**2.030 Effect on existing uses.** This law does not apply to uses and structures which are lawfully in existence as of the date this local law becomes effective. Any use which would otherwise be subject to this law that has been discontinued for a period of two years or more shall be subject to review pursuant to the terms of this law before such use is resumed. Any use or structure shall be considered to be in existence provided the same has been substantially commenced as of the effective date of this local law and fully constructed and completed within one year from the effective date of this local law.

**2.040 Change of uses.** Any change in the use, other than a single or two family residence, to a use involving any site plan modification including but not limited to an increased or different requirements for parking, an increase or change in impervious surface area, proposed erection of a new sign, proposed establishment of additional exterior lighting, proposed structural enlargement, or proposed additional site plan improvements is subject to site plan review.

**2.050 Relationship of this law to other laws and regulations.** This local law in no way affects the provisions or requirements of any other Federal, State or local law or regulation. Where this local law is in conflict with any other such law or regulation, the more restrictive shall apply.

**2.060 Definition.**

“Agricultural Data Statement” is a written identification of farm operations within an agricultural district located within 500 feet of the boundary of property upon which a site plan review is being conducted, as provided in Section 305-a of the Agricultural and Markets Law of the State of New York. An “Agricultural Data Statement” shall include the following information: the name and address of the applicant; a description of the proposed project and its location; the name and address of any owner of land within the agricultural district, which land contains farm operations

and is located within 500 feet of the boundary of the property upon which the project is proposed; and a tax map or other maps showing the site of the proposed project relative to the location of farm operations identified in the Agricultural Data Statement.

“Agricultural Building” means a structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated or packaged, nor shall it be a place used by the public.

“Family” means a person or persons related to each other by blood, marriage or adoption, or any number of persons, irrespective of any such relationship, which nonetheless functions as the equivalent of such a family, living together as a single housekeeping unit.

“Land Use Activity” means any construction or other activity which changes the use or appearance of land or a structure or the intensity of use of land or a structure. “Land Use Activity” shall explicitly include, but not be limited to, the following: new structures, expansions to existing structures, new uses, changes in or expansions of existing uses, roads, driveways and excavations for the purpose of extracting soil or mineral deposits. This shall include, but is not limited to residential structures, commercial structures, residential or commercial accessory structures, signs, parking lots and roads.

“One-family dwelling” means a complete self-contained residential unit for permanent habitation by one-family only, and containing one or more rooms and facilities for living including cooking, sleeping and sanitary needs.

“Structure” means any object constructed, installed or placed on land to facilitate land use and development or subdivision of land, such as buildings, sheds, signs, tanks and any fixtures, additions and alterations thereto.

“Structure, accessory” means any structure designed to accommodate an accessory use but detached from the principal structure, such as, a free standing garage for vehicles accessory to the principal use, a storage shed, garden house or similar facility.

“Two-family dwelling” means two complete, but separate, self-contained residential units each intended for permanent habitation by one-family only in a single structure having a common wall roof, wall or ceiling and containing separate rooms and facilities for living including cooking, sleeping and sanitary needs.

Any term used in this local law which is not defined hereinabove shall carry its customary meaning or that according to the New York State Building Code unless the context otherwise dictates.

### **Article III**

#### **Site Plan Review**

**Section 3.010 Procedures – Generally.** Prior to receiving a building permit and undertaking any new land activity except uses specifically excepted in Section 2.010 of this local law, a site plan

approval by the Planning Board is required. Applicants for site plan approval are encouraged to prepare a sketch plan and attend the sketch plan conference as hereinafter set forth. Applicants must comply with all other procedures and requirements of this local law. Five copies of the site plan application shall be made in writing to the Planning Board. The application shall be presented no fewer than seven (7) working days prior to the next regularly scheduled Planning Board meeting.

**3.020 Sketch Plan.** A sketch plan conference shall be held between the Planning Board and the Applicant prior to the preparation and submission of a formal site plan. The intent of such a conference is to enable the applicant to inform the Planning Board of his/her proposal prior to the preparation of a detailed site plan; and for the Planning Board to review the basic site design concept, advise the applicant as to potential problems and concerns and to generally determine the information to be required on the site plan. In order to accomplish these objectives, the applicant shall provide the following for a sketch plan:

1. A statement describing the project, giving evidence of compatibility with the Town of Warren Comprehensive Plan and a time period for completion of the project. It will also include a rough sketch showing the locations and dimensions of principal and accessory structures, parking areas, access signs (with descriptions), existing and proposed vegetation, and other planned features; anticipated changes in the existing topography and natural features; and, where applicable, measures and features to comply with flood hazard and flood insurance regulations;
2. An area map showing the parcel under consideration for the site plan review, and all properties, subdivisions, streets, rights-of-way, easements and other pertinent features within 200 feet of the boundaries of the parcel; and
3. A topographic or contour map of adequate scale and detail to show site topography with contour intervals of at least 20 feet.

**3.030 Application Requirements.** An application for site plan approval shall be made in writing to the Chairman of the Planning Board and shall be accompanied by information contained on the following checklist. Where the sketch plan conference was held, the accompanying information shall be drawn from the following checklist as determined necessary by the Planning Board at said sketch plan conference.

**SITE PLAN CHECKLIST:**

1. A site plan detailing the following:
  - a. Title of drawing, including name and address of applicant and person responsible for preparation of such drawing;
  - b. North arrow, scale and date;
  - c. Boundaries of the property plotted to scale;

- d. Existing structures and right-of-ways;
- e. Rock outcrops, depth of bedrock, soil characteristics, watercourses, and grading and drainage plan, showing existing and proposed contours. Show all slopes in excess of 15%;
- f. Location, architectural design, type of construction, proposed use and exterior dimensions of all structures;
- g. Location, number, design and type of construction of all parking and truck loading areas, showing access and egress, including those spaces dedicated for handicapped parking;
- h. The locations of all present and proposed public and private ways, driveways, sidewalks, ramps, curbs, paths and other pedestrian access. The Planning Board may require a traffic study when average daily traffic is proposed to increase by more than 100 cars per day;
- i. Location of outdoor storage, and location, type and screening details for all waste disposal containers, if any;
- j. Location, design and construction materials of all existing or proposed site improvements including drains, culverts, catch basins, head walls, end walls, hydrants, detention ponds, drainage swales, retaining walls and fences. This shall include an erosion and stormwater control plan to prevent the pollution of the surface of ground water, erosion of soil both during and after construction, excessive runoff, excessive raising or lowering of the water table and flooding of other properties, as applicable. This plan must comply with the New York Guidelines for Urban Erosion and Sediment Control and if more than one acre of a site is disturbed, must be permitted by the New York State Department of Environmental Conservation. Where appropriate, the Planning Board may request soil logs, percolation test results and storm runoff calculations;
- k. Location of a snow storage area;
- l. Location, size, and design and type of installation of all proposed permanent signs;
- m. Location and development of all proposed buffer areas, including existing and proposed vegetative cover;
- n. Location and design of outdoor lighting plan;
- o. Description of the method of sewage disposal and location, design and construction materials of such facilities;

- p. Description of the method of securing potable water and location, and approximate quantity of water required;
  - q. Description of proposed fire and other emergency response systems;
  - r. Location, design and construction materials of all utility distribution facilities, including electrical, gas and solar energy;
2. General landscaping plan and planting schedule. The landscaping plan should show existing natural features that may influence the design of the proposed use such as rock outcrops, single trees eight or more inches in diameter located within any area where clearing will occur, forest cover and water sources and all proposed changes to these features. Water sources include ponds, lakes, wetlands, watercourses, aquifers, floodplains and drainage retention ponds;
  3. An estimated project construction schedule;
  4. Record of application for the status of all necessary permits from other governmental bodies;
  5. Identification of any permits from other government bodies required for the project's execution;
  6. While development in the floodplain should be avoided, if the proposed project is located within a floodplain, all site plans for development shall be in conformance with the provisions of the FEMA Flood Insurance Study;
  7. An Agricultural Data Statement as defined in this local law;
  8. Disclosure of Industrial Development Agency funding, tax exempt status or tax abatements are to be sought in conjunction with this project;
  9. A Full Environmental Assessment Form as required by SEQRA. A Short Environmental Assessment Form may be deemed sufficient by the Planning Board during the sketch plan conference.
  10. Other elements integral to the proposed development as may be considered necessary in the particular case by the Planning Board.

**3.035 Waiver.** The Planning Board may elect to conduct a less intensive review for minor types of projects that do not generate significant amounts of traffic, and or that have little or no potential adverse impacts to neighboring properties and uses, including agriculture. The Planning Board may waive any requirements set forth in this site plan review law for the site plan submitted for approval. Any such waiver, which shall be subject to appropriate conditions as determined by the Planning Board, may be exercised in the event any such requirements are found not to be requisite in the interest of public health, safety or general welfare, or inappropriate to a particular site plan.

In no case shall a waiver be more than a minimum easing of requirements and in no instance shall it result in any conflict with the adopted Town of Warren Comprehensive Plan and shall not nullify the intent and purposes of this site plan review law. Any request for a waiver of applicant requirements must be made in writing to the Planning Board, must demonstrate that compliance would cause undue hardship, and shall be determined at the time of the sketch plan. Requirements of this local law may not be waived except as properly voted by the Planning Board.

**3.040 Required fee.** An application for site plan review shall be accompanied by a fee as determined by the Town Board.

## **Article IV Review Standards**

### **Section 4.010 General standards and considerations.**

The Planning Board's review of the site plan shall include, as appropriate, but is not limited to, the following general considerations and shall ensure compatibility between the proposal and the Town of Warren Comprehensive Plan.

1. Location, arrangement, size, design and general site compatibility of structures, lighting and signs. Structures that are visible from public roads shall be compatible with each other and with traditional structures in the surrounding area in architecture (including but not limited to roof style and facades), massing and placement, shall harmonize with traditional elements of the area; and shall avoid features such as flat roofs, large expanses of undifferentiated facades and long plain wall sections. Architectural design shall be in keeping with the small-town architectural character of the area. Exterior lighting fixtures shall minimize glare and use design features such as, but not limited to, fully shielded fixtures to prevent light from shining directly onto neighboring properties or public ways. Structures should be optimally placed to protect important viewsheds.
2. Adequacy, arrangement, and compliance with the County Driveway Regulations of vehicular traffic access and circulation, including intersections, road widths, pavement surfaces, dividers and traffic controls, and adequacy of snow storage and ease of snow removal. The Town Planning Board shall forward these plans to the Road Review Committee, who shall review these proposed plans within the time frames established in the Site Plan Review process.
3. Location, arrangement, appearance and sufficiency of off-street parking and loading.
4. Adequacy and arrangement of pedestrian traffic access and circulation, walkway structures, control of intersections with vehicular traffic and overall pedestrian convenience.
5. Adequacy of stormwater and drainage facilities.
6. Adequacy of water supply and sewage disposal facilities.



7. Adequacy, type and arrangement of trees, shrubs and other landscaping constituting a visual and/or noise buffer between the applicant's and adjoining lands, including the maximum retention of existing vegetation. Landscaping shall be an integral part of the project area. To the extent practical, existing trees and other vegetation shall be conserved and integrated into the landscape design plan. Landscaping shall buffer incompatible uses such as large-scale commercial uses and residences.
8. Adequacy of fire lanes and other emergency zones to provide emergency access to structure(s) and the provision of fire hydrants if necessary.
9. Impact from noise, glare, unsightliness or nuisances on adjacent or neighboring properties.
10. Adequacy of access to light and air for all neighboring structures.
11. Special attention to the adequacy and impact of structures, roadways and landscaping in areas with susceptibility to ponding, flooding and/or erosion.
12. Overall impact on the neighborhood including compatibility of design consideration.
13. Special attention to the adequacy and impact of structures, roadways and landscaping in areas of steep slope and along ridgelines.

**4.020 Rural design guidelines.** To help ensure that new development is compatible with the rural, small town character of the Town, the Planning Board shall apply the following design guidelines to its review of site plans:

1. The Planning Board will evaluate overall impact on existing agricultural operations within the Town;
2. Whenever feasible, the design should retain and reuse old farm roads and country lanes instead of constructing new roads and driveways;
3. Whenever feasible, new structures should be placed at the edges of fields or in cleared areas next to fields instead of in the middle of fields. Septic systems and leach fields, however, may be located in fields;
4. Minimize clearing of vegetation;
5. Whenever feasible, situate parking lots to the side and rear of structures; and
6. Lighting should be designed and arranged so as to minimize glare on adjacent properties and onto public places.

## **Article V**

### **Public Hearing, Referral, and Planning Board Decision**

**Section 5.010 Public hearing.** The Planning Board shall conduct a public hearing on the site plan. Such hearing shall be held within 62 days of the receipt of application for site plan review and shall be advertised in the Town's official newspaper, or if there is none, in a newspaper of general circulation in the Town at least five (5) days before the public hearing, at the expense of the Applicant. The Planning Board shall give notice to the applicant at least ten (10) days before the public hearing.

**5.020 Referrals to County Planning Board.** At least ten days before such hearing, a copy of the application and any accompanying documents shall also be sent to the Herkimer County Planning Board for its review, as required by Section 239-m of the General Municipal Law, where any site plan review application affects real property lying within five hundred (500) feet of the Town boundary, or of the boundary of any existing or proposed County or State park or other recreational area, or of the right-of-way of any existing or proposed County or State parkway, expressway, road or highway, or of the existing or proposed right-of-way of any stream or drainage channel owned by the County or for which the County has established channel lines, or of the existing or proposed boundary of any County or State owned land on which a public building or institution is situated. No action shall be taken upon any matter referred to the Herkimer County Planning Board until said Board shall have made a recommendation thereon to the Town Planning Board or thirty (30) days shall have elapsed since the date of referral. If the County Planning Board disapproves the proposal or recommends modification thereof, the Town Planning Board shall not act contrary to such disapproval or recommendation except by a vote of a majority plus one (1) of all members and after the adoption of a resolution fully setting forth the reasons for such contrary actions. If significant changes have been made by the Planning Board or applicant to a site plan after the Herkimer County Planning Board review has been completed, the Planning Board shall re-refer the site plan application to the County Planning Board for a new review under Section 239-m.

**5.030 Compliance with State Environmental Quality Review Act.** The Planning Board shall comply with the provisions of the State Environmental Quality Review Act under Article 8 of the Environmental Conservation Law and its implementing regulations.

**5.040 Planning Board decision.** Within 62 days of the public hearing, the Planning Board shall render a decision. In its decision the Planning Board may approve, approve with modifications or disapprove the site plan. The time period in which the Planning Board must render its decision can be extended by mutual consent of the applicant and the Planning Board.

1. Procedure for Approval. Upon approval of the site plan and payment by the applicant of all fees and escrow amounts due to the Town, the Planning Board shall endorse its approval on a copy of the site plan and shall file it and a written statement of approval within 5 business days with the Town Clerk. A copy of the written statement of approval shall be mailed to the applicant by certified mail, return receipt requested.

A. Approval. The Town Planning Board will approve the site plan, provided that it finds the facts submitted with the site plan establish that:

- (1) The location, nature and intensity of the use involved shall be such that it will be in harmony with the orderly development of the Town as proposed in the Comprehensive Plan, and the location and nature of structures, walls and fences will not discourage the appropriate development and use of adjacent land and structures.
- (2) Existing streets are suitable and adequate to carry anticipated traffic generated by the proposed use and in the vicinity of the proposed use.
- (3) The proposed use will not be detrimental to personal safety within the area, the natural characteristics of the site or area, and present surrounding uses.
- (4) The general standards under Sections 4.010.

B. Approval with modifications. The Planning Board may conditionally approve the final site plan. The Planning Board shall have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to a proposed site plan. Upon its approval of said site plan, any such conditions must be met in connection with the issuance of permits by applicable enforcement agents or officers of the Town.

A copy of the written statement containing the modifications required by the conditional approval will be mailed to the applicant by certified mail, return receipt requested. After adequate demonstration to the Planning Board that all conditions have been met, the Planning Board shall approve and file the site plan pursuant to the procedure in Section 5.040(1).

2. Disapproval. Upon disapproval of the site plan the decision of the Planning Board shall immediately be filed with the Town Clerk and a copy thereof mailed to the applicant by certified mail, return receipt requested, along with the Planning Board's reasons for disapproval.

## **Article VI**

### **Appeal of Planning Board Decision**

**Section 6.010 Appeal procedure.** Any person aggrieved by any decision of the Planning Board or any Officer, Department, Board or Bureau of the Town, may apply to the Herkimer County Supreme Court for review by proceeding under Article 78 of the Civil Practice Law and Rules. Such proceedings shall be instituted within thirty (30) days after the filing of a decision in the office of the Town Clerk.

**Article VII**  
**Miscellaneous Provisions**

**Section 7.010 Enforcement Officer.** The Town Board may appoint an Enforcement Officer to carry out the duties assigned by this local law or by any additional regulations adopted pursuant to Section 7.020 hereof. If appointed, the Enforcement Officer shall be responsible for the overall inspection of site improvements with the Planning Board and other officials and agencies, as appropriate.

**7.020 Amendments.**

1. The Town Board may on its own motion, on petition, or on recommendation of the Planning Board, after public notice and hearing, amend this local law pursuant to all applicable requirements of law.
2. All proposed amendments originating by petition, or by motion of the Town Board, shall be referred to the Planning Board for a report and recommendation thereon. The Planning Board shall submit its report within thirty (30) days after receiving such referral. Failure of the Planning Board to report within the required time shall be deemed to constitute a recommendation for approval of the proposed amendment.

**7.030 Integration Of Procedures.** Whenever the circumstances of proposed development require compliance with this Site Plan Review Law and with any other local law, ordinance or requirement of the Town, the Planning Board shall attempt to integrate, as appropriate, site plan review as required by this local law with the procedural and submission requirements for such other compliance.

**7.040 Enforcement.** No Certificate of Occupancy shall be issued until all improvements shown on the approved site plan are installed. Any persons, corporation, partnership, association or other legal entity who shall violate any of the provisions of this local law, or any conditions imposed by a permit pursuant hereto shall be guilty of an offense and subject to a fine of not more than two hundred fifty dollars (\$250.00) or by penalty of two hundred fifty dollars (\$250.00) to be recovered by the Town in a civil action. Every such person or entity shall be deemed guilty of a separate offense for each day such violation, disobedience, omission, neglect or refusal shall continue. The Town of Warren Code Enforcement Officer is hereby authorized to issue appearance tickets for violations of this local law and any orders or approvals issued under this local law.

**7.050 Performance Bond or Other Security.** No Certificate of Occupancy shall be issued until all improvements shown on the site plan are installed or a sufficient performance guarantee has been posted for improvements not yet completed. This sufficiency of such performance guarantee shall be determined by the Town Planning Board after consultations with the Town Board, Building Codes Officer, Town Attorney and/or other appropriate parties.

**7.060 Expiration of Site Plan Approval.** Site plan approval shall automatically terminate one (1) year after the same is granted unless a building permit has been issued and there is physical

evidence to demonstrate that the project is in progress. An applicant may request one six month extension of this time frame.

**7.070 Consultant Review.** The Planning Board may consult with the Town Building Inspector, Fire Commissioners, environmental organizations, Highway Departments Superintendents, Town Designated Engineer, other local and county officials, the New York State Health Department, New York State Department of Environmental Conservation, and the New York State Department of Transportation. The Planning Board may hire a consultant, if needed, to review plans.

**7.080 Severability.** The provisions of this local law are severable. If any article, section, paragraph or provision of this local law shall be invalid, such invalidity shall apply only to the article, section, paragraph or provision(s) adjudged invalid, and the rest of this local law shall remain valid and effective.

**7.090 Effective Date.** This local law shall become effective upon the date it is filed in the Office of the New York Secretary of State.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 4 of 2019 of the (County)(City)(Town)(Village) of Warren was duly passed by the Town Board on September 9, 2019, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**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 \_\_\_\_\_ above.

*Diana K. Helkovich*  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: *Sept. 18, 2019*

(Seal)