

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.

County City Town Village

of Jordan

Local Law No. 3 of the year 2024

A Local Law to Amend the Code of the Village of Jordan by Abolishing the Existing Planning Board and Board of Appeals in the Village Through the Consolidation and Creation of a Joint Planning Board/Board of Appeals

Be it enacted by the Village Board of Trustees of the

County City Town Village

of Jordan as follows:

SECTION 1. AUTHORITY.

This local law is enacted pursuant to the New York State Constitution and New York Municipal Home Rule Law §10 and New York State Village Law §7-712 (“Zoning board of appeals”) and §7-718 (“Planning board; creation, appointment”).

SECTION 2. LEGISLATIVE INTENT.

The purpose of this Local Law is to increase the efficiency and administration of land use, planning and zoning review in the Village of Jordan by consolidating and creating a Joint Planning Board/Board of Appeals for the Village.

SECTION 3. SUPERSESION OF VILLAGE LAW §7-712 AND §7-718

Pursuant to Municipal Home Rule Law §10(1)(ii)(a)(1), this Local Law shall supersede New York State Village Law §7-712 and §7-718 to the extent this Local Law conflicts with said sections of the Village Law.

SECTION 4. CONFLICT WITH PRIOR LOCAL LAWS OR THE CODE OF THE VILLAGE OF JORDAN

A. To the extent any Local Laws or parts of Local Laws or the Code of the Village of Jordan are inconsistent with or conflict with any of the provisions of this Local Law, the terms of this Local Law shall control.

B. Wherever the term “Planning Board”, “Board of Appeals” or “Zoning Board” appears in any Local Laws or the Code of the Village of Jordan, said terms shall hereafter mean and refer to the Joint Planning Board/Board of Appeals as established by this Local Law.

SECTION 5. CONSOLIDATION AND CREATION OF A JOINT PLANNING BOARD/BOARD OF APPEALS

Article IX (“Administration and Enforcement”) of the Village Code of the Village of Jordan is hereby amended by repealing §9.3 (“Planning Board”) and §9.4 (“Board of Appeals”) and adding a new §9.3 to read in its entirety as follows:

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

“§9.3. Joint Planning Board/Board of Appeals

A. Administrative/General Provisions.

1. Establishment of Joint Board. A Village of Jordan Joint Planning Board/Board of Appeals is hereby established in order that the objectives and competent administration of this Chapter may be fully and equitably achieved.
2. Appointment of Members. The Village Board of Trustees shall appoint five (5) members to the Joint Planning Board/Board of Appeals. The initial appointments to the Joint Board shall be such that the term of one (1) member shall expire each consecutive year. Thereafter, members of the Joint Board shall be appointed by the Village Board of Trustees for a term of five (5) years from and after the expiration of each initial term of office.
3. Chairperson. The Village Board of Trustees shall annually appoint one of the members of the Joint Planning Board/Board of Appeals to act as Chairperson to preside at all meetings and hearings, to supervise the affairs of the Joint Board and to fulfill the customary functions of that office.
4. Secretary. A secretary of the Joint Planning Board/Board of Appeals shall be designated by the Village Board of Trustees on an annual basis. The secretary shall keep minutes of all of the Joint Board’s proceedings, showing the vote of each member upon every question, or if absent or failing to vote, indicating such fact and shall also keep records of all of the Joint Board’s official actions.

B. Powers and Duties.

The Joint Planning Board/Board of Appeals shall be the sole land use board within the Village of Jordan and shall be authorized to hear all planning and zoning matters within the Village of Jordan. The Joint Planning Board/Board of Appeals shall have all of the power and authority of the previously constituted and comprised Planning Board and Board of Appeals as previously set forth in Article IX at §9.3 and §9.4, as well as the Village Law, when considering all planning and zoning matters.

C. Conflict with this Article.

1. To the extent any parts of this Article or any other Article of the Code of the Village of Jordan are inconsistent with or conflict with any of the provisions of this Local Law, the terms of this Local Law shall control.
2. Wherever the term “Planning Board”, “Board of Appeals” or “Zoning Board” appears in this Article or any other

Article of the Code of the Village of Jordan, said terms shall hereafter mean and refer to the Joint Planning Board/Board of Appeals as established by this Local Law.”

SECTION 6. PLANNING BOARD ABOLISHED

The Village of Jordan Planning Board, as currently constituted and comprised, is hereby abolished and, as set forth in Section 5 above, is consolidated into the new Village of Jordan Joint Planning Board/Board of Appeals.

SECTION 7. BOARD OF APPEALS ABOLISHED

The Village of Jordan Board of Appeals, as currently constituted and comprised, is hereby abolished and, as set forth in Section 5 above, is consolidated into the new Village of Jordan Joint Planning Board/Board of Appeals.

SECTION 8. SEVERABILITY

If any clause, sentence, paragraph, subdivision or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered

SECTION 9. EFFECTIVE DATE

This Local Law shall take effect upon enactment by the Village of Jordan Board of Trustees and filing with the Office of the New York State 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. and 3 of 2024** of the **Village of Jordan** was duly passed by the **Village Board of Trustees** on **August 26, 2024**, in accordance with the applicable provisions of law.

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 Village of Jordan was duly passed by the Village Board of Trustees on _____, 20__, and was (approved/not approved/ repassed after disapproval) by the Village Board of Trustees and was deemed duly adopted on _____, 20__, in accordance with the applicable provisions of law.~~

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

~~I hereby certify that the local law annexed hereto, designated as local law No. ___ of 20__ of the Village of Jordan was duly passed by the Village Board of Trustees on _____, 20__, and was (approved/not approved/ repassed after disapproval) by the Village Board of Trustees on _____, 20__.~~

~~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 Village of Jordan was duly passed by the Village Board of Trustees on _____, 20__, and was (approved/not approved/ repassed after disapproval) by the Village Board of Trustees 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.~~

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.


Tina Trapp, Village Clerk
Village of Jordan

(Seal)

Date: August 26, 2024