

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET
ALBANY, NY 12231

(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 of Florence

☐ Town

☐ Village

STATE OF NEW YORK
DEPARTMENT OF STATE

FILED

JAN 14 2008

Local Law No. 2 of the year 20 07

MISCELLANEOUS
& STATE RECORDS

A local law to provide a moratorium on the consideration of any subdivision
(Insert Title)
of land where lots would be subdivided off of a private road.

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

☒ County

☒ City of Florence as follows:

☐ Town

☐ Village

(Delete this line of text and enter text of local law here)

1. Statement of Authority. The Town Board of the Town of Florence pursuant to the authority granted under Article 4 and 16 of the Town Law and Sections 10 and 20 of the Municipal Home Rule Law of the State of New York hereby adopts as follows:

2. Statement of Purpose and Findings. The Town Board of the Town of Florence hereby finds that the construction of private roads in subdivisions in the Town of Florence has presented many challenges and difficulties. When roads are not properly constructed and/or maintained, it places a burden on the property owners along such roads who then look to the Town for relief. In order to protect the health, safety and welfare of residents of the Town, it is proposed that a moratorium be placed on the consideration of any subdivision of land where lots would be subdivided off of a private road for a period of time to allow the Town Board to consider the issue and to develop standards and procedures. It is the purpose of this local law to accomplish the same.

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

3. Enactment. The Town Board of the Town of Florence hereby establishes a moratorium for a period of three (3) months from the effective date of this law during which time the Planning Board shall discontinue the consideration of any pending subdivision of property which would involve the construction of a private road and further, the Planning Board shall not entertain any new application for subdivision which entails the construction of a private road.

Article 4. - Severability. If any part of this Chapter shall be found to be void, voidable, or unenforceable for any reason whatsoever, it shall not affect the validity or enforceability of any remaining section or provision of this Chapter.

Article 5. - Effective Date. This local law shall take effect immediately upon filing with the 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. 2 of 20 07 of the ~~(County)(City)(Town)(Village)~~ of Florence was duly passed by the Town Board on 12/28 20 07, in accordance with the applicable provisions of law.
(Name of Legislative Body)

~~(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) (Name of Legislative Body) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20 _____, in accordance with the applicable provisions of law.~~
~~(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) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20 _____.~~
~~(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) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20 _____.~~
~~(Elective Chief Executive Officer*)~~

~~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.~~

* 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 (26)(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 _____, 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.

Clerk of the county legislative body, City, Town or Village Clerk or
officer designated by local legislative body

(Seal)

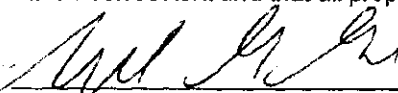
Date: January 3, 2008

(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 Oneida

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

Title _____


of
Town


Florence

Date: January 3, 2008