

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
(Select one.)

of NORTH HARMONY

Local Law No. 3 of the year 2018

A local law to amend the Zoning Ordinance Section 402 - TC-2 - Tourist Commercial Mixed-Use

(Insert Title)

Subdistrict-Uses Permitted by Right - to include Municipal Offices/Court Facilities

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

County City Town Village
(Select one.)

of NORTH HARMONY

as follows:

SEE ATTACHED PAGE

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

(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. 3 of 2018 of the (County)(City)(Town)(Village) of NORTH HARMONY was duly passed by the Town Board on May 14 2018, 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 1 above.

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

Date: _____

(Seal)

**TOWN OF NORTH HARMONY
LOCAL LAW NO. 3 FOR THE YEAR 2018**

**A LOCAL LAW TO AMEND THE CURRENT TOWN OF NORTH HARMONY
ZONING LAW REGARDING USES PERMITTED BY RIGHT
IN THE TC-2 - TOURIST COMMERCIAL MIXED-USE SUBDISTRICT**

Be it enacted by the Town Board of the Town of North Harmony, Chautauqua County, New York, the following amendments to the Town of North Harmony Zoning Law:

Section 1. INTENT

The Town Board of the Town of North Harmony, as the local legislative body with the authority to enact and amend zoning regulations, enact the amendments contained in this Local Law to the Town of North Harmony Zoning Law based upon the following findings:

1. It is the duty of the Town Board to encourage the most appropriate use of land within the Town of North Harmony;
2. The Town of North Harmony, and its inhabitants, will be best served if the Town strives to create a balanced and efficient pattern of land development that promotes economic stability and development; and
3. The amendments enacted by this Local Law, with the controls contained herein, will have no greater impact upon the community than similar uses contained within the Town of North Harmony Zoning Law and will also allow for clarification of the existing regulations governing signage and its impact in the Town of North Harmony.

Section 2. AUTHORITY

This local law is adopted under the authority granted by:

1. Article IX of the New York State Constitution;
2. Consolidated Laws of the State of New York, Chapter 62, Article 16;
3. New York Municipal Home Rule Law, Article 2, §10; and
4. New York Town Law, §264 & §265.

Section 3. ARTICLE IV, SECTION 402 – USES PERMITTED – TOWN OF NORTH HARMONY ZONING LAW

The following Use by Right is added to Article IV, Section 400 - "Uses Permitted" of the Town of North Harmony Zoning Law in the TC-2 – Tourist Commercial Mixed-Use Subdistrict:

Municipal Offices/Court Facilities

Section 4. SAVINGS CLAUSE.

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 adjusted 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 5. EFFECTIVE DATE.

This local law shall take effect immediately upon filing with the Secretary of State.