

# 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 of Duanesburg
- Town
- Village

Local Law No. 2 of the year 20 06

A local law A LOCAL LAW TO AMEND THE STREET AND ROAD ORDINANCE OF THE  
*(Insert Title)*  
TOWN OF DUANESBURG, COUNTY OF SCHENECTADY AND STATE OF  
NEW YORK, TO PROVIDE FOR A DRIVEWAY OR ENTRANCEWAY  
CULVERT OF THIRTY (30') MINIMUM LENGTH.

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

- County
- City of Duanesburg as follows:
- Town
- Village

(See Attached)

(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. 2 of 20 06 of the (County)(City)(Town)(Village) of Duanesburg was duly passed by the Duanesburg Town Board on April 13, 20 06, 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) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted *(Elective Chief Executive Officer\*)* 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 (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 \_\_\_\_\_. 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 (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.

*David M. Shearon*

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

Date: *April 17, 2006*

(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 Schenectady

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]*  
\_\_\_\_\_  
Signature  
Attorney for the Town  
\_\_\_\_\_  
Title

County  
City of Duanesburg  
Town  
Village

Date: *4/18/06*

## TOWN OF DUANESBURG

Local Law No. 2 of the year 2006

A LOCAL LAW TO AMEND THE STREET AND ROAD ORDINANCE OF THE TOWN OF DUANESBURG, COUNTY OF SCHENECTADY AND STATE OF NEW YORK, TO PROVIDE FOR A DRIVEWAY OR ENTRANCEWAY CULVERT OF THIRTY (30') FEET MINIMUM LENGTH.

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

### SECTION 1.            AUTHORITY

This local law is enacted pursuant to the authority of Chapter 634 of the Laws of 1932, as amended, constituting Chapter 62 of the Consolidated Laws of the State of New York, Section 130 of the Town Law, authorizing towns to enact, amend and repeal ordinances, rules and regulations not inconsistent with law and pursuant to the authority of Chapter 843 of the Laws of 1932, as amended, constituting Chapter 36-A of the Consolidated Laws of the State of New York, Section 10 of the Municipal Home Rule Law, authorizing towns to enact, amend and repeal ordinances, rules and regulations by local law.

### SECTION 2.            AMENDMENT TO TOWN OF DUANESBURG STREET AND ROAD ORDINANCE

The Town of Duanesburg Street and Road Ordinance, Ordinance No. 1-96, adopted September 12, 1996, as amended by Local Law 2 for the year 2000, is amended at Article V - Utilities and Improvements, Section 5.7, to provide for a culvert pipe minimum length of thirty (30') feet for driveways or entranceways. The existing Section 5.7 is hereby deleted and restated in its entirety as follows:

“Additional improvements, such as gutters and sidewalks, may be required by the Planning Board of the Town of Duanesburg. Complete plans and specifications covering proposed improvements should be submitted to the Town Planning Board and the Town Highway Superintendent for approval. No hedges, walls, trees or other obstructions shall be installed within thirty (30) feet of the center line of said street without the approval of the Town Planning Board.

Construction of driveways or entranceways shall be approved by and installed under the direction of the Town in order to conform to the established grade. Culvert pipe is to be a minimum of 12 inches in diameter and a minimum of 30 feet in length and

installed as shown on the plan. The cost of the culvert pipe and other material used shall be the responsibility of the Owner/Developer.”

SECTION 3. NO OTHER CHANGES

Except as set forth in Section 2 of this Local Law, no other changes are made to the Town of Duanesburg Street and Road Ordinance.

SECTION 4. VALIDITY

See Town Law Section 130, L.1932, c. 634; amended L.1935, cc. 432, 464, 500, 881; L.1937, c. 495, § 7; L.1938, cc. 309, 402, 646; L.1939, c. 273, § 2; L.1939, c. 338, § 1; L.1939, c. 581, § 1; L.1940, c. 474; L.1941, c. 30, § 7; L.1941, c. 674, § 1; L.1942, c. 85, § 14; L.1942, c. 639, § 1; L.1943, cc. 388, 389, § 1; L.1944, c. 67; L.1944, c. 126, §§ 1 to 9; L.1944, c. 447, §§ 1, 2; L.1946, c. 12, §§ 1, 2; L.1946, c. 21; L.1946, c. 217, § 1; L.1947, cc. 361, 817; L.1948, c. 657; L.1949, c. 371; L.1950, c. 173; L.1950, c. 598; L.1952, cc. 256, 691; L.1953, cc. 120, 578, 579; L.1954, c. 265; L.1955, cc. 111, 396, 465; L.1956, c. 503, § 3; L.1956, c. 575; L.1957, cc. 135, 154, 726; L.1957, c. 925, § 1; L.1959, c. 98; L.1959, c. 832, § 1; L.1959, c. 875; L.1960, c. 796; L.1960, c. 874; L.1962, c. 510; L.1963, c. 230, § 4; L.1963, c. 231; L.1963, c. 551; L.1963, c. 980; L.1964, c. 619; L.1965, c. 551, §§ 1, 2; L.1966, c. 376; L.1966, c. 939, § 2; L.1967, c. 528; L.1968, c. 820; L.1969, c. 345; L.1969, cc. 420, 421; L.1970, c. 344; L.1970, c. 662; L.1970, c. 777, § 1; L.1971, c. 169; L.1971, c. 1074; L.1972, c. 180, §§ 1 to 3; L.1972, c. 821, § 1; L.1973, c. 262, § 1; L.1973, c. 272, § 1; L.1974, c. 292, § 1; L.1975, c. 160, § 1; L.1975, c. 282, § 1; L.1976, c. 316, § 1; L.1977, c. 395, § 1; L.1978, c. 731, § 2; L.1979, c. 159, § 1; L.1980, c. 520, § 1; L.1982, c. 355, § 1; L.1985, c. 171, § 1; L.1986, c. 194, § 3; L.1989, c. 508, § 1; L.1990, c. 456, § 1; L.1993, c. 605, §§ 3, 4; L.1994, c. 660, § 2; L.1995, c. 567, § 1; L.1995, c. 688, § 2; L.2000, c. 415, § 2, eff. Oct. 31, 2000; L.2001, c. 490, § 2, eff. Nov. 21, 2001; L.2003, c. 296, § 3, eff. Jan. 1, 2005; See also Municipal Home Rule Law Section 10(2), L.1963, c. 843; amended L.1964, c. 78, §§ 3-5; L.1969, c. 834, § 2; L.1969, c. 835; L.1969, c. 1136, §§ 1, 2; L.1970, c. 53, §§ 1, 2; L.1974, c. 177, § 7; L.1976, c. 365, § 1; L.1976, c. 805, § 1; L.1978, c. 495, § 3; L.2003, c. 296, § 5, eff. Jan. 1, 2005.

SECTION 5. EFFECTIVE DATE

This local law shall be effective upon filing with the Department of State.