

## 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 Duanesburg

FILED  
STATE RECORDS

DEC 09 2016

DEPARTMENT OF STATE

Local Law No. 2 of the year 20 16

A local law Amending Section 14.2 of the Zoning Ordinance of the Town of Duanesburg  
(Insert Title)

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

☐ County ☐ City ☒ Town ☐ Village  
(Select one.)

of Duanesburg

as follows:

See attached.

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

**TOWN OF DUANESBURG LOCAL LAW NO. 2 OF 2016**

**A LOCAL LAW AMENDING SECTION 14.2 OF THE ZONING ORDINANCE OF THE  
TOWN OF DUANESBURG**

**BE IT ENACTED** by the Town Board of the Town of Duanesburg, in the County of Schenectady, as follows:

**Section 1. Title of Local Law.**

This Local Law shall be entitled "A Local Law Amending Section 14.2 of the Zoning Ordinance of the Town of Duanesburg".

**Section 2. Authorization.**

This Local Law is enacted pursuant to the Municipal Home Rule Law and Article 16 of the Town Law of the State of New York.

**Section 3. Purpose.**

The purpose of this local law is to add to the list of duties of the Uniform Code Enforcement Officer the ability to administer lot line adjustment and minor subdivision applications that have been determined by the Planning Board to be exempt from full scrutiny, review and approval, in accordance with its authority under Article 3 of the Town of Duanesburg Subdivision Ordinance.

**Section 4. Amendments to Section 14.2 of the Zoning Ordinance titled "Uniform Code Enforcement Officer".**

Section 14.2 is hereby amended to add the following new section 14.2.11:

11. Review and administer all lot line adjustment applications and minor subdivision applications that have been determined by the Planning Board to be exempt from full scrutiny, review and approval, in accordance with its authority under Article 3 of the Town of Duanesburg Subdivision Ordinance.

**Section 5. Supercession.**

Pursuant to the powers granted by the Municipal Home Rule, this Local Law supersedes all provisions of the Zoning Ordinance herein addressed, in so far as such statutes are inconsistent with this Law and any other laws or regulations of the Town of Duanesburg are superseded to the extent necessary to give this Local Law full force and effect. All other provisions shall remain the same.

**Section 6. Severability.**

Each separate provision of this Local Law shall be deemed independent of all other provisions therein, and if any provisions shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.

**Section 7. Effective Date.**

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Municipal Home Rule Law § 27.

(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 16 of the (County)(City)(Town)(Village) of Duanesburg was duly passed by the Duanesburg Town Board on November 10, 20 16, 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.)**

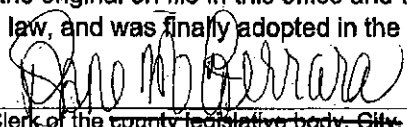
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority 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.

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

Date: 12/5/2016

(Seal)

RECEIVED

NOV 10 2016

TOWN OF DUANESBURG  
TOWN CLERK

**Town of Duanesburg Town Board**

**RESOLUTION #** 130-16

**November 10, 2016**

**WHEREAS**, pursuant to Municipal Home Rule Law §10, "every local government shall have power to adopt and amend local laws not inconsistent with the provisions of the constitution or not inconsistent with any general law relating to its property, affairs or government"; and

**WHEREAS**, the Planning Board of the Town of Duanesburg (the "Planning Board") requested that the Town Board examine the Town Zoning Ordinance and Subdivision Law to revise them such that for lot line adjustments and two lot subdivisions the Planning Board's review could be streamlined; and

**WHEREAS**, the goal of this request was to shorten the review time for such minor applications and to ease the cost and complexity of such reviews, which costs are borne by the owners of property in the Town; and

**WHEREAS**, the Town Board has caused to be drafted and the Planning Board has participated in the drafting of two local laws which have been created to address the Planning Board's request.

**NOW THEREFORE BE IT RESOLVED**, that each member of the Town Board has received the attached proposed local laws amending the Town Zoning Ordinance and the Town Subdivision law; and

**BE IT FURTHER RESOLVED,**

That the Town Board directs the Town Clerk to provide the text of the local laws and the completed Short EAF to the Schenectady County Planning Department for its review pursuant to the NYS General Municipal Law §239-m; and

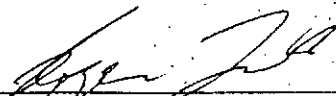
That the Town Board declares its intent to be SEQRA lead agency for the review of this Unlisted action; and

That the Town Board directs the Town Clerk to formally refer the local laws to both the Town of Duanesburg Planning Board and to the Town of Duanesburg Zoning Board of Appeals for their comments, if any, on the local laws; and

That the Town Board directs the Town Clerk to publish a separate notice of public hearing on each of the local laws in the Schenectady Gazette, each to appear once no later than ten (10) days before the date of the public hearing which shall take place at the regular meeting of the Town of Duanesburg Town Board at the Town Offices at 5853 Western Turnpike, Duanesburg, NY 12056 on December 8, 2016 at 6:45 p.m. and that such Notice of Public

Hearing accompanied by the Local Laws shall be and provided to the adjoining municipalities as required by the NYS General Municipal Law §239-nn.

By (unanimous/majority) vote of the Town Board of the Town of Duanesburg at its regular meeting on November 10, 2016.

  
Roger Tidball, Supervisor

  
Diane M. Ferrara, Town Clerk

Present: Council Members Ganther, Potter, Passonno and Supervisor Tidball

Absent: Council Member Leoni

Council Members:

Leoni

absent

Passonno

att

Ganther

att

Potter

att

Supervisor Tidball

att

