

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. Use italics or underlining to indicate new matter.

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED
NOV 08 1999

Alexander F. D'Amico
Secretary of State

County
City
Town of GENOA
Village

Local Law No. 2 of the year 1999

A local law To Amend Local Law Number 2 of 1988 of the Town of Genoa
(Insert Title)
..... (Mobile Home Law, Town of Genoa, New York)

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

County
City
Town of GENOA as follows:
Village

SECTION I: The purpose of this law is to amend Local Law number 2 of 1988 of the Town of Genoa (Mobile Home Law, Town of Genoa, New York) as follows:

SECTION II:

(a) Article V, Section 6 (2)(H) of Local Law number 2 of 1988 shall be amended by deleting present text in its entirety, and replacing that text with the following language:

“In the event of any expansion of an existing mobile home park, or the improvement of either the water or sewage septic system of an existing mobile home park, the mobile home park owner must provide the reviewing agency with documentation indicating that the Cayuga County Health Department has reviewed and approved plans for the water treatment and/or sewage disposal facilities.”

(b) Article V, Section 6 (2)(I) of Local Law number 2 of 1988 shall be amended by deleting the present text in its entirety, and replacing that text with the following language:

“The park plan must include a plan for storm water drainage which meets or exceeds the minimum requirements set by the New York State Department of Environmental Conservation for

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

a State Pollution Discharge Elimination System. The mobile home park owner must submit documentation indicating that the DEC has reviewed and approved any such plans.”

(c) Article V, Section 6 (2)(O) of Local Law number 2 shall be amended by deleting the present text in its entirety, and replacing that text with the following language:

“For any improvement, expansion or alteration to an existing mobile home park, the owner must submit to the reviewing agency, for that agency’s approval, all plans and documentation required to establish continuing compliance of the mobile home park with the provisions of this Local Law. Upon the reviewing agency’s approval of the plans for the improvement, expansion, or alteration, a new permit will be issued, encompassing the proposed and approved improvements, alterations, and expansions.”

d) Article VI, Section 8 (2) of Local Law number 2 of 1988 shall be amended by replacing the final period (.) in that text with a comma (,) and then inserting the following language at the end of the current paragraph:

“after a public hearing on the application, notice of which shall be published in the Town’s official newspaper not less than two weeks before the public hearing.”

e) Article VI, Section 9 (1) of Local Law number 2 of 1988 shall be amended by deleting the second sentence of that subparagraph and replacing it with the following text:

“In considering a request for a variance, the Board of Appeals or Town Board shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the board shall also consider: (1) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the variance; (2) whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than a variance; (3) whether the requested variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board, but shall not necessarily preclude the granting of the variance.

(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 1999 of the (County)(City)(~~Town~~)(Village) of Penna was duly passed by the Town Board on 10/27 1999, 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 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 19____, 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 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19____. 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 _____ 19____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

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 19____ of the (County)(City)(Town)(~~Village~~) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 19____, 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 19_____ 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 _____ 19____, 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 19_____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 19____, 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.

Patricia A. Bergman

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

(Seal)

Date: 11/2/99

(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 CAYUGA

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.

James A. Baker

Signature
JAMES A. BAKER

Title
TOWN ATTORNEY

County
City
Town of GENOA
Village

Date: 11.2.99