

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED
SEP 29 2003

New York Department of State
41 State Street, Albany, New York, 12231

MISCELLANEOUS
& STATE RECORDS

(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.

Village of Cedarhurst

Local Law No. -- 11-- of the year 2003

TO DELETE: Section 265-86. Permitted uses. (General Business Districts)
A. (3) and (26)

TO DELETE: Section 265-132. Alterations to restaurants in business use Districts.

TO AMEND: Section 146-1. Annual license; fee. An annual license fee shall be required of all persons owning, operating, occupying or maintaining legally existing gasoline stations, pumps or apparatus and motor vehicle repair shops, which shall cease and terminate on the 31st day of May and shall be renewed annually thereafter within 30 days prior to the expiration date thereof. Said license fee shall be as set by the Board of Trustees by resolution of a majority vote of its members present at a Board meeting.

TO ADD: Section 265-1. Definitions; word usage.

Food – Nourishment consumed in solid or liquid form, except one or more of the following, only when sold for off-premises consumption and exclusively of all other food.

1. Soft drink beverages in bottles or cans.
2. Candy.
3. Nuts.
4. Nutritional supplements.
5. Package wine and liquor.

TO AMEND. Section 265-3. Preexisting nonconforming uses; existing buildings.

- F. Existing auto body and fender repair shops and motor vehicle repair shops which are preexisting as of November 1, 1957 and, therefore, a nonconforming use may be continued to operate under the following terms and conditions

G. Gas service station and motor vehicle repair shops preexisting nonconforming uses shall immediately comply with the following:

TO AMEND: A. No building shall be erected, altered or used and no lot or premises shall be used except for one or more of the following purposes:

(1) A business and/or professional office but not to be located on ground floor of any building located on Central Avenue between Maple Avenue and Washington Avenue, on Cedarhurst Avenue and on Chestnut Street between Spruce Street and Cedarhurst Avenue.

(4) A store or business for the sale at retail, of articles to be used or consumed on or off the premises, but not to include open markets, flea markets and/or any use prohibited in this article.

TO ADD: SECTION: 265-86.

D. (1) (2) (3)

(1) Anything in this Code to the contrary notwithstanding, the sale of drug-related paraphernalia or any drug related printed matter as defined in Section 115-1 in this Code shall be prohibited.

(2) Anything in this Code to the contrary notwithstanding, the erection expansion, use and/or occupancy of a building which is primarily engaged in the preparation and/or service of food or consumption on and/or off the premises, including but not limited to restaurants, bars, catering establishments, delicatessens, fast-food establishments, cafeterias and institutional kitchens, are prohibited.

(3) Anything in this Code to the contrary notwithstanding, tattoo parlors are prohibited.

TO AMEND:

Section 265-100. Permitted Uses.

A. (3) Food Catering for off premises consumption only.

D. Prohibited Uses. (1) (2)

(1) Anything in this Code to the contrary notwithstanding, the sale of drug-related paraphernalia or any drug related printed matter as defined in Section 115-1 in this Code are prohibited.

(2) Anything in this Code to the contrary notwithstanding, tattoo parlors are prohibited.

THIS LOCAL LAW SHALL TAKE EFFECT IMMEDIATELY

(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. 11 of 2003 of the ~~(County)~~(City)(Town)(Village) of Cedarhurst was duly passed by the Board of Trustees on Sept. 8 2003, 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____. 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.
(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 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.)

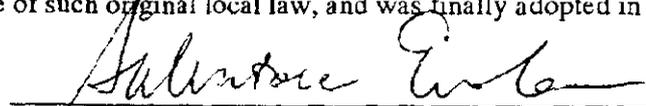
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified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



Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body
Salvatore Evola, Village Clerk-Treasurer

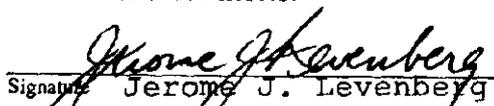
(Seal)

Date: 9/24/03

(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 Nassau

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 Jerome J. Levenberg

Title Village Attorney

County
City
Town of Cedarhurst
Village

Date: 9/24/03