

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 in ~~italics~~ or underlining to indicate new matter.

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED
SEP. 18 2003
MISCELLANEOUS
& STATE RECORDS

~~COUNTY~~
~~CITY~~ of Churchville
~~VILLAGE~~
Village

Local Law No. 2-2003 of the year 2003

A local law Amending Chapter 108, Zoning, of the Code of the
(Insert Title)
Village of Churchville with regard to a change in
Zoning District Boundaries

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

~~COUNTY~~
~~CITY~~ of Churchville as follows:
~~VILLAGE~~
Village

Legislative Intent:

WHEREAS, the Village Board of Trustees of the Village of Churchville received a request to consider the re-zoning of a certain property located at the northwest corner of South Main Street and Howard Avenue, known as #45 South Main Street) in the Village of Churchville, from F Industrial Use District to B Business Use District under Chapter 108, Zoning, of the Code of the Village of Churchville; and

WHEREAS, the Village Board referred such request to the Planning Board of the Village of Churchville for its recommendation with respect to such requested change; and

WHEREAS, said Planning Board has recommended that the Village Board approve such request, but that the area to be re-zoned also include the two adjoining lots known as #43 South Main Street and #46 Howard Avenue, based upon its review of the neighborhood and the Community Master Plan of the Village of Churchville, and its analysis of the appropriate use of such lots; and

WHEREAS, the Village Board has reviewed the proposed change in accordance with the provisions of the State Environmental Quality Review Act; and

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

WHEREAS the Village Board has held a public hearing with regard to such proposed rezoning, and has duly considered public comments made at such hearing;

NOW, THEREFORE, THE BOARD OF TRUSTEES OF THE VILLAGE OF CHURCHVILLE HEREBY ENACTS AS FOLLOWS:

1. **Change in Zoning District Classification.** The following described premises, as shown on Schedule A, attached hereto and made a part hereof, are hereby changed in zoning district classification from F Industrial Use District (subject to Article VIII of Chapter 108, Zoning, of the Code of the Village of Churchville) to B Business Use District (subject to Article VII of Chapter 108).
2. **Amendment of Zoning Map.** The Official Zoning Map of the Village of Churchville shall be amended accordingly to show such change.
3. **Validity, Savings and Severability.** Should any section, paragraph, sentence, clause, word, part or provision of this Local Law be declared void, invalid or unenforceable for any reason, such declaration shall not affect the validity of any other part of this Local Law, which can be given effect without the part(s) declared void, invalid or unenforceable.
4. **When Effective.** This Local Law shall take effect immediately upon its filing in the Office of the Secretary of State.

SCHEDULE A DESCRIPTION OF PREMISES TO BE REZONED

All that tract or parcel of land situate in the Village of Churchville, Town of Riga, County of Monroe, State of New York, and being more particularly bounded and described as follows: (1) Bounded on the east by South Main Street; (2) Bounded on the south by Howard Avenue; (3) Bounded on the west by a line beginning at a point in the northerly street line of Howard Avenue which is approximately 258.00 feet west of the intersection of the north street line of Howard Avenue with the centerline of South Main Street, and running thence northerly along the westerly property line of #46 Howard Avenue, at an interior angle of 88° 39' 08" with the north street line of Howard Avenue, a distance of approximately 138.13 feet to a point; and (4) Bounded on the north by a line beginning at the ending point of course (3) and running easterly along the northerly property lines of #46 Howard Avenue and #43 S. Main Street to a point in the centerline of South Main Street which is approximately 137 feet north of the intersection of the north street line of Howard Avenue with the centerline of South Main Street.

Being and intending to describe all of the properties known as 43 S. Main Street (Tax Map No. 143.13-2-58), 45 S. Main Street (Tax Map No. 143.13-2-59) and 46 Howard Avenue (Tax Map No. 143.13-2-57)

(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. 2-2003 of 2003 of the ~~(County)~~(City)(Town)(Village) of Churchville was duly passed by the Board of Trustees on Sept 15 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.

[Handwritten Signature]

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

(Seal)

Date: 9/16/03

(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 Monroe

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.

[Handwritten Signature]

Village Attorney
Title

~~County~~
~~City~~ of Churchville
~~Town~~
Village

Date: 9/16/03