

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 and do not use italics or underlining to indicate new matter.

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED
MAY 21 2003

~~County~~
~~City~~ of Clayton
~~Town~~
Village

Local Law No. 1 of the year 2003

MISCELLANEOUS
& STATE RECORDS

A local law to amend Chapter 132, Zoning, of the Code of the Village of Clayton
(Insert Title)

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

~~County~~
~~City~~ of Clayton as follows:
~~Town~~
Village

[ADD] ARTICLE VII, § 132-42 ¶ G.

A one-family dwelling is permitted to be utilized as a bed & breakfast dwelling under the following conditions:

- (1) Follow state fire prevention & building code standards.
- (2) Contain five (5) or less rental bedrooms.
- (3) Contain one (1) off-street parking space for each guest room and one (1) space for the owner.
- (4) Serve one (1) meal only (breakfast).
- (5) Owner to occupy residence.

[ADD] ARTICLE VIII, § 132-50 ¶ K.

A one-family dwelling is permitted to be utilized as a bed & breakfast dwelling under the following conditions:

- (1) Follow state fire prevention & building code standards.
- (2) Contain five (5) or less rental bedrooms.
- (3) Contain one (1) off-street parking space for each guest room and one (1) space for the owner.
- (4) Serve one (1) meal only (breakfast).
- (5) Owner to occupy residence.

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

[ADD] ARTICLE VIII, § 132-50 ¶ L.

Medical facilities.

[ADD] ARTICLE IX, § 132-60 ¶ N.

A one-family dwelling is permitted to be utilized as a bed & breakfast dwelling under the following conditions:

- (1) Follow state fire prevention & building code standards.
- (2) Contain five (5) or less rental bedrooms.
- (3) Contain one (1) off-street parking space for each guest room and one (1) space for the owner.
- (4) Serve one (1) meal only (breakfast).
- (5) Owner to occupy residence.

[ADD] ARTICLE X, § 132-66 ¶ I.

A one-family dwelling is permitted to be utilized as a bed & breakfast dwelling under the following conditions:

- (1) Follow state fire prevention & building code standards.
- (2) Contain five (5) or less rental bedrooms.
- (3) Contain one (1) off-street parking space for each guest room and one (1) space for the owner.
- (4) Serve one (1) meal only (breakfast).
- (5) Owner to occupy residence.

[ADD] ARTICLE XI, § 132-73 ¶ N.

A one-family dwelling is permitted to be utilized as a bed & breakfast dwelling under the following conditions:

- (1) Follow state fire prevention & building code standards.
- (2) Contain five (5) or less rental bedrooms.
- (3) Contain one (1) off-street parking space for each guest room and one (1) space for the owner.
- (4) Serve one (1) meal only (breakfast).
- (5) Owner to occupy residence.

[ADD] ARTICLE XII, § 132-75 ¶ C.

A one-family dwelling is permitted to be utilized as a bed & breakfast dwelling under the following conditions:

- (1) Follow state fire prevention & building code standards.
- (2) Contain five (5) or less rental bedrooms.

- (3) Contain one (1) off-street parking space for each guest room and one (1) space for the owner.
- (4) Serve one (1) meal only (breakfast).
- (5) Owner to occupy residence.

[ADD] ARTICLE XIV, §132-82 ¶ B. (Insert after “ALTER” and before “BUILDING”)

BED & BREAKFAST – An owner-occupied one-family dwelling used for providing overnight accommodations and a morning meal to not more than ten (10) transient lodgers containing one (1) but not more than five (5) rental bedrooms for such lodgers.

[AMEND/REVISE] ARTICLE XIV, § 132-82 ¶ B.

HOME OCCUPATION, A: *Revise last sentence to read:*

The purchase and sale of such economic goods as are pertinent to and in connection with the professions and businesses listed above shall be allowed, provided that such sales shall be confined within limits of the dwelling and/or accessory buildings. One off-street parking space will be provided.”

HOME OCCUPATION, B: *Replace with the following:*

Home occupations that involve retail goods for sale and/or on-site building of products to be sold in the home occupation will be allowed provided such operations and building of products does not cause undue noise, traffic, odors or lighting glare that are detrimental to the neighborhood. With the following exceptions, the conditions in *Home Occupation, A* also apply to *Home Occupation, B*:

- (1) One (1) unlighted identification sign, not to exceed four (4) square feet, attached flush to the building, shall be permitted;
- (2) Goods must be contained in the building;
- (3) This section requires a **Special Use Permit** issued by the Planning Board, using § 132-16 criteria for the review process.

[ADD] ARTICLE XIV, §132-82 ¶ B. (Insert after “HOSPITAL” and before “LOT”)

MEDICAL FACILITIES – Any building or group of buildings used, or intended to be used, for the health care of individuals.

(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. 1 of 2003 of the ~~(County)~~(City)(Town)(Village) of Clayton was duly passed by the Board of Trustees on May 12 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

(Seal)

Date: May 12, 2003

(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 JEFFERSON

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
Village Attorney
Title

County
 City
 Town
Village of Clayton

Date: May 15, 2003