

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
DEC 26 2003
MISCELLANEOUS
& STATE RECORDS

~~County~~
~~City~~ of Sharon
~~Town~~
~~Village~~

Local Law No. 1 of the year 2003

A local law entitled "Town of Sharon Land Use Code-Amend No. 6 -
(Insert Title) Definitions"

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

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

See text of Definitions attached hereto.

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

(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 Sharon was duly passed by the Town Board on October 1 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. 1 of 2003 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.

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

(Seal)

Date: 11-01-03

(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 Schoharie

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.

Mary Elizabeth Slevin
Signature
Mary Elizabeth Slevin

Title
Town of Sharon Assistant Attorney

~~County~~
City of Sharon
Town of _____
Village

Date: 11/2/03

"ADD TO APPENDIX "C" DEFINITIONS"

Air Field - A facility for aircraft including landing, departure, service and storage of such aircraft.

Assembly, Special Event - A gathering of persons, especially for worship, entertainment, deliberation and/or legislation, not to include, among other things, adult entertainment/uses.

Athletic Field - Outdoor grounds, public or private, intended for organized sporting events.

Cemetery - Land used or intended to be used for the burial of dead human beings and dedicated for such purpose, including columbariums, mausoleums, and mortuaries when operated as part of a cemetery and within its boundaries, but excluding crematoria.

Church - A building for public worship and/or a residence for ecclesiastical personnel.

Commercial Garage - Any garage operated for gain, and whose primary purpose is the storage, repair, or servicing of motorized vehicles, including, but not limited to, autos, trucks, snowmobiles and ATV's.

Crematory - also "crematorium" - A furnace for cremating.

Educational Facility - School, private or public, for the instruction of children and/or adults.

Farm Implement Dealership - Facility designed for the sales and service of agricultural equipment.

Golf Course - A facility designed for playing the game of golf.

Greenhouse (commercial) - A structure devoted to the protection or cultivation of tender plants.

Home Occupation - An occupation or profession which:

1. is carried on wholly within the enclosed walls of the dwelling unit exclusive of accessory structures and does not use more than twenty five (25) percent of the floor area;
2. is carried on by a member or members of the family of the dwelling unit;

3. is clearly incidental and secondary to the use of the dwelling unit for residential purposes;
4. not more than one (1) person outside the family shall be employed in the home occupation;
5. shall not generate traffic beyond that normally expected in a residential neighborhood. Any need for parking generated by such use shall be provided in an off-street area, other than in a front yard;
6. shall not create noise, dust, vibration, odor, glare, fumes or electrical interference detectable by the normal senses or persons outside the dwelling unit. In the case of electrical interference, there shall be no radio, television or other electrical distribution outside dwelling unit or fluctuations in line voltages of the premises;
7. there shall be no advertising display visible from the street, other than a small unlighted professional nameplate not over two (2) feet in area.
8. not to include, among other things, kennels and restaurants.

Light Industrial Use - Manufacture, assemble, treatment or packaging of products that does not emit objectionable levels of smoke, noise, dust, odor, glare or vibration beyond the property boundaries. This does not include, among other things, commercial incineration of waster.

Medical/Dental Clinic - Any structure of group of structures occupied by medical practitioners, including but not limited to doctors, dentists, chiropractors, opticians, optometrists, etc., and related services for the purpose of providing health services to people on an outpatient basis.

Nursing Home/Adult Home - A facility in which persons not related to each other are housed, fed and furnished with long term nursing care and related therapeutic services necessary to maintain there health and such care is normally provided within the facility by persons said to provide such care. Not intended to include care for acutely ill, or surgical or obstetrical services.

Offices - The building or room(s) used for a for-profit or non-profit business or organization to conduct their business or operation.

Motor Vehicle - All vehicles propelled or drawn by power other than muscular power originally intended for use on public highways.

Personal Service Shop - Establishments to provide services related to personal care. A barbershop, beauty salon, masseur, shoe repair or tailor would be examples or "personal service" establishments, not to include, among other things, adult entertainment/uses.

Public, Semi-public Structure, Use - Municipal, educational, and religious facilities and institutions.

Public Utility Structure, Use - An installation used by a public utility to supply electric, gas, water, cable television, telephone, or other utility service. Included are such facilities as electric unit substations, high voltage transmission lines, pump stations, water towers, and telephone substations. Utility distribution facilities serving customers directly are considered customary accessory uses, not utility facilities. Not to include, among other things, wireless telecommunication facilities.

Restaurants - Premises in which meals are prepared and served to seat customers. While alcoholic beverages may also be served, the primary business of the establishment is the preparation of meals.

Retail Business - An establishment selling goods to the general public for personal and household consumption, including but not limited to and appliance store, bakery, delicatessen, drug store, florist, grocer, hardware store, liquor store, newsstand, shoe store, stationary store, and variety store.

Riding Stable (commercial) - A facility housing horses, and/or providing other equestrian related activities.

Truck Terminal - Any location where freight originates, terminates or is handled in the transportation process or where carriers maintain operating facilities, excluding the premises of shippers or receivers of freight.

Vehicle/Trailer Dealership - Facility designed for the sale and service of automotives, trucks, RVs and trailers.

Veterinary Clinic - A facility for professional medical treatment or care of animals.