

# Local Law Filing

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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.

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STATE RECORDS

County  City  Town  Village  
(Select one.)

DEC 15 2016

of Roslyn Harbor

DEPARTMENT OF STATE

Local Law No. 5 of the year 20 16

A local law to amend Chapter 275, "Zoning," by repealing Section 275-41, "Telecommunication Towers," in its entirety and add new Section 275-41, entitled, "Wireless Telecommunication Service Facilities," and amends Article VI, "Special Use Permits," Section 275-21, "When required," of the Code of the Village of Roslyn Harbor.

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

County  City  Town  Village  
(Select one.)

of Roslyn Harbor

as follows:

**INCORPORATED VILLAGE OF ROSLYN HARBOR  
LOCAL LAW 5-2016  
"AMENDMENT TO CHAPTER 275, ZONING"**

**BE IT ENACTED** by the Board of Trustees of the Incorporated Village of Roslyn Harbor as follows:

**SECTION I.** Repeal Section 275-41, "*Telecommunication Towers*," in its entirety.

**SECTION II.** Add new Section 275-41, entitled "*Wireless Telecommunication Service Facilities*," to read as follows:

**§275-41. Wireless Telecommunication Service Facilities**

**§275-41.1. Legislative Intent**

The Board of Trustees determines that it is in the best interest of its residents to establish regulations and standards for the siting and installation of all wireless equipment, including towers, monopoles, pole mounted and building attached equipment and other related devices and equipment. These regulations and standards are adopted in order to promote the safety and welfare of the residents of the Village to the extent reasonably permitted under Federal and State laws and rules and regulations. This Article will ensure that all wireless telecommunication service facilities and equipment be sited, designed, built and utilized in accordance with sound use planning that will preserve and protect the aesthetic qualities of the Village and promote and protect the safety and welfare of its residents.

**§275-41.2. Purpose.**

The purpose of this Article is to regulate, to the fullest extent reasonably permitted by law, the siting, location, construction and maintenance of wireless telecommunication service facilities in the Village in order to:

- A. Promote the safety and welfare of the residents of the Village and surrounding communities.
- B. Minimize the adverse visual effects of wireless telecommunication service facilities and to protect the natural features, aesthetics and open space character of the Village by careful siting, design, buffering and screening of wireless telecommunication service facilities.
- C. Avoid potential dangers to the community, adjacent properties and the site from structural dangers pertaining to the construction and maintenance of wireless telecommunication service facilities.
- D. Limit the total number of wireless telecommunication service facilities to be constructed in the Village to the minimum number of facilities necessary to provide adequate coverage to the Village.
- E. Maximize the use of any proposed site by reducing the number of facilities to be constructed on the site and encourage co-location and multiple use of facilities to the extent reasonably permissible.
- F. Encourage the priority siting of wireless telecommunication service facilities on properties in the Village.

**§275-41.3. Definitions.**

As used in this article, the following terms shall be defined as follows:

**ADEQUATE COVERAGE** – Coverage for wireless telecommunication service facilities is considered to be adequate within that area when the transmitted signal is capable of being sent or received. It is acceptable for there to be holes within the intended coverage area.

**CO-LOCATION** – the use of wireless telecommunication service facilities or other structure to support antennae for the provision of wireless services without increasing the height of such facility or other structure.

**FAILURE OF COVERAGE** – An area within the Village of Roslyn Harbor where there is not adequate coverage.

**MONOPOLE** – A freestanding pole having a single point of location on the ground comprising a part of a wireless telecommunication service facility. For purposes of this Article, the term monopole shall include, in addition to the pole, all other components of the wireless telecommunication service facilities.

**REPEATER** – A small, supplementary and accessory bi-directional amplifier facility designed and limited in height and transmission power to provide service only where there is a failure of coverage and to minimize visual impacts and the need for primary base stations which may be attached to a structure or pole.

**SECONDARY WIRELESS TELECOMMUNICATION SERVICE FACILITIES** – A small wireless telecommunication services facility that is intended, designed and limited in its implementation to provide service only in and for an area where there is a failure of coverage. Such facility shall be limited in height and transmission power to the minimum necessary to achieve adequate coverage in the area where there is a failure of coverage.

**TOWER** – A guide wired or self-supporting tower constructed as a free standing structure comprising a part of a wireless telecommunication service facility. For purposes of this Article, the term tower shall include, in addition to the tower, all other components of wireless telecommunication service facilities.

**WIRELESS TELECOMMUNICATION SERVICES** – The provision of wireless telecommunication services, including those more commonly referred to as cellular telephones, which services are regulated by the Federal Communications Commission (FCC) in accordance with, and as the term personal wireless services is defined in, the Communications Act of 1934, as amended by the Telecommunications Act of 1996, 47 U.S.C. Section 332 (c) (7) (C), or as hereafter amended. With the exception of communications for the Village and local police, fire, ambulance and other municipal emergency service, the term wireless telecommunication services shall specifically exclude all other services not included in the FCC definition of personal wireless services.

**WIRELESS TELECOMMUNICATION SERVICE FACILITIES** – Any and all equipment and structures used in connection with the commercial operation of wireless telecommunication services, as defined herein, and as the term personal wireless service facilities is defined in the Communications Act of 1934, as amended by the Telecommunications Act of 1996, 47 U.S.C. Section 332 (c) (7) (C), or as hereafter amended, to transmit and/or receive frequencies, including, but not limited to antennas, monopoles, secondary wireless telecommunication service facilities, repeater, and such other equipment, appurtenances and structures relating thereto.

**§275-41.4. Special Use Permit.**

No wireless telecommunication service facilities shall be sited, located, constructed or maintained on any lot, building, structure or land area in the Village, unless and until a special use permit is issued by the Board of Trustees in conformity with the requirements of this Article, and all other applicable requirements of this zoning ordinance and those rules and regulations governing wireless telecommunication service facilities.

**§275-41.5. Location.**

- G. Wireless telecommunication service facilities shall be located on properties meeting the below criteria in the noted order of priority. The applicant shall evaluate and demonstrate the feasibility of all available higher priority locations meeting the criteria before considering a lower priority location:
- (1) Private or public properties exceeding 100 acres in area, where one wireless telecommunication services facility site can provide at least adequate coverage to the Village and which avoids and minimizes impacts upon adjoining residential properties by providing a separation of 1,000 feet or more from all property boundaries and/or residences.
  - (2) Village-owned property used for municipal purposes.
  - (3) Co-location on a site with a current legally permitted wireless telecommunication service facility or structure, or location on a site previously approved for a telecommunication tower.
  - (4) Properties having in excess of 12 acres in area, which property location minimizes the economic and aesthetic impacts upon adjoining residential properties, while providing adequate coverage to the Village.
  - (5) On existing legal, non-residential structures such as water tower, church steeple, or other similar non-residential structures, when placement of wireless facilities, including, but not limited to, antennas, which do not increase the height of the existing structure by more than three (3') feet.
- H. Location sites not meeting with the above priority criteria shall only be considered by the Board of Trustees when the applicant demonstrates to the Board's satisfaction that a priority site is not available and that the alternate site protects and preserves the aesthetic qualities, open space characteristic of the Village of Roslyn Harbor, the property value of the community and the safety and welfare of its citizens, to the maximum extent practicable.
- I. An applicant may not by-pass sites of higher priority by stating the site proposed is the only site available.
- J. An application shall address co-location options. If such option is not proposed, the applicant must explain to the reasonable satisfaction of the Village, why co-location is not feasible. Agreements between providers limiting or prohibiting co-location shall not be a valid basis for any claim that co-location is not feasible.
- K. Notwithstanding the above, the Village may approve any site located within an area in the above list of priorities, provided that the Village finds that the proposed site is in the best interest of the health, safety and welfare of the Village and its inhabitants and will not have a deleterious effect on the aesthetic nature and character of the community, the neighborhood and on nearby property values.

L. Notwithstanding that a potential site may be situated in an area of highest priority or highest available priority, the Village may disapprove an application for any of the following reasons:

- (1) Conflict with safety and safety-related codes and requirements;
- (2) Conflict with the historic nature or aesthetic character of a neighborhood or historical district;
- (3) The use or construction of wireless telecommunication service facilities which is contrary to or violates contractual agreements with the Village.
- (4) The placement and location of wireless telecommunication service facilities which would create an unacceptable risk, or the reasonable probability or such, to residents, the public, employees and agents of the Village, or employees of the service provider or other service providers;
- (5) Material or substantial conflicts with the provisions of this Article.

**§275-41.6. Shared use of Wireless Telecommunication Service Facilities and other structures.**

Applications which locate facilities on existing wireless telecommunication service facilities or other structures without increasing the height, as opposed to the construction of a new wireless telecommunication service facility, shall be preferred by the Village. The applicant shall submit a comprehensive report inventorying existing wireless telecommunication service facilities and other suitable alternative structures within two (2) miles of the location of any proposed new site or wireless telecommunication service facilities. The applicant may show that a lesser distance is more reasonable, provided it is demonstrated that the two (2) mile distance is not applicable. The Village shall only show that the needs of the minimum antenna array necessary to provide service primarily and essentially within the Village is by co-location.

**§275-41.7. Design of Antenna, Towers, and Accessory Structures.**

Towers and antennas shall be designed to blend into the surrounding environment through the use of color and camouflaging architectural treatment, except in instances where the color is dictated by federal or state authorities such as the Federal Aviation Administration. Every antenna and tower shall be of neutral colors that are harmonious with, and that blend with, the natural features, buildings and structures surrounding such antenna and structure, provided however, that directional or panel antenna and omnidirectional or whip antennas located on the exterior of a building that will also serve as an antenna tower shall be of colors that match, and cause the antenna to blend with, the exterior of the building. Accessory structures will be designed to be architecturally compatible with principal structures on the site.

**§275-41.8. Freestanding structures.**

- A. The type and design of freestanding wireless telecommunication service facilities shall be disguised to minimize its visibility and impact to the satisfaction of the Board of Trustees. Wireless telecommunication service facilities which require the use of guide wires are prohibited.
- B. The Board of Trustees may limit the tower to the minimum size and height required to provide service adequate to attain minimum coverage to eliminate required gaps in service within the Village.

**§275-41.9. Freestanding structures. Setbacks.**

It shall be a priority of the Village to maximize the separation between wireless telecommunication service facilities and residences and residential properties.

Unless otherwise modified by the Board of Trustees in an effort to accommodate co-location, location on a site previously approved for telecommunication tower, or other purposes of this Article, free-standing wireless telecommunication service facilities shall be located from the property line and all dwelling units not less than:

- A. Two (2) times the height of the facility plus the applicable setback requirements for principal structures for the district in which the property is located; and
- B. Such additional setbacks as shall be determined by the Board of Trustees in order that the proposed facility will not create damage or injury from a structural failure of wireless telecommunication service facilities.

**§275-41.10. Height Limitations.**

Notwithstanding any provision to the contrary in the Building Zone Ordinance, the following maximum height limitation for wireless telecommunication service facilities shall apply, but under no circumstances shall the height exceed the minimum height reasonably necessary to accomplish the purpose it is proposed to serve.

The height of any monopole or other free-standing structure utilized in a wireless telecommunication service facility shall not exceed one hundred fifty (150) feet, measured from the highest point of such facility to the original grade elevation of the ground immediately adjacent to the structure.

**§275-41.11. Visual Mitigation.**

- A. The applicant shall prepare a visual impact assessment of the proposed wireless telecommunication service facilities based upon appropriate modeling, photography and other pertinent analytical techniques as required by the Board of Trustees, including but not limited to a map identifying the zone of visibility.
- B. Landscaping and/or other screening and mitigation, including but not limited to architectural treatment, and alternative construction, structural and transmission technologies such as antennas attached to or disguised as trees or other features or camouflaging techniques, shall be required to minimize the visual impact of such facility from public thoroughfares, important views and vantage points and surrounding properties to the extent practicable all as determined by the Board of Trustees.
- C. No signs other than as approved by the Board of Trustees for security or safety purposes, shall be erected on any wireless telecommunication service facilities.
- D. All ground based equipment and structures shall be located underground.

**§275-41.12. Lighting.**

The wireless telecommunication service facilities shall not be artificially lighted unless otherwise required by the Federal Aviation Administration (FAA).

**§275-41.13. Application fees.**

The applicant is responsible for the payment to the Village of a permit fee of \$5,000 for each application for a single wireless telecommunication services facility and an additional \$5,000 for

each co-located licensed wireless telecommunication services provider for each site requested in the application.

**§275-41.14. Hearing charges.**

- A. An applicant shall deposit with the Village funds sufficient to reimburse the Village for all reasonable costs of such consultant and expert evaluation and consultation to the Board in connection with the review of any application including the construction and modification of the site, once permitted. The initial deposit shall be \$10,000 and shall be modified to the application filing fee. The Village will maintain a separate escrow account for all such funds. The Village's consultants/experts shall invoice the Village for its services in reviewing the application and, if permitted, overseeing the construction of the facility. If at any time during the process this escrow account has a balance less than \$2,500, the applicant shall immediately, upon notification by the Village, replenish said escrow account so that it has a balance of at least \$10,000. Such additional escrow funds shall be deposited with the Village before any further action or consideration is taken on the application. In the event that the amount held in escrow by the Village is more than the amount of the actual invoicing at the conclusion of the project, the remaining balance shall be promptly refunded to the applicant.
- B. Each applicant shall pay in addition to the application fee, hearing charges required above prior to the hearing and meeting for which the fees are required and the charges are incurred, to the extent that the latter are then determined. To the extent that hearing charges are subsequently determined to exceed the funds on hand, the applicant shall pay the same prior to the next stage (after such charges are determined) in connection with the application, or approval, including the filing of a final decision.
- C. No hearing shall be held and no consideration shall be given by the Board of Trustees on any application unless all required fees and charges, to the extent that the latter are then determined, shall have been paid.
- D. The Board of Trustees may retain any consultant and/or expert necessary to assist it in reviewing and evaluating the application, including the construction and modification of the site, once permitted, and any requests for re-certification.
- E. The total amount of the funds needed as set forth in this section may vary with the scope and complexity of the project, the completeness of the application and other information as may be needed to complete the necessary review, analysis and inspection of any construction or modification.
- F. The applicant shall also reimburse the Village for the actual and necessary charges for legal fees which have been incurred by the Village in connection with the application not to exceed \$150,000.

**§275-41.15. Lease Agreement.**

In the case of an application for approval of wireless telecommunication service facilities to be located on lands owned by a party other than the applicant or the Village, a copy of the lease agreement with the property owner, together with any subsequent modifications thereof, shall be provided and a copy shall be filed with the Village Clerk.

**§275-41.16. Removal.**

- A. Wireless telecommunication service facilities, or any portion thereof, including any portion of the antenna, shall be dismantled and removed from the property on which it is located when it has been inoperative or abandoned for a period of 180 days from the date on which

it ceased operation or no longer has a valid approval, permit or license or is otherwise no longer necessary for the provision of adequate coverage and adequate capacity in the Village.

- B. The applicant shall provide to the Village written notification of the date the use of the facility was discontinued or abandoned or no longer has a valid approval, permit or license or is otherwise no longer necessary for the provision of adequate coverage and adequate capacity in the Village by one or more of the service providers. The applicant will also acknowledge in this notification the requirement to remove the facility and set forth the plans for its removal.
- C. The owner and/or applicant shall provide to the satisfaction of the Village a written agreement suitable for filing with the Nassau County Clerk to ensure the dismantling, removal and restoration of an abandoned wireless telecommunication service facilities or portion thereof. Compliance with the requirements of removal as set forth herein shall be secured by a bond or cash deposit posted by the applicant in an amount and for a duration determined to be adequate by the Board of Trustees.
- D. In the event that such facility or portion thereof is not completely removed from the property within the required time, the Village shall be authorized to cause such removal and be reimbursed for all expenses incurred, including reasonable attorney's fees which cost shall be assessed against the property.

**§275-41.17. Performance Security.**

The applicant and the owner of record of any proposed wireless telecommunication service facilities property site shall, at its cost and expense, be jointly required to execute and file with the Village a bond, or other form of security acceptable to the Village as to type of security and the form and manner of execution, in an amount to be determined by the Board of Trustees but not less than \$75,000 and with such sureties as are deemed sufficient by the Village to assure the faithful performance of the terms and conditions of this Article and conditions of any Special Use Permit issued pursuant to this Article. The full amount of the bond or security shall remain in full force and effect throughout the term of the Permit and/or until any necessary site restoration is completed to restore the site to a condition comparable to that which existed prior to the issuance of the original Use Permit.

**§275-41.18. Operational characteristics.**

- A. Unless otherwise superseded by the Federal Communications Commission (FCC), the design and use of the proposed wireless telecommunication service facilities, including its cumulative impact with other existing and approved facilities, shall be certified to conform with the maximum NIER exposure standards promulgated by the FCC, as amended. Said certification shall include a report prepared in accordance with FCC Office of Engineering and Technology Bulletin 65, as amended.
- B. The Board of Trustees shall require annual certification of conformance with the applicable emissions standards and the requirement and conditions of approval.
- C. Certification shall also be required prior to any modification of the wireless telecommunication service facilities, at any time the Building Inspector suspects such modification has been made, or upon modification of the FCC standards.
- D. The Board of Trustees shall hire a qualified professional of its choice to review and confirm such initial and annual certification report, the cost of which shall be reimbursed by the Applicant.

- E. Any violation of the emissions standards shall require immediate discontinuation and correction of the use responsible for the violation. Any such violation of these requirements of the Building Zone Ordinance or the conditions of the special permit approval shall be deemed to be an offense punishable by fine and/or imprisonment in accordance with this Building Zone Ordinance.

**§275-41.19. Noise.**

Noise-producing equipment shall be sited and/or insulated to minimize, to the maximum extent practicable, any increase in noise above ambient levels as measured at the property line.

**§275-41.20. Utility service.**

All utility device lines extended to the wireless telecommunication service facilities site shall be installed underground.

**§275-41.21. Safety provisions.**

Wireless telecommunication service facilities shall be designed and erected so that in the event of structural failure, it will fall within the required setback area and, to the maximum extent possible, away from adjacent development. No new structure shall be permitted which would be classified by the FAA Regulations as an obstruction or hazard.

**§275-41.22. Insurance and Indemnification.**

The property owner and applicant, if leased, shall indemnify, defend, protect and hold harmless the Village, its board members, officers, employees and agents from and against any and all claims, demands, losses, damages, liabilities, fines, charges, penalties, administrative and judicial proceedings and orders, judgements, remedial actions of any kind, all costs and cleanup actions of any kind, and all costs and expenses incurred in connection therewith, including reasonable attorney's fees and the costs of defense, directly or proximately resulting from activities undertaken pursuant to the use and operation of any approved wireless telecommunication service facilities.

The owner and applicant shall obtain and maintain at all times insurance of an appropriate type and amount from an insurer licensed and authorized in the State of New York meeting the requirement of the Village Board of Trustees and the Village Attorney.

**§275-41.23. Security provisions.**

A security program shall be formulated and implemented for the site of wireless telecommunication service facilities. Such program shall include physical features such as fencing, anti-climbing devices or elevating ladders on monopoles or other approved structure and/or monitoring either by staff or electronic devices to prevent unauthorized access and vandalism as required by the Board of Trustees.

**§275-41.24. Structural inspection and report.**

An approved wireless telecommunication services facility shall be inspected by a licensed professional engineer every five (5) years at the expense of the service. If at any time upon a determination by the Building Inspector that the approved structure may have sustained structural damage or is in violation of the conditions of approval, the Village may require reinspection. A copy of the inspection report shall be submitted to the Building Inspector.

**§275-41.25. Emergency Plan.**

An emergency action plan shall be formulated and implemented for the site of wireless telecommunication service facilities, to the satisfaction of the Board of Trustees and local emergency services to the Village of Roslyn Harbor. Such plan shall include identification of all appropriate features and considerations of each facility, appropriate training of local police, fire and ambulance service providers, and appropriate provisions for notification of the public in the event of an emergency, to the satisfaction of the Board of Trustees and the local providers of emergency services to the Village of Roslyn Harbor.

**§275-41.26.** For purposes of this Code, the term “*Wireless Telecommunication Service Facilities*,” should also include the term “*Telecommunication Towers*”.

**SECTION III.** Amend Article VI entitled “*Special Use Permits*” to read, in part, as follows:

**ARTICLE VI**  
**Special Use Permits**

**§ 275-21. When required.**

Special uses for which conformance to additional requirements is mandated by this chapter (see § 275-10, and Table 1) and 275-41 shall be permitted in their respective districts, subject to the satisfaction of the conditions and standards set forth in this article in addition to all other requirements of this chapter. All such special uses are declared to possess characteristics of such unique and special form that each specific special use shall be considered as an individual case.

**SECTION IV.** The local law shall take effect upon the filing with the Department of State.

(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. 5 of 20 16 of the ~~(County)(City)(Town)~~(Village) of Roslyn Harbor was duly passed by the Board of Trustees on December 8, 20 16, 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) \_\_\_\_\_  
*(Name of Legislative Body)*  
(repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted  
*(Elective Chief Executive Officer\*)*  
on \_\_\_\_\_ 20 \_\_\_\_, in accordance with the applicable provisions of law.~~

**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) \_\_\_\_\_  
*(Name of Legislative Body)*  
(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_.  
*(Elective Chief Executive Officer\*)*

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.

~~**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) \_\_\_\_\_  
*(Name of Legislative Body)*  
(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.~~

\* 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   1   above.

*Marla Wolfson*

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body, **Marla Wolfson**

Date:           12/8/16          

(Seal)

