

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
AUG 18 2003

MISCELLANEOUS
& STATE RECORDS

~~County~~

~~City~~ of Seneca Falls

~~Town~~

~~Village~~

Local Law No. 1 of the year 2003.

A local law Amending Chapter 86 of the Town Code to Create
(Insert Title)

Certain Exceptions in the Definition of Subdivision

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

~~County~~

~~City~~ of Seneca Falls

~~Town~~

~~Village~~

as follows:

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

WHEREAS, Chapter 86 of the Town Code (commonly referred to as the Subdivision Law) was enacted as Local Law No. 3 of 1991 on March 5, 1991; and

WHEREAS, Section 86-3 thereof defines subdivision as "the division of any parcel of land into two or more lots, blocks or sites, with or without streets or highways, and includes re-subdivision"; and

WHEREAS, subsequent to the enactment of Local Law No. 3 of 1991 certain parcels of land have been sold to various individuals without having first obtained subdivision approval as required by Local Law No. 3 of 1991; and

WHEREAS, the Town representatives have inadvertently issued building permits to the individuals who have purchased such lots and said individuals, acting in reliance on the issuance of said permits, have constructed residences thereon and have occupied said residences; and

WHEREAS, the erroneous issuance of said permits has recently come to the attention of the Town Officials; and

WHEREAS, certain of these homeowners have recently applied for permits to add improvements to the lots in question which permits were correctly denied in light of the failure of such lots to have obtained subdivision approval; and

WHEREAS, none of the said parcels have involved the creation of new roads or public utilities; and

WHEREAS, the Town now desires to create a limited exception to the definition of subdivision so as to legitimize the said parcels as legal lots nunc pro tunc.

NOW THEREFORE, the following law is hereby enacted.

SECTION I. The Town of Seneca Falls Town Code, Chapter 86, Section 86-3, Subdivision is hereby amended to add at the end thereof the following language.

Except that notwithstanding the definition of Subdivision above, or any other provision of this Chapter the following parcels are hereby determined to constitute valid building lots:

Tax Map #38-1-84	Wayne Bishop n/f, Padlick Place
Tax Map #38-1-71	William M. Gladis n/f, Farron Road
Tax Map #38-1-03.112	Shawn Dauber n/f, 2993 Farron Road
Tax Map #38-1-03.12	Robert/Josephine Wheaton n/f, 2937 Farron Rd
Tax Map #38-1-77	Edwin Quick n/f, 2951 Farron Road
Tax Map #38-1-82	Guy/Georgia Durso n/f, 2994 Padlick Place
Tax Map #38-1-75	Robert Morehouse & Tracey Kosowski n/f, 2946 Cosad Road

(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 Seneca Falls was duly passed by the Town Board on 8/12 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.

Micaletta J. Sheer
Clerk of the County of Seneca / Clerk Town of Village
of Seneca / Clerk of Local Legislation

(Seal)

Date: August 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 Seneca

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.

Scott Charney
Signature
Attorney Town of Seneca
Title

~~County~~
~~City~~ of Seneca Falls
Town
~~Village~~

Date: August 12, 2003