

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
APR 11 2005

County
City of CHAMPION
Town
Village

MISCELLANEOUS
& STATE RECORDS

Local Law No. 3 of the year 2005

A local law A Local Law amending the Zoning Law

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

County
City of Town of Champion as follows:

Town
Village

Statement of Authority. The Town Board of the Town of Champion pursuant to the authority granted it under Sections 10 and 20 of the Municipal Home Rule Law as well as under Section 23 of the Municipal Home Rule Law, hereby enacts as follows:

SECTION 750 ZONING BOARD OF APPEALS

- A) The Board of Appeals shall consist of five members as set forth in Section 267 of the Town Law, or in the alternative, the Town Board may enter into an agreement pursuant to Article 5-G of the General Municipal Law and Section 284 of the Town Law to establish a cooperative board of appeals. In the event of the establishment of a cooperative board of appeals, membership shall be as per the contractual agreement and may otherwise vary from provisions of Section 267 of the Town Law as may be set forth in that agreement.
B) The Cooperative Board of Appeals shall be empowered to interpret this law and to grant area variances and use variance in accordance with the standards set forth in Section 267-b of the Town Law and as may be otherwise provided by law.
C) The procedure before the cooperative board of appeals shall be in accordance with Section 267-a of the Town Law except as may be specifically modified by intermunicipal agreement should the Town elect

to enter into a cooperative board of appeals, in which event such procedures shall be strictly governed by the intermunicipal agreement.

- D) This local law specifically supersedes those provisions of Section 267 of the Town Law requiring that there be three or five members of the board of appeals, that the terms be staggered, that the Town Board select the chairman, and the voting power of members of the board of appeals in the event that the Town should enter into an intermunicipal agreement pursuant to Section 284 of the Town Law and Article 5-G of the General Municipal Law in which event the intermunicipal agreement shall govern those factors.

Enactment. The Town Board of the Town of Champion hereby amends the Zoning Law of the Town of Champion as set forth above.

Severability. Should any sections or provisions of this local law be declared invalid, such decision shall not affect the validity of the remaining portions of this local law.

Effective Date. This local law shall become effective upon filing in the office of the Secretary of State of New York.

(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. 3 of 2005 of the ~~(County)(City)~~(Town)(Village) of Champion was duly passed by the Town Board on March 7 2005, in accordance with the applicable *(Name of Legislative body)* provisions of law.

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 2005 of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 2005, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer)* on _____ 2005, 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 2005 of the ~~(County)(City)~~(Town)(Village) of Champion was

duly passed by the _____ on _____, and was
(approved)~~(not~~
~~(Name of Legislative Body)~~
~~approved)~~ (repassed after disapproval) by the _____ on _____
(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 November 2, 2005, 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 2005 of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 2005, and was (approved)(not approved) (repassed after disapproval)
(Name of Legislative Body) by the _____ on _____ 2005.
(Elective Chief Executive Officer*)¹

Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 2005, in accordance with the applicable provisions of law.

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 2005 of the Town 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 town voting thereon at the (special)(general) election held on _____ 2005, became operative.

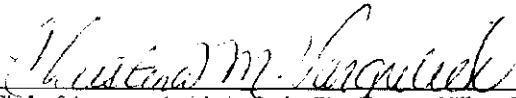
6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2005 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.

¹ * 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.


Clerk of the county legislative body, City, Town or Village Clerk or
officer designated by local legislative body
Christina M. Vargulick

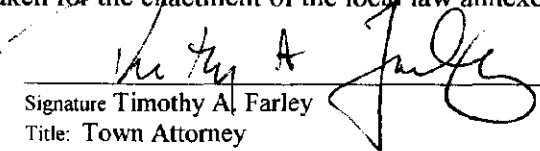
(Seal)

Date: March 9, 2005

**(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 Timothy A. Farley
Title: Town Attorney
Town of Champion
Date: March 9, 2005