

# 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.

County  
City

of CHAMPION

Town  
Village

Local Law No. 6 of the year 2012

FILED  
STATE RECORDS

AUG 17 2012

DEPARTMENT OF STATE

A local law A Local Law Amending the Town of Champion Zoning Law

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

County  
City

of Town of Champion as follows:

Town  
Village

**Article 1. – Statement of Authority.** The Town Board of the Town of Champion, pursuant to the authority granted it under Article 16 of the Town Law and Sections 10 and 20 of the Municipal Home Rule Law, hereby enact as follows:

**Article 2. – Statement of Purpose and Findings.** The Town Board of the Town of Champion hereby finds that

**Article 3. – Enactment.** The Town Board of the Town of Champion does hereby amend the Town of Champion Zoning Law as follows:

## CHANGE DEFINITION IN "ARTICLE 2. DEFINITIONS" AS FOLLOWS:

Essential Facilities: The operation or maintenance by municipal agencies or public utilities of electrical or gas substations; electrical or gas transmission lines; water treatment, storage and transmission facilities; pumping stations; and similar facilities. The definition of essential services shall not include minor or major wind power generating facilities.

**CHANGE SECTION 405. USE CONTROL SCHEDULE AS FOLLOWS:**

Use	District						
	AR	R-1	R-2	B	I	H	RC
Essential Facility	sp	sp	sp	sp	sp	sp	sp

**ADD NEW SECTION AS FOLLOWS:**

Section 535. Site Plan Review Criteria for Specific Uses. ADD NEW SECTION H.

**H. Essential Facilities**

The Planning Board shall determine the following prior to approving a special use permit for the proposed essential facility.

- A. **Location:** The proposed installation in a specific location is necessary and convenient for the efficiency of the essential facility or the satisfactory and convenient provision of service to the area in which the particular use is located. Where electrical or gas transmission lines run through residential neighborhoods, they shall be required to be located underground. Transmission lines shall be a minimum of 1000 feet from any residential structure. All electrical and gas transmission lines shall use existing right-of-ways.
- B. **Buildings:** The design of any building or structure in connection with such facility shall conform to the general character of the area and will not adversely affect the safe and comfortable enjoyment of property rights in the district in which it is to be located.
- C. **Landscaping:** Adequate landscaping will be provided to create a visual and sound buffer between such facilities and adjacent property.
- D. **Access:** All points of necessary access, or transformers, shall be placed in secure structures at ground level.
- E. **Fencing:** All major electrical transformer facilities or substations, if above ground, shall be secured by a fence. Also no transformer or associated switches shall be closer than one hundred (100) feet from any lot line.
- F. **Noise:** Electrical or gas substations; electrical or gas transmission lines; water treatment storage and transmission facilities, pumping stations; and similar facilities shall be located with relation to property lines so that the level of noise produced by any of the

that the level of noise produced by any of the listed facilities shall not exceed 55 decibels, measured at the boundaries of all the closest parcels.

**Article 4. – Severability.** If any part of this local law shall be found to be void, voidable, or unenforceable for any reason whatsoever, it shall not affect the validity or enforceability of any remaining section or provision of this local law.

**Article 5. – Effective Date.** This local law shall take effect immediately upon filing with the Secretary of State.

**(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. 6 of 2012 of the ~~(County)(City)(Town)(Village)~~ of Champion was duly passed by the August 6, 2012, 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 2012 of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 2012, and was (approved)( not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted *(Elective Chief Executive Officer)* on \_\_\_\_\_ 2012, 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 2012 of the ~~(County)(City)(Town)(Village)~~ of Champion was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ and was (approved)~~(not approved)~~ *(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

**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 2012 of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 2012, and was (approved)( not approved) (repassed after disapproval) (Name of Legislative Body) by the \_\_\_\_\_ on \_\_\_\_\_ 2012 .  
(Elective Chief Executive Officer\*)<sup>1</sup>

Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 2012 , in accordance with the applicable provisions of law.

**5. (City local law concerning Charter revision proposed by petition.)**

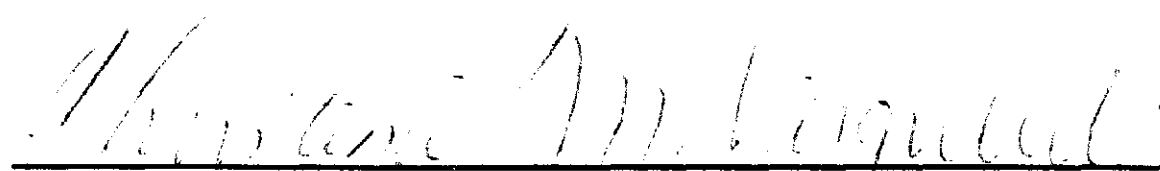
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 2012 of the Town of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such town voting thereon at the (special)(general) election held on \_\_\_\_\_ 2012 , 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 2012 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

**Christina M. Vargulick**

(Seal)

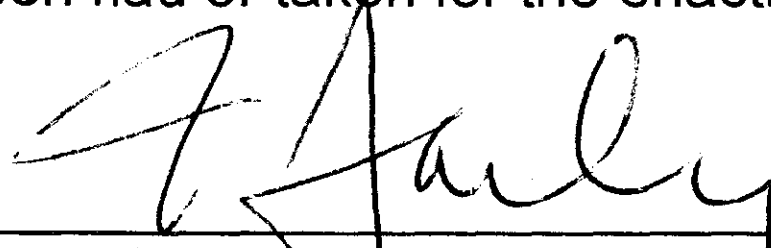
Date: 2/5/12

<sup>1</sup> \* 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.

**(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: \_\_\_\_\_

8/8/12