

# 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 08 2004

County  
City

of CHAMPION

Town  
Village

MISCELLANEOUS  
& STATE RECORDS

Local Law No. 5 of the year 2004

A local law A Local Law imposing a 180 day moratorium on site plan approvals

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. This Local Law is authorized under Article 3, Section 10, and 20 through 27 of the Municipal Home Rule Law of New York State as well as under Section 261 and 271 of the Town Law of New York State.

Article 2. Statement of Purpose and Findings. The Town of Champion has previously created a Planning Board under Section 271 of the Town Law which has, among other things, power and authority to grant site plan approvals as authorized by Section 274-a of the Town Law. The Town of Champion has recently undergone extensive growth due to the expansion of the Fort Drum Military Reservation. Because of the pressures placed upon the local community by such growth, and for the purpose of promoting the health, safety, morals and general welfare of the Town of Champion, the Town Board has determined that it is necessary to place a moratorium on site plan review and approvals within the Town of Champion for a period of 180 days. Said moratorium is for the purpose of the Town of Champion reviewing and amending its Town Comprehensive Plan as authorized by Section 272-a of the Town Law by amending the Zoning Law of the Town of Champion.

Article 3. Moratorium. The Town Planning Board of the Town of Champion shall not from the effective date of this Local Law until the 180<sup>th</sup> day after the effective date of this Local Law, (the "Moratorium Period") accept any application for site plan review. Any such application for site plan review presented to the Planning Board of the

Town of Champion during this Moratorium Period shall be returned to the applicant within ten (10) days of submission without action by the Planning Board.

- A. The Planning Board of the Town of Champion shall hold no public hearings on any site plan applications during the Moratorium Period whether submitted prior to the effective date of this Local Law or during the Moratorium Period.
- B. The Planning Board of the Town of Champion shall make no decisions concerning any existing application for site plan approval during the Moratorium Period, whether such application submitted prior to the effective date of this Local Law or during the Moratorium Period.
- C. This Local Law expressly supersedes Section 274-a (8) of the Town Law and no such time periods for approvals shall be binding during the Moratorium Period.

Article 4. – 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.

Article 5. Effective Date. This local law shall become effective after 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. 5 of 2004 of the ~~(County)(City)(Town)(Village)~~ of Champion was duly passed by the Town Board on 11/15/04 2004, 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 2004 of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 2004, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted *(Elective Chief Executive Officer)* on \_\_\_\_\_ 2004, 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 2004 of the ~~(County)(City)(Town)(Village)~~ of Champion was duly passed by the \_\_\_\_\_ on \_\_\_\_\_, and was ~~(approved)(not approved)~~ <sup>(Name of Legislative Body)</sup> ~~(repassed after disapproval)~~ by the \_\_\_\_\_ on \_\_\_\_\_ <sup>(Elective Chief Executive Officer\*)</sup>

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, 2004, 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 2004 of the ~~(County)(City)(Town)(Village)~~ of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 2004, and was ~~(approved)(not approved)~~ <sup>(Name of Legislative Body)</sup> ~~(repassed after disapproval)~~ by the \_\_\_\_\_ on \_\_\_\_\_ 2004. <sup>(Elective Chief Executive Officer\*)<sup>1</sup></sup>

Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 2004, 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 2004 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 \_\_\_\_\_ 2004, 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 2004 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.)**

<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.

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 ONE, above.



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

*Christina M. Vargulick*

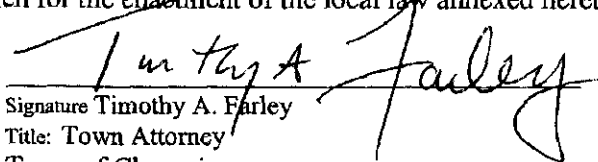
(Seal)

Date: November 15 2004

**(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: November 15 2004