

Local Law Filing

New York State Department of State
41 State Street, Albany, NY 12231

Village of Holley

Local Law No. 4 of the year 2007.

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED
NOV 21 2007

MISCELLANEOUS
& STATE RECORDS

**A LOCAL LAW TO BE KNOWN AS THE VILLAGE OF HOLLEY MORATORIUM
ON STREET LEVEL APARTMENTS WITHIN THE VILLAGE OF HOLLEY
SQUARE**

Be it enacted by the Board of Trustees of the Village of Holley of the as follows:

WHEREAS it is in the public interest to create and maintain a comprehensive code of the local laws, ordinances and other regulations associated with the Village of Holley, and

WHEREAS from time to time there is the need to amend the Village of Holley Code to provide clarifications, amendments and additions thereto,

NOW, THEREFORE be it resolved that the following proposed local law be published for public review in accordance with the Municipal Home Rule Law and the Village Law, providing for the amendment of the Village of Holley Code, and that a public hearing be held thereupon on the 8 day of November, 2007, for the purposes of consideration of adoption of the proposed local law which reads as follows:

Local Law No. 4 of the Laws of 2007 of the Village of Holley

ARTICLE I: ENACTMENT; AUTHORIZATION; TITLE; PURPOSE

Section 101: Enactment and Authorization

The Village of Holley Board of Trustees does hereby ordain and enact the Village of Holley moratorium on street level apartments within the Village of Holley Square, pursuant to authority and provisions of Section 10 of the Municipal-Home Rule Law.

Section 102: Title

This local law shall be known as the Village of Holley moratorium on street level apartments within the Village of Holley Square.

Section 103: Purpose

a) It is the purpose of this local law to protect the public interest for the Village of Holley to designate certain areas within the confines of the Village of Holley as zones generally for commercial and/or residential purposes.

b) It is the further purpose of this local law to allow time for the Village of Holley Board of Trustees to examine the zoning designations and/or specific uses of areas within the Village of Holley, and as it relates to this proposed local law, the Village of Holley Square, for commercial and/or business growth, and also, to analyze these uses for purposes of a creating comprehensive plan for the Village of Holley.

ARTICLE II: IMPOSITION OF MORATORIUM

Section 201: Imposition of Moratorium

For a period of one year after the date of filing this local law with the Department of State, no street level space, or location, within the Village of Holley Square shall be utilized in any manner as an apartment. For purposes of this local law, the term, "apartment" has its customary and traditional usage, and includes, but is not limited to, residential use that may include spending overnights at that location. This local law is applicable to the prohibited use of space from the date the proposed local law is on the Village of Holley regular monthly meeting agenda.

ARTICLE III: VALIDITY

SECTION 301: Validity

If any section, sentence, clause or phrase of this local law is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this local law.

ARTICLE IV: APPEALS

Section 401: Appeals

A party aggrieved by the provisions of this local law may file an appeal with the Village of Holley Planning Board of Appeals. The Village of Holley Planning Board

of Appeals shall act upon an application for an appeal from this local law in conformance with the procedural requirements and standards of the Village of Holley Zoning Ordinance and the Village Law of the State of New York.

ARTICLE VI EXPIRATION

Section 501: Expiration

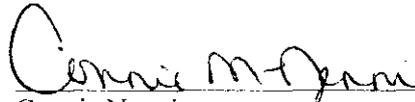
This one (1) year moratorium, unless otherwise extended by the Village Board, shall expire upon (a) the enactment of a local law regulating the use of street level apartments within the Village of Holley Square; (b) the adoption by the Village of Holley Board of a resolution expressing said board's determination that the further regulation of such would not be appropriate; or (c) the elapse of one year from the effective date of this local law, whichever shall first occur.

ARTICLE VI: EFFECTIVE DATE

Section 601: Effective Date

This Local Law shall take effect immediately after filing with the Secretary of State.

I hereby certify that the local law annexed here, designated as Local Law No. 4 of 2007 of the Village of Holley was duly passed by the Village Board on November 13, 2007, in accordance with the applicable provision of law.



Connie Nenni
Village Clerk

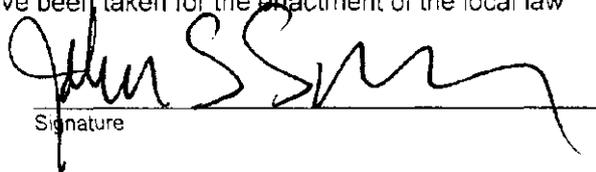
Date: 11/27/07

(Seal)

Certification

STATE OF NEW YORK
COUNTY OF ORLEANS

I, John S. Sansone, Esq., the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been taken for the enactment of the local law annexed hereto.



Signature

Village Attorney
Title

Village of Holley

Date: November 15, 2007