

# 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**

~~County~~  
~~City~~

of CHAMPION

Town  
~~Village~~

FEB 12 2013

MISCELLANEOUS  
& STATE RECORDS

Local Law No. 1 of the year 2013

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 several inquiries have been made concerning placement of gas, oil, or solution drilling or mining in the Town of Champion. The Town of Champion Zoning Law does not adequately address development issues related to this land use. It is the purpose of these amendments to provide certain regulations regarding requirements relative to gas, oil, or solution drilling or mining.

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

**ADD DEFINITION IN "ARTICLE 2. DEFINITIONS" AS FOLLOWS:**

Gas, oil, or Solution Drilling or Mining: The process of exploration and drilling through wells or subsurface excavations for oil or gas, and extraction, production,

transportation, purchase, processing, and storage of oil or gas, including, but not limited to the following:

1. A new well and the surrounding well site, built and operated to produce oil or gas, including auxiliary equipment required for production (separators, dehydrators, pumping units, tank batteries, tanks, metering stations, and other related equipment;
2. Any equipment involved in the re-working of an existing well;
3. A water or fluid injection station(s) including associated facilities;
4. A storage or construction staging yard associated with an oil or gas facility;
5. Gas pipes, water lines, or other gathering systems and components including but not limited to drip station, vent station, chemical injection station, valve boxes.

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

Use	District						
	AR	R-1	R-2	B	I	H	RC
Gas, Oil, or Solution Drilling or Mining	--	--	--	--	sp	--	--

p = zoning permit required  
s = site plan review by the planning board required  
sp = special use permit by the planning board required  
-- = not allowed

**ADD NEW SECTION AS FOLLOWS:**

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

I. Gas, oil, or Solution Drilling or Mining

The Planning Board shall determine the following prior to approving a special use permit for the proposed gas, oil, or solution drilling or mining.

1. Disposal of any hydrofracking fluids within the Town will not be allowed, including deep well disposal. All disposal will be in accordance with NYS DEC regulations;
2. A "Road Preservation Use and Repair Agreement" shall be made between the developer and the Town of Champion prior to any drilling and a bond or cash bond shall be required for the actual repair of roads damaged by heavy well drilling equipment;
3. All drill operators shall be required to specify the source of water to be used in the wells;
4. There shall be a 911 address for each drilling site;

5. Contact information for management personnel on each site shall be on file with the Town Clerk; and
6. All drilling shall be conducted according to NYS and Federal regulations.

**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. 1 of 2013 of the ~~(County)(City)(Town)(Village)~~ of Champion was duly passed by the February 4 2013, 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 2013 of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 2013, and was (approved)( not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted *(Elective Chief Executive Officer)* on \_\_\_\_\_ 2013, 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 2013 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

vote of a majority of the qualified electors voting thereon at the (general) (special)(annual) election held on \_\_\_\_\_, 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 2013 of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 2013, and was (approved)( not approved) (repassed after disapproval) (Name of Legislative Body) by the \_\_\_\_\_ on \_\_\_\_\_ 2013 .  
(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 \_\_\_\_\_ 2013 , 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 2013 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 \_\_\_\_\_ 2013 , 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 2013 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

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<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.

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*

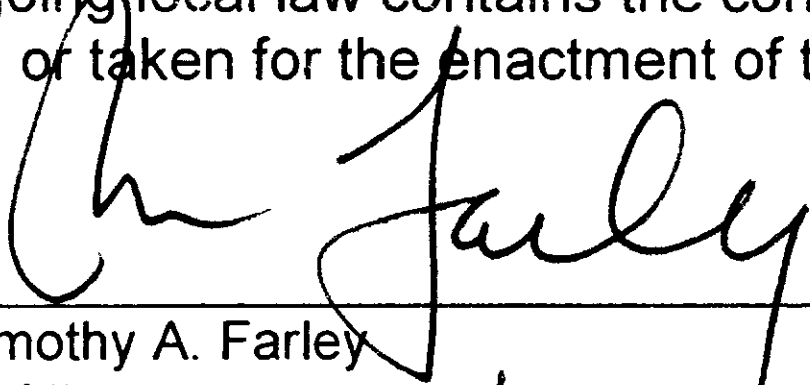
(Seal)

Date: 2/6/13

**(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: 2/6/13