

Local Law Filing

(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 Town Village
(Select one.)

of DEERPARK

Local Law No. _____ of the year 20¹⁵

A local law AMENDING SECTION 230-4 OF THE ZONING LAW BY ADDING DEFINITIONS
(Insert Title)
REGARDING "PUBLIC UTILITY" AND "PUBLIC UTILITY STRUCTURES" AND
AMENDING SECTION 230-15 OF THE ZONING LAW TO INCLUDE HM-U, IB, AND I-1
INDUSTRIAL ZONES BY ADDING "PUBLIC UTILITY STRUCTURES" TO THE
SCHEDULE OF DISTRICT REGULATIONS

Be it enacted by the TOWN BOARD of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of DEERPARK as follows:

SEE ANNEXED PAGES.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

TOWN OF DEERPARK, ORANGE COUNTY, NEW YORK

LOCAL LAW NO. 1 OF 2015

A LOCAL LAW AMENDING SECTION 230-4 OF THE ZONING LAW BY ADDING DEFINITIONS REGARDING “PUBLIC UTILITY” AND “PUBLIC UTILITY STRUCTURES” AND AMENDING SECTION 230-15 OF THE ZONING LAW TO INCLUDE HM-U, IB AND I-1 INDUSTRIAL ZONES BY ADDING “PUBLIC UTILITY STRUCTURES” TO THE SCHEDULE OF DISTRICT REGULATIONS

1. Purpose – The purpose of this Local Law is to amend Section 230-4 of the Zoning Law of the Town of Deerpark, Orange County, New York to add definitions regarding “Public Utility” and “Public Utility Structures” as well as amending Section 230-15 of the Zoning Law to include “Public Utility Structures” as Permitted Uses with Planning Board approval in the Schedule of District Regulations for the HM-U, IB and I-1 Industrial Zones.

2. The following definitions are hereby added to Section 230-4 as follows:

Public Utility – A business or a service which is of public consequence and need, such as electric, gas, water or telephone service.

Public Utility Structures – One or more structures designed, acquired, and/or constructed to implement the need for services provided by a public utility, such as an electric substation, a transmission facility, a distribution facility, gas transmission facilities, valves, transformers and any electric or gas equipment.

3. The Public Utility Structures Use as defined above shall be added to the Second Column of the charts for the HM-U, IB and I-1 Zones contained within Section 230-15 of the Town of Deerpark Zoning Law entitled “Schedule of District Regulations”, so as to include Public Utility Structures as a permitted use with Planning Board approval in the HM-U, IB and I-1 INDUSTRIAL Zones within the Town of Deerpark.

PLEASE TAKE NOTICE TO THE EXTENT THAT THIS LOCAL LAW MAY CONFLICT WITH APPLICABLE PORTIONS OF THE TOWN LAW OF THE STATE OF NEW YORK, IT IS THE STATED INTENTION OF THE TOWN TO EXERCISE ITS AUTHORITY TO SUPERSEDE AND AMEND, AS GRANTED UNDER THE MUNICIPAL HOME RULE LAW OF THE STATE OF NEW YORK, SECTION 10. THE TOWN HEREBY PROVIDES NOTICE THAT IT IS EXERCISING ITS AUTHORITY TO SUPERSEDE AND AMEND PURSUANT TO MUNICIPAL HOME RULE LAW OF THE STATE OF NEW YORK SECTION 22.

(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 2015 of the ~~(County)(City)~~(Town)(Village) of DEERPARK was duly passed by the TOWN BOARD on 2015, in accordance with the applicable provisions of law.
(Name of Legislative Body)

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 20 of the (County)(City)(Town)(Village) of was duly passed by the on 20 , and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the and was deemed duly adopted *(Elective Chief Executive Officer*)* on 20 , 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 20 of the (County)(City)(Town)(Village) of was duly passed by the on 20 , and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the on 20 . *(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 20 , 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 20 of the (County)(City)(Town)(Village) of was duly passed by the on 20 , and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the on 20 . Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of 20 , in accordance with the applicable provisions of law.

* 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.

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

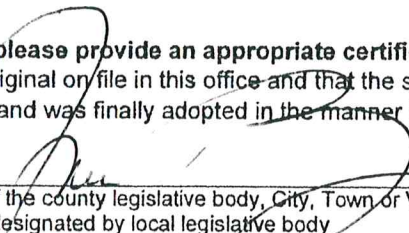
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 ____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, 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 20 ____ 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 1 above.



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

Date: August 3, 2015

(Seal)

NOTICE OF PUBLIC HEARING

TOWN OF DEERPARK
COUNTY OF ORANGE
STATE OF NEW YORK

PUBLIC NOTICE is hereby given that there has been presented to the Town Board of the Town of Deerpark, Orange County, New York, on the 6th day of July, 2015, a proposed Local Law #1 of the Year 2015, entitled "A Local Law Amending Section 230-4 of the Zoning Law by Adding Definitions Regarding "Public Utility" and "Public Utility Structures" and Amending Section 230-15 of the Zoning Law to Include HM-U, IB, and I-1 Industrial Zones by Adding "Public Utility Structures" to the Schedule of District Regulations".

The full text is on file for public review at the Office of the Town Clerk, Route 209, Huguenot, New York, during regular business hours.

THEREFORE, pursuant to the Municipal Home Rule Law of the State of New York, the Town Board of the Town of Deerpark will hold a public hearing on the aforesaid proposed Local Law in the Town Hall, Route 209, Huguenot, New York, at 7:30 p.m. on the 3rd day of August, 2015, at which time all interested persons will be heard.

DATED: 7/6, 2015

BY ORDER OF THE TOWN BOARD

FLORENCE T. SANTINI, Town Clerk