

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:)

FILED
STATE RECORDS

SEP 20 2023

of Chittenango

DEPARTMENT OF STATE

Local Law No. 5 of the year 2023

A Local Law Amending Chapter 148, Section 32, Titled "Zoning schedules," of the Zoning Law of the Village of Chittenango to Permit the Operation of Gasoline or Convenience (Mini) Marts Within the General Business District and Amend the Definition of "Mini Mart"

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

County City Town Village
(Select one:)

of Chittenango as follows:

VILLAGE OF CHITTENANGO

LOCAL LAW 5-2023

A LOCAL LAW AMENDING CHAPTER 148, SECTION 32, TITLED "ZONING SCHEDULES," OF THE ZONING LAW OF THE VILLAGE OF CHITTENANGO TO PERMIT THE OPERATION OF GASOLINE OR CONVENIENCE (MINI) MART USES WITHIN THE GENERAL BUSINESS DISTRICT AND AMEND THE DEFINITION OF "MINI MART"

BE IT ENACTED by the Village of Chittenango Village Board, as follows:

Section 1. Authority.

Authority and guidance for this local law are provided in State Constitution Article IX, Municipal Home Rule Section 10, and Village Law Section 4-412.

Section 2.

So that the definition of "Mini-Mart" as set forth in Section 148-9 of the Village of Chittenango Village Code, titled "Word usage; definitions," shall be amended as follows:

"Mini-Mart: A small retail activity which offers for sale convenience goods such as food, beverage, and sundries, but not including motor fuel, often on a twenty-four-hour-a-day basis. Such retail activity shall not include the sale, promotion, transfer or dispensing

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

of items commonly associated with the use of controlled substances and sold in businesses known, and defined herein, as "head shops." (See "gasoline convenience market.")"

Section 3.

So that the Schedule of Uses, Schedule I, as provided for in Section 148-32, titled "Zoning schedules," is hereby amended so as to allow land use or activity number 49, "Gasoline or convenience (mini) mart," in the General Business District upon receipt of a special permit.

Section 4. Effective Date.

This Local Law shall become effective upon its filing with the New York Secretary of State.

1. **(Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 5 of 2023 of the Village of Chittenango was duly passed by the Village Board on July 27, 2023, in accordance with the applicable 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 20__ of the Village of Chittenango was duly passed by the Village Board on _____, 20__, and was (approved/not approved/repassed after disapproval) by the Village Board and was deemed duly adopted 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 Village of Chittenango was duly passed by the Village Board on _____, 20__, and was (approved/not approved/repassed after disapproval) by the Village Board on _____, 20__.

~~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 Village of Chittenango was duly passed by the Village Board on _____, 20__, and was (approved/not approved/repassed after disapproval) by the Village Board 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.~~

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

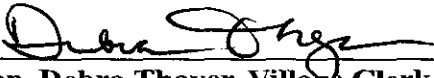
I hereby certify that the local law annexed hereto, designated as local law No. ___ of 20__ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36/37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors 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.



Hon. Debra Thayer, Village Clerk
Village of Chittenango