

# 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 Cornwall

FILED  
STATE RECORDS  
DEC 13 2023

DEPARTMENT OF STATE

Local Law No. 3 of the year 2023

A local law to amend the Town Code Chapter 158 entitled "Zoning" by revising the Zoning Map to  
(Insert Title)  
change the zoning designation of certain real property from Suburban Residence District-1  
("SR-1") to General Commercial ("GC"), to add a definition of "Theater" to the Zoning Code  
and to amend the Use and Bulk Regulations to allow "Theaters" in the GC Zoning District.

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

County  City  Town  Village  
(Select one.)

of Cornwall

as follows:

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

**TOWN OF CORNWALL  
LOCAL LAW NO. 3 OF THE YEAR 2023**

A local law to amend the Town Code Chapter 158 entitled "Zoning" by revising the Zoning Map to change the zoning designation of certain real property from Suburban Residence District – 1 ("SR-1") to General Commercial ("GC"), to add a definition of "Theater" to the Zoning Code, and to amend the Use and Bulk Regulations to allow "Theaters" in the GC Zoning District.

Section 1. Purpose:

The purpose of this Local Law is to promote the public health, safety and welfare by amending Chapter 158 of the Town Code entitled "Zoning" to revise the Zoning Map to change the zoning designation of certain real property from Suburban Residence District – 1 ("SR-1") to General Commercial ("GC"), to add a definition of "Theater" to the Zoning Code, and to amend the Use and Bulk Regulations to allow "Theaters" in the GC Zoning District.

Section 2. Municipal Home Rule Law.

This Local Law is adopted pursuant to the provisions of the Municipal Home Rule Law of the State of New York and Article 16 of the Town Law of the State of New York. To the extent the provisions of this local law are in conflict with Town Law, the Town Board hereby asserts its intention to supersede Town Law pursuant to the Municipal Home Rule Law.

Section 3. Amendment of Code:

1. The Town of Cornwall Town Code, Chapter 158 entitled "Zoning", Section 158-5 entitled "Zoning Map", is hereby amended to revise said Zoning Map by changing the zoning designation of the lot located at 1 Angola Road, Cornwall, New York and identified on the Town Tax Map as Section 23, Block 3, Lot 3.21 from ("SR-1") to General Commercial ("GC").

2. The Town of Cornwall Town Code, Chapter 158 entitled "Zoning", Section 158-9 entitled "Use Tables", is hereby amended to revise the Table of General Use Regulations Nonresidential Districts to add to the Table of Use Regulations for the GC District the use of "Theater" as a use permitted subject to site plan approval within Use Group B.

3. The Town of Cornwall Town Code, Chapter 158 entitled "Zoning", Section 158-3 entitled "Definitions and word usage", is hereby amended to include the following in its place in alphabetical order within the said Section:

"Theater. A building or enclosed structure, or portion thereof, used as a performance hall for live productions, motion pictures, concerts, or other entertainment of groups of people."

Section 4. Severability:

If any part or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law or the application thereof to other persons or circumstances, and the Town Board of the Town of Cornwall hereby declares that it would have passed this local law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 5. Effective Date:

This Local Law shall become effective upon filing with the Secretary of State of the State of New York subsequent to having been duly adopted by the Town Board.

(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. 3 of 2023 of the (County)(City)(Town)(Village) of Cornwall was duly passed by the Town Board on August 15, 2023, 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) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

**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) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_.  
*(Name of Legislative Body)*  
*(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) (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.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

\* 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.

*Jennifer McCormick*

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

Jennifer McCormick

Date:

10/11/23

(Seal)

