

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 of BRANT
Town
Village

FILED
STATE RECORDS

NOV 18 2010

DEPARTMENT OF STATE

Local Law No. 3 of the year 2010

A local law

(Insert Title)

Impose a six (6) month moratorium on the issuance and processing of applications and issuance
of permits or approvals for the telecommunications facilities in the Town of Brant

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

County
City of Brant
Town
Village as follows:

(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. 3 of 2010 of the (County)(City)(Town)(Village) of Brant was duly passed by the Brant Town Board on November 9 2010, 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____. 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.
(Name of Legislative Body)
(Elective Chief Executive Officer*)~~

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.)

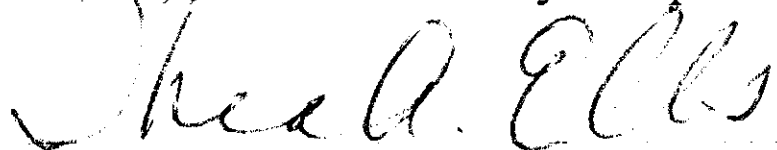
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified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


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

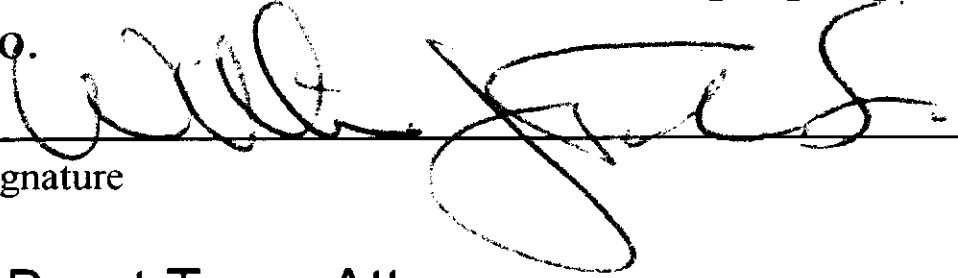
Date: 11/9/10

(Seal)

(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 _____ ERIE _____

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
Brant Town Attorney
Title

County
City of Brant
Town
Village

Date: 11/9/2010

TOWN OF BRANT

LOCAL LAW NO. 3 OF THE YEAR 2010

A local law imposing a temporary moratorium on the issuance of applications and the granting of permits, licenses or approvals for the siting, location, construction or development of telecommunication facilities in the Town of Brant,

Be it enacted by the Town Board of the Town of Brant ("Town") as follows:

WHEREAS, in the past several years, neighboring communities have seen a notable increase in the number of inquiries and requests for the siting, location, construction or development of telecommunication facilities, and

WHEREAS, current local laws, ordinances and regulations do not adequately address many of the issues and concerns which must be considered to fairly address the impacts of such facilities upon the Town, and

WHEREAS, the Town Board has determined that it is necessary to protect the public interest and welfare by imposing a temporary moratorium on new siting, location, construction and development of new telecommunication facilities while the Town undertakes a comprehensive review of concerns and issues raised by these improvements, and

WHEREAS, such moratorium is intended to allow the Town sufficient and necessary time to address such concerns and issues and enact new laws, ordinances or regulations, and/or appropriate amendments to existing laws, ordinances or regulations to properly address such concerns or issues in a manner which is meaningful and consistent with the Town's comprehensive plan.

NOW, THEREFORE, the Town Board of the Town of Brant hereby declares that no new applications shall be issued and no permits or approvals shall be granted by any officer, department, board or agency of the Town of Brant with respect to the siting, location, construction or development of any telecommunication facilities within the Town of Brant for a period of six (6) months from the effective date of this local law, excluding the application of Family Life Network, unless earlier terminated by other local law, duly adopted. The term "telecommunication facilities", as used in this law, shall mean any structure, tower, foundation, supporting device and/or accessory structures or improvements used in connection with siting or locating equipment such as antennas for wireless, cellular, digital or other communication signals, systems or services.

This local law is intended to supersede all applicable provisions of the Town of Brant Code, to the extent required to give effect to the provisions hereof for the effective period hereof.