

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 Cooperstown

Local Law No. 4 of the year 20 24

A local law Amend Zoning Law 300-31 (C)- Supplemental Environmental Regulations- Amendments
(Insert Title)
related to tree removal creating reporting requirement and limits for removal of healthy,
invasive, and diseased trees.

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

County City Town Village
(Select one:)

of Cooperstown as follows:

See attached.

(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. 4 of 2024 of the (County)(City)(Town)(Village) of Cooperstown was duly passed by the Board of Trustees on May 20, 2024, 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.

Jenna D. Upton

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

Date: 5/22/24

(Seal)

Supplemental Environmental Regulations

Definitions – delete

TRUNK DIAMETER

The diameter of a tree measured at four feet above the ground.

C. Trees

1. The Village of Cooperstown recognizes the role that trees play in the Village ecosystem and that they contribute to the quality of air, reduce noise and visual pollution, help to moderate climatic extremes, stabilize soil, conserve energy used for cooling, and enhance property values and the general quality of life in the Village.

2. Tree removal - The removal of any tree with a trunk over six (6) inches in diameter measured at four (4) feet from the ground requires prior notification of the Zoning Enforcement Officer and must conform to the following regulations:

a. Invasive species:

- i. Any Amur Cork, Sycamore Maple, Japanese Angelica, or Norway Maple tree may be removed.
- ii. Other species of trees added to the list of “New York State Prohibited and Regulated Invasive Plants” may be removed.

b. Hazardous trees:

- i. Private property owners have the duty, at their own expense, to remove any tree or portion of a tree on their property which is dead or harbors insects or disease and therefore threatens public safety.
- ii. The Village Tree Committee may recommend to a private property owner that a tree or part of a tree be removed if the tree or tree part:
 - (a) Poses a potential public safety risk or hazard;
 - (b) Is potentially injurious to sewers, electric power lines, waterlines or other public improvements; or
 - (c) Is infected with any injurious fungus, insect, or pest.
- iii. The Zoning Enforcement Officer may request documentation from the property owner provided by a certified arborist or forester or other tree professional of the condition of any hazardous tree before its removal.
- iv. In cases of imminent danger, when prior notification is not possible, the Zoning Enforcement Officer must be notified within two (2) business days of removal.

c. Healthy, non-invasive trees:

- i. On any property, not more than 25 percent of healthy, non-invasive trees with trunk diameters of six (6) inches or more measured four (4) feet above the

ground may be cut or drastically altered in configuration within a ten-year period.

ii. The 25 percent provision shall not apply to tree removal that is part of a project requiring Site Development Plan Review, in which case the removal of trees must be reviewed by the Planning Board according to the objectives for Site Development Plan Review.