

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 Goshen

Local Law No. 7 of the year 20²⁴

A local law Amending Chapter 97 ("Zoning") of the Code of the Town of Goshen to Update Provisions
(Insert Title)

Related to the Replenishment of Applicant Escrow Deposits

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

County City Town Village
(Select one.)

of Goshen as follows:

See Attached.

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

**LOCAL LAW No. 7 OF 2024
TOWN OF GOSHEN**

**A LOCAL LAW AMENDING CHAPTER 97 (“ZONING”) OF THE CODE OF THE
TOWN OF GOSHEN TO UPDATE PROVISIONS RELATED TO THE
REPLENISHMENT OF APPLICANT ESCROW DEPOSITS**

BE IT ENACTED by the Town Board of the Town of Goshen, Orange County, New York as follows:

SECTION 1. PURPOSE AND INTENT.

The Town Board of the Town of Goshen has found that there are times during the processing of applications before the Town, Planning and Zoning Boards that the monies in an applicant’s escrow account have been insufficient, and have not been replenished by an applicant in a timely fashion. The failure to have sufficient escrow monies causes the reviews, approvals, permits and certificates to be delayed, suspended and/or withheld. The purpose of this law is to amend the current provisions related to escrow deposits to require such deposits to be replenished upon reaching a certain level of depletion, so that the review of applications is not stalled.

SECTION 2. CHAPTER 97: ZONING.

Subsections 97-68(E), (F), (G), and (H) are hereby renumbered as (F), (G), (H) and (I), respectively.

A new Subsection 97-68(E) is hereby enacted as follows:

- E. If the escrow deposit falls below 25% of the required escrow, the applicant shall, unless the requirement is waived by the Planning Board, pay additional funds into the escrow account to replenish the escrow account to 100% of the required escrow. If such account is not replenished within ten (10) days after the applicant is notified, in writing, of the requirement for such additional deposit, the applicable Board may suspend its review of the application until the escrow is replenished.

SECTION 3. SUPERSEDING PROVISION.

To the extent that any State or local laws fail to provide specific authority for this Local Law or the procedures necessary for its adoption, or otherwise appear to be in conflict with this Local Law or the procedures followed for its adoption, then such laws, including but not limited to Article 16 of the New York State Town Law, are hereby superseded by this Local Law pursuant to New York Municipal Home Rule Law and the common law.

SECTION 4. SEVERABILITY.

If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall be confined in its operation to the clause, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered, and the remaining provisions shall remain in full force and effect.

SECTION 5. EFFECTIVE DATE.

This law shall take effect upon the filing of this Local Law with the New York Secretary of State in the manner provided for in New York Municipal Home Rule Law.

(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. 7 of 2024 of the (County)(City)(Town)(Village) of Goshen was duly passed by the Town Board on May 9 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) (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.

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

Date: May 17, 2024

(Seal)