

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 _____ Liberty _____

Local Law No. _____ 3 _____ of the year 20²⁴ _____

A local law _____ amending Chapter 147, entitled "Zoning," of the Code of the Town of Liberty,
(Insert Title)
Sullivan County, New York.

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

County City Town Village
(Select one.)

of _____ Liberty _____ as follows: _____

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

Section 1. Legislative Intent.

The Town of Liberty enacts this local law pursuant to Section 10 of the Municipal Home Rule Law and Article 16 of the Town Law to provide for the orderly development of the Town and to protect the health safety and welfare of its residents. Consistent with the purposes of the Resort Hotel (RH) district, this local law adds several parcels to this district to support a diversified tourism industry and the Town's economic base. This law also includes related adjustments to the Schedule of District Regulations and Zoning Map.

Section 2. Amendment of Article II, § 147-4. Definitions.

The definition of "Destination Resort" is hereby removed and replaced with the following:

DESTINATION RESORT

A self-contained development that provides visitor-oriented accommodations, developed recreation facilities and appropriate support services. Developed recreation facilities may include, but are not limited to, golf courses, tennis courts, swimming pools, ski runs, bicycle paths and similar facilities. Visitor-oriented accommodations include overnight lodging, restaurants, meeting facilities, entertainment venues, gaming casinos, and similar uses. A destination resort may contain residential dwelling units.

Section 3. Amendment to the Zoning Map pursuant to §147-6 of the Town Code.

The Official Zoning Map of the Town of Liberty is hereby amended as follows. The following parcels, totaling approximately 938 acres, shall be added to the Resort Hotel (RH) District, listed by Section, Lot, Block numbers:

23-1-117; 30-1-5; 23-1-78.2; 23-1-123.1; 30-1-4; 23-1-121.5; 30-1-1.1; 23-1-112.3; 29-2-3; 23-1-87; and 26-1-59.

Section 4. Amendment of Schedule of District Regulations.

The Schedule of District Regulations incorporated by reference in §147-8 and attached to the Zoning Law is amended as follows.

In the Resort Hotel (RH) District, under the Principal Permitted Use column, the following use is removed:

"Boarding or tourist homes"

In the Resort Hotel (RH) District, under the Special Use column, the following uses are removed:

"Recreational vehicle parks and campgrounds"

"Summer camps"

"Shooting ranges"

"Mobile homes for single-family use, but not including mobile home parks"

In the Resort Hotel (RH) District, under the Special Use column, the following use is added:

“Destination Resort”

Section 5. 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 judgement shall be confined in its operation to the part of provision or application directly involved in the controversy in which 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 hereby declares that it would have passed this Local Law or the remained thereof had such invalid application or invalid provision been apparent.

Section 6. Supersession.

This Local Law is adopted pursuant to the provisions of the Municipal Home Rule Law of the State of New York and is intended to supersede any provisions of the New York State Town Law, the Town of Liberty Zoning Law and the General Municipal Law which are inconsistent with the provisions of this Local Law.

Section 7. Effective Date.

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Section 27 of the 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. 3 of 2024 of the ~~County~~ ~~(Town)~~ ~~(Village)~~ of Liberty was duly passed by the Town Board on 4/15 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____.

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.

* 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.

Laurie Dutcher

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

Date: 4/24/24

(Seal)

