

Local Law Filing

162 WASHINGTON AVENUE, ALBANY, NY 12231

NEW YORK STATE DEPARTMENT OF STATE

(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.

STATE RECORDS

MAR 15 2021

TOWN OF NAPLES

DEPARTMENT OF STATE

LOCAL LAW 1 OF THE YEAR 2021

Proposed LOCAL LAW AMENDING THE “ZONING CHAPTER OF THE CODE OF THE TOWN OF NAPLES” providing for creation of a Multiple Use District and repeal of the Cohocton Street Overlay District.

Be it enacted by the Town Board of the Town of Naples as follows:

Section 1: Short Title.

This Local Law shall hereafter be known as the “Naples Zoning Chapter Multiple Use District Amendment of 2021”.

Section 2: Legislative Intent.

The purpose of this Local Law is to amend the Zoning Chapter of the Code of the Town of Naples to create a Multiple Use District along Cohocton Street as well as a portion of New York State Route 53 in the Town.

Section 3: Legislative Authority.

This Local Law is enacted 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, with the procedural provisions of the MHRL controlling.

Section 4. Legislative History

Local Law entitled “Local Law No. One of the year 1974, A Local Law Establishing Zoning Use Districts and Zoning Rules and Regulations” adopted by the Town Board of the Town of Naples on February 5, 1974 and as amended in its entirety by, Local Law No. Two of the Year 1997, further amended by Local Law No. One of the Year 1998, Local Law No. 2 of the Year 1999, Local Law No. 5 of the Year of 1999, Local Law No. 1 of the Year of 2003, Local Law No. 1 of the Year 2004, Local Law No. 6 of the Year 2005, Local Laws No. 2 , No. 6, No. 8 of 2006, Local Law No. 1 of the Year 2007, Local Laws No. 1, No. 2 , No. 3 of the Year of 2009, Local Law No. 4 of the Year 2010 and Local Law No. 4 of the Year 2013 together with such other amendments which have been adopted is hereby further amended so as to modify the Sections hereinafter set forth as provided.

Section 5: Legislative Findings.

It is determined that the Cohocton Street corridor and part of New York Ste Route 53 in the Town will benefit from creation of an appropriate mixed commercial /residential use district.

Section 6: Provisions.

The following Sections of Chapter §132 of the Code of the Town of Naples are amended as provided:

- I. The Table of Contents is amended in that the title of §132-26 under Article V "District Regulations" shall be repealed and replaced by:

§132-26. New York State Route 21 (Cohocton Street)/NYS Route 53 Multiple Use District.

- II. §132-8 "Word Usage and Definitions of Article II, "Definitions" of the Zoning Chapter are amended by adding definitions alphabetically, amending definitions of words or terms therein and deleting words or terms, as hereinafter provided:

ADULT ARCADE:

Any place in which the public is permitted or invited to view devices that are electrically or mechanically controlled still or motion-picture machines, projectors, computers or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time and where the images so displayed are distinguished or characterized by the depicting or describing a specified sexual activity or specified anatomical areas.

AGRICULTURE:

The use of the land for agricultural purposes, including truck farms or nurseries, greenhouses, horticulture, viticulture and apiaries, and the raising or breeding of animals for commercial purposes and the necessary accessory uses for storage, provided that the operation of any such accessory use shall be incidental to that of the principal agricultural activities, including residential facilities.

AGRICULTURAL ACTIVITY:

The principal or accessory use of a parcel of land to grow, either for consumption or use by the property owner or occupant, for retail sale or wholesale distribution of any legal plant or animal propagated from or on such land, such as, but not necessarily limited to, livestock, poultry, eggs, dairy products, fish, honey, grains, vegetables, fruit, nuts, maple tree sap products, trees and miscellaneous horticultural products. An equestrian operation shall be considered an agricultural activity. Dog kennels are not considered an agricultural activity. For the purposes hereof, the word "farming" shall be synonymous with the term "agricultural activity." A garden as an accessory to a residential or commercial use shall not be deemed an agricultural activity. Further, any use prescribed or permitted pursuant to the New York State

Agriculture and Markets Law or regulations adopted pursuant thereto are permitted accessory uses to any permitted agricultural activity.

ALCOHIC BEVERAGES, PRODUCTION OF – A use by which alcoholic beverages are produced, sold and/or distributed, either for retail, wholesale, including microbrewery, winery, farm winery, farm brewery, distillery, farm distillery or other alcoholic beverage producer licensed by the State of New York.

ALTERATION:

Any change or rearrangement in the supporting members of an existing building, such as bearing walls, columns, beams, girders or interior partitions, as well as any change in doors or windows, or any enlargement to or diminution of a building or structure, whether horizontally or vertically or changes to cornices and exterior adornments, or the moving of a building or structure from one location to another.

APARTMENT HOUSE:

Any structure housing five (5) or more dwelling units.

BED-AND-BREAKFAST:

An Owner Occupied residence used for providing overnight accommodations and a morning meal to not more than ten transient lodgers and containing not more than five bedrooms for such lodgers.

BODY PIERCING: The piercing of any part of the body.

CHURCH: See Worship, place of

CIDER PRODUCER: Repealed and Deleted

CLASS A-1 DISTILLER: Repealed and Deleted

CLUB HOUSE or CLUB MEMBERSHIP:

An organization catering exclusively to members and their guests, including premises and buildings for recreational and/or athletic purposes, which are not conducted primarily for gain, providing there are not conducted any vending stands, merchandising or commercial activities except as required generally for the convenience of the membership and purposes of such club.

CLUSTER, SINGLE FAMILY DWELLING:

A subdivision plat or plats, approved pursuant to the Subdivision of Land Chapter of the Code of the Town of Naples, in which the applicable zoning district

regulations of this chapter are modified to provide an alternative permitted method for the layout, configuration and design of lots, buildings and structures, roads, utility lines and other infrastructure, parks and landscaping in order to preserve the natural and scenic qualities of open lands.

COMMERCIAL USE – Any use involving the sale, rental or distribution of goods or commodities, either by retail or wholesale; the providing of a service for remuneration, including the use of recreational facilities or activities for remuneration.

COMMUNITY SERVICE PROPERTY: Repealed and Deleted

DAY-CARE CENTER:

A facility duly permitted and licensed by the New York State or an authorized agency thereof for the care of more than two (2) children on a regular basis.

DWELLING, MULTIPLE:

Any building arranged or designed to provide at least three (3), but not more than four (4) more dwelling units.

DWELLING, TWO FAMILY – A building containing no more than two (2) separate dwelling units with no shared living spaces between the two separate dwelling units.

ESSENTIAL SERVICES:

The erection, construction, alteration or maintenance of underground gas, electric, wastewater or water transmission or distribution systems, mains, drains, sewers, or pipes, or electrical transmission systems, wires and cables above or below ground, fire alarm boxes, traffic signals, fire hydrants, communication transmission facilities and other similar equipment and accessories in connection therewith reasonably necessary for the furnishing of adequate service by municipal and public utility companies, cable television service providers, or other governmental agencies for the public health, safety or general welfare.

FARM:

Any lot which is used for agricultural activities. It includes necessary farm structures, the storage of equipment, storage of farm products and necessities as well as residential facilities.

FARM ANIMAL: Repealed and Deleted

FARM WINERY: Repealed and Deleted

GARBAGE: Repealed and Deleted

HOSPITAL: Repealed and Deleted

LITTER: Repeal and Deleted

LIVESTOCK – The breeding, raising and maintenance of cattle, sheep, swine, goats, horses, alpaca or any other ungulate; the commercial production of poultry or fur bearing animals.

MANUFACTURED HOUSING:

A transportable single dwelling structure, built on a permanent steel chassis, which may be towed on its own running gear, and which may be temporarily or permanently affixed to real estate.

MICROBREWERY: Repealed and Deleted

MOBILE HOME: Repealed and Deleted

MANUFACTURED HOME PARK: Repealed and Deleted

MULTIPLE DWELLINGS: Repealed and Deleted

NURSING OR CONVALESCENT HOME: Repealed and Deleted

PERSONAL SERVICES – Businesses which provide services to individual consumers for compensation, i.e.: haircare, insurance, sales, attorneys, dry cleaners, shoe repair, medical care, veterinary and other animal care not invalidating on site lodging of animals for compensation and other uses of a similar nature.

PUBLIC AND SEMIPUBLIC BUILDINGS AND GROUNDS:

Any one of the following uses, including grounds and accessory buildings necessary for its use:

- A. Places of worship and their parish houses, manses, parsonages, social halls and convents.
- B. Public parks, playgrounds and recreational areas when authorized or operated by a governmental authority.
- C. Schools
- D. Public libraries and museums, municipally owned or operated.
- E. Not-for-profit fire, ambulance and public safety buildings.

F. Proprietary or not-for-profit hospitals for the care of human beings, nursing homes, convalescent homes, homes for adults, homes for the aged or residences for adults as the same are defined under the Public Health Law or the Social Services Law of the State of New York, provided that they are duly licensed by the State of New York.

G. *Not-for-profit membership corporations or private clubs established for cultural, social, or recreational purposes.*

H. Municipal offices, highway department facilities and other facilities owned or controlled by a municipal government or department thereof.

REFUSE AND RUBBISH: Repealed and Deleted

RETAIL SALES – The sale of goods or articles individually or in small quantities directly to the consumer.

RETAIL SALES, SMALL - Any retail business employing ten (10) or fewer people, as either full time or part time employees

SANITARIUM: Repealed and Deleted

SCHOOL:

A place or establishment for teaching and learning licensed by the New York State Education Department and nursery schools.

SINGLE-FAMILY CONVERSION: Repealed and Deleted

TATTOO/BODY PIERCING ARTIST: Any person who performs the work of tattooing or body piercing.

WORSHIP, Place of: A lot where religious services and/or functions are conducted.

ZONING CHAPTER: The Zoning Chapter of the Code of the Town of Naples

III. §132-9. Enumeration of Districts is amended by adding: “MU Multiple Use District” and “LI Light Industrial District”.

IV. 1. §132-10.4. The title “District boundaries for New York State Route 21(/Cohocton Street) Overlay District” is repealed and replaced by the following:

§132-10.4. “District boundaries for NYS Route 21 (Cohocton Street)/NYS Route 53 Multiple Use District

2. The existing legal description of §132-10.4 is repealed. The legal description of §132-10.4. "District Boundaries for New York State Route 21(Cohocton Street)/New York State Route 53 Multiple Use District", is adopted as follows:

The following is the description of the Multiple Use (MU) District on New York State Route 21 (Cohocton Street) and New York State Route 53. Although the description is based on current tax map parcels, any change in tax map parcel configurations shall not affect the (MU) Multiple use District boundaries, which shall remain as the tax map parcels are or were configured on January 01, 2021. Accordingly, unless hereafter amended or modified by Local Law the Multiple Use (MU) District is described as follows:

Commencing at a point in the centerline of Cohocton Street (NYS Rtes. 21 & 245) where the centerline of Cohocton Street is intersected by a straight line extension to the north of the centerline of Strong Hill Road; thence (1) southerly along the centerline of Strong Hill Road so far as the point of intersection thereof with a straight line extension to the west of the southerly boundaryline of tax map parcel 203.12-1-20.000; thence (2) easterly along the straight line extension of the said southerly boundaryline of tax map parcel 203.12-1-20.000 so far as the easterly highway line of Strong Hill Road; thence (3) southerly along the westerly boundaryline of tax map parcel #203.12-1-19.000 (also being the easterly highway line of Strong Hill Road) a distance of approximately 438 feet to the southwesterly corner of tax map parcel #203.12-1-19.000; thence (4) easterly along the southerly boundaryline of tax map parcel 203.12-1-19.000 a distance of approximately 420 feet to the southeasterly corner of tax map parcel #203.12-1-19.000; thence (5) northerly along the easterly boundaryline of tax map parcel 203.12-19-000 approximately 202 feet to the point of intersection of the easterly boundaryline of tax map parcel # 203.12-1-19.000 with the southerly boundaryline of tax map parcel 203.12-1-16.100; thence (6) easterly along the southerly boundaryline of tax map parcel 203.12-1-16.100 a distance of approximately 521 feet to the point of intersection of the southerly boundaryline of tax map parcel #203.12-1-16.100 with the the westerly boundaryline of tax map parcel 203.00-1-39.110; thence (7) northerly along the westerly boundaryline of tax map parcel # 203.00-1-39.110 to a point in said boundaryline which is 250.00 feet from the centerline of Cohocton Street, as measured perpendicularly from the centerline of Cohocton Street; thence (8) easterly on a straight line parallel to the centerline of Cohocton Street and a distance of 250.00 feet measured perpendicularly therefrom throughout, so far as a point in the westerly boundaryline of tax map parcel 204.05-3-24.000; thence (9) southerly and easterly along the westerly and southerly boundarylines of said tax map parcel 204.05-3-24.000 approximately 600 feet to the westerly boundaryline of tax map parcel 203.00-1-27.000 at the southeasterly corner of tax map parcel 204.05-3-24.000; thence (10) northerly along the easterly boundaryline of tax map parcel 204.05-3-24.000 (also being the westerly boundaryline of tax map parcel 203.00-1-27.000 and the westerly boundaryline of tax map parcel 204.05-3-22.000) approximately 533 feet so far as the point of intersection of the northerly boundaryline of tax parcel 204.05-3-22.000 with the easterly boundaryline of tax map parcel 204.05-3-24.000; thence (11) easterly along the southerly boundarylines of tax map parcels 204.05-3-7.100 and 204.05-3-8.000 a distance of approximately 348 feet to the southeasterly corner of tax map parcel 204.05-3-8.000; thence (12) northerly along the easterly boundaryline of tax map parcel 204.05-3-8.000 a distance of approximately 130 feet to the point of intersection of the southerly boundaryline of tax map parcel 204.05-3-10.100 with the easterly boundaryline of tax map parcel 204.05-3-8.000; thence (13) easterly along the southerly boundaryline of tax map parcel 204.05-3-10.100 a distance of approximately 240 feet so far as the centerline of New York State Route 53; thence (14)

northerly along the centerline of New York State Route 53 a distance of approximately 346 feet so far as the point of intersection of the centerline of New York State Route 53 with the southerly municipal line of the Village of Naples; thence (15) westerly along the southerly municipal line of the Village of Naples so far as the centerline of Cohocton Street (New York State Rtes. 21 and 245); thence (16) (courses (16) through (18) following along the westerly municipal line of the Village of Naples) northerly along a straight line extension to the south of the easterly boundaryline of tax map parcel 204.05-3-6.000 to the southeasterly corner of tax map parcel 204.05-3-6.000 and continuing northerly along the easterly boundaryline of said tax map parcel 204.05-3-6.000 a distance of approximately 233 feet to the northeasterly corner of said tax map parcel; thence (17) northeasterly along the southeasterly boundaryline of tax map parcel 204.05-3-26.000 a distance of approximately 205 feet to a point in that boundaryline; thence (18) northerly along the easterly boundaryline of tax map parcel 204.05-3-26.000 a distance of approximately 204 feet to the northeasterly corner of said tax map parcel; thence (19) westerly along the northerly boundaryline of tax map parcel 204.05-3-26.000 a distance of approximately 136 feet to the northwesterly corner of said tax map parcel; thence (20) southerly along the westerly boundaryline of tax map parcel 204.05-3-26.000 approximately 321 feet to the southwesterly corner of said tax map parcel; thence (21) southwesterly along the northwesterly boundaryline of tax map parcel 204.05-6.000 a distance of 150.00 feet to a point; thence (22) (courses (22)-(25) passing through and encompassing within the Multiple Use (MU) District a portion of tax map parcel 204.05-3-29.000) northwesterly, in a straight line perpendicular to the northwesterly boundaryline of tax map parcel 204.05-3-6.000 a distance of 65.00 feet to a point; thence (23) southwesterly in a straight line parallel to the centerline of Cohocton Street a distance of 65.00 feet to a point; thence (24) southerly in a straight line perpendicular to the centerline of Cohocton Street a distance of 70.00 feet to a point; thence (25) westerly in a straight line parallel to the centerline of Cohocton Street a distance of approximately 70 feet to a point in the westerly boundaryline of tax map parcel 204.05-3-4.000; thence (26) northerly along the easterly boundaryline of tax map parcel 204.05-3-4.000 so far as the northeasterly corner of tax map parcel 204.05-3-4.000; thence (27) westerly along the northerly boundaryline of tax map parcel 204.05-3-4.000 a distance of approximately 150 feet to a point in the easterly boundaryline of tax map parcel 204.05-3-3.000; thence (28) northerly along the easterly boundaryline of tax map parcel 204.05-3-3.000, a distance of approximately 130 feet to the northeasterly corner of tax map parcel #204.05-3-3.000; thence (29) southwesterly along the northerly boundarylines of tax map parcels 204.05-3-3.000; 204.05-3-2.000; 204.05-3-1.000 and a portion of the northerly boundaryline of tax map parcel 203.12-1-8.110, a distance of approximately 692.71 feet to a southeasterly corner of tax map parcel 203.12-1-7.211 in the northerly boundaryline of tax map parcel 203.12-1-8.110; thence (30) northerly along the easterly boundaryline of tax map parcel 203.12-1-7.211 a distance of approximately 130 feet to the northeasterly corner of said parcel; thence (31) westerly along the northerly boundarylines of tax map parcels 203.12-1-7.211 and 203.12-1-5.100 a distance of approximately 617.15 feet to a northwesterly corner of tax map parcel 203.12-1-5.100; thence (32) southerly along a westerly boundaryline of tax map parcel 203.12-1-5.100 a distance of approximately 138 feet to a southwesterly corner of said parcel; thence (33) easterly along a southerly boundaryline of tax map parcel 203.12-1-5.100 a distance of approximately 123 feet to an angle point in the southerly boundaryline of said tax map parcel 203.12-1-5.100; thence (34) northeasterly along a southeasterly boundaryline of tax map parcel 203.12-1-5.100 a distance of approximately 123.00 feet to a point; thence (35) southerly along a westerly boundaryline of tax map parcel 203.12-1-5.100 a distance of approximately 60 feet to a point in said westerly boundaryline of tax map parcel 203.12-1-5.100 where said westerly boundaryline is intersected by a northerly boundaryline of tax map parcel 203.12-1-3.000; thence (36) various westerly and

southerly courses along the northerly and westerly boundarylines of tax map parcels 203.12-1-3.000 and 203.12-1-2.111 approximately 715 feet to a northwesterly corner of tax map parcel 203.12-1-2.111 and a northeasterly corner of tax map parcel 203.12-1-2.200; thence (37) westerly in a straight line parallel to the centerline of Cohocton Street a distance of approximately 350 feet to the centerline of Eelpot Road; thence (38) southeasterly along the centerline of Eelpot Road and a straight line extension thereof to the south so far as the centerline of Cohocton Street (NYS Rtes. 21 and 245); thence (39) easterly along the centerline of Cohocton Street so far as the point of beginning at the point of intersection of the centerline of Cohocton Street with a straight line extension to the north of the centerline of Strong Hill Road.

V. 1. The title of §132-26. “New York State Route 21/Cohocton Street Overlay District” is repealed and the following is adopted:

§132-26. “New York State Route 21 (Cohocton Street)/New York State Route 53 Multiple Use District”.

2. Sub-sections A, B, C, D and E of §132-26 are amended to provide as follows:

A. The New York State Route 21 (Cohocton Street)/New York State Route 53 Multiple Use District is to provide for a mixed-use development district which would allow for both residential and appropriate commercial development to occur. The Multiple Use District (MU) will restrict or control site access along New York State Route 21 (Cohocton Street) and NYS Route 53 in order to prevent potentially significant traffic congestion problems and vehicular and pedestrian conflict areas. The Multiple Use District will also require compliance with design guidelines to ensure compatibility of land use and to enhance the character of the corridor. Additionally, the Multiple Use District is intended to provide the Town of Naples Planning Board with an additional level of review along the New York State Route 21 (Cohocton Street) and New York State Route 53 corridors within the Multiple Use District.

B. The regulations contained within this Multiple Use District are not intended to be substituted for other general zoning district provisions but shall be considered as additional requirements to be met by the applicant or developer prior to final project approval. In the event that the regulations contained within the Multiple Use District conflict with other regulations contained within this Chapter the Multiple Use District regulations shall prevail.

C. Multiple Use District boundaries:

The legal description of the “New York State Route 21 (Cohocton Street) /New York State Route 53 Multiple Use District” is set out in §132-10.4.

D. District regulations.

1. Permitted Uses:

- (a) Single Family Dwellings;
- (b) Two Family Dwellings;
- (c) Bed and Breakfasts;
- (d) Agricultural activities, excluding livestock of any kind;
- (e) Factory manufactured homes.

2. Permitted Special Uses:

- (a) Public and semi-public buildings, facilities, infrastructure and lands;
- (b) Manufactured Home Parks;
- (c) Funeral Homes;
- (d) Boarding Houses;
- (e) Multiple Dwellings;
- (f) Apartment Houses;
- (g) Single Family Clusters;
- (h) Small Retail Sales Businesses;
- (i) Arcades and Game Rooms;
- (j) Alcoholic beverage producers;
- (k) Production and sale of maple syrup, fruit juices and/or vegetable juices, either for wholesale or retail sale;
- (l) Personal service businesses;
- (m) Telecommunication towers (antennas) forty (40’) feet or less in height;
- (n) Public and semi-public buildings, facilities and grounds;
- (o) Residential and commercial wind turbine towers forty (40’) feet or less in height;
- (p) Equestrian operations;
- (q) Essential services facilities and infrastructure;
- (r) Detached storage facilities for any Permitted Use, Special Use or Accessory Use;
- (s) Conversion of any dwelling or portion thereof to a commercial use other than a home occupation;
- (t) Parking for any Special Use;
- (u) Light industrial (light manufacturing) uses.

3. Permitted Accessory Uses:

- (a) One or two vehicle private garages;
- (b) Home Occupations;
- (c) Fencing not exceeding six (6') in height;
- (d) Ponds;
- (e) Signs;
- (f) Swimming pools;
- (g) Indoor storage;
- (h) Awnings;
- (i) Yard sheds less than 100 square feet in exterior area, excluding roof overhangs;
- (j) Off street parking for home occupations.

4. Prohibited Uses:

- (a) Industrial Wind Turbines;
- (b) Any tower antenna exceeding forty (40') feet in height;
- (c) Junkyards;
- (d) Any use not a Permitted Use, Special Permitted Use or a Permitted Accessory Use pursuant to this section.

5. The dimensional regulations for the MU District are those specified in "Attachment 1" to the Zoning Chapter, "Schedule of Regulations".

E. Site Plan review pursuant to Article VIII of this Chapter is required as follows:

- 1. Any change in use either in whole for a lot or a portion of a lot from residential to commercial;
- 2. Any Special Use provided for in this section;

VI. The introductory paragraph to §132-27. "Single Family Conversion" is hereby amended to provide as follows:

"Single Family dwellings may be converted to two-family dwellings in the Ag, R-1, R-2 and MU Districts. Single Family Dwellings may be converted to Multiple Dwellings in the R-2 and Mu Districts. Such conversions require the following:
(no amendments to the sub-sections)

VII. The introductory paragraph of §132-28. "Single-family cluster." is amended to provide as follows:

- A. Single family cluster consisting of single-family houses are permitted special uses in the AG and MU Districts, subject to the following:
 - 1. Area requirement: 10 acres;

2. Lot sizes: 23,500 square feet with a minimum lot width of 100 feet;
3. Compliance with Chapter 116, Subdivision of Land is required.

VIII. Sub-paragraph “6” of Sub-section “D” of §132-43. “Authority”, of Article VIII “Site Plan Regulations” is amended to provide as follows:

(6) Any permitted special use in the Multiple Use District.

IX. Chapter 32 Attachment 1- Town of Naples – Schedule of Regulations is amended by repealing the “New York State Route 21/Cohocton Street Overlay District” line and adopting the “New York State Route 21 (Cohocton Street)/New York State Route 53” Multiple Use District” line as follows:

MU District

<u>Minimum Lot size</u>	<u>Minimum lot width</u>	<u>Max. setbacks</u>			<u>Maximum bldg. height</u>	<u>Maximum lot coverage</u>
		<u>front</u>	<u>rear</u>	<u>side</u>		
20,000 sf.	125 ft.	50 ft.	20 ft.	35 ft.	35 ft.	35%

Section 5: Superseding Provisions

This Local Law shall supersede the provisions of Article 16 of the Town Law of the State of New York to the extent inconsistent with the same and to the extent permitted by the New York State Constitution or any other statute determined to be in conflict with the provisions hereof as pertains thereto.

Section 6. Severability Clause

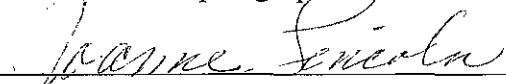
In the event that any section, paragraph, subdivision or provision of this Local Law shall be held invalid, such invalidity shall apply only to the section, paragraph, subdivision or provision adjudged invalid, and the remainder of this Local Law shall be valid and effective.

Section 7: Effective Date.

This Local Law shall take effect immediately upon filing with the Secretary of State of the State of New York subsequent to having been duly adopted by the Town Board of the Town of Naples.

I hereby certify that the local law annexed hereto, designated as Local Law No. 1 of 2021 of the Town of Naples, was duly passed by the Town Board on March 2, 2021 in accordance with the applicable provisions of law.

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.



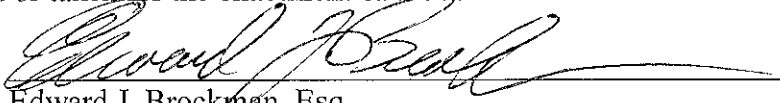
 Joanne Lincoln, Town Clerk

(Seal)

Date: March 10, 2021

STATE OF NEW YORK
COUNTY OF ONTARIO

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.



Edward J. Brockman, Esq.
Attorney for the Town of Naples
Date: March 10, 2021