

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 Naples

FILED
STATE RECORDS

FEB 17 2023

DEPARTMENT OF STATE

Local Law No. One of the year 2023

A local law to amend Chapter 385 of the Code of the Village of Naples to permit single family apartments
(Insert Title)
on the ground floor within the C-1 District provided that the structure has the architectural
characteristics of a residentila property.

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

County City Town Village
(Select one.)

of Naples as follows:

ARTICLE ONE: See the attached Schedule "A", made a part hereof for the complete text of the Local Law.

ARTICLE TWO: This Local law shall take effect immediately upon its filing with the Secretary of State.

(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. One of 2023 of the ~~(County)(City)(Town)~~(Village) of Naples was duly passed by the Board of Trustees on January 18, 2023, 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 one above.

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

(Seal)

Date: January 20, 2023

(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 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.

Daniel J. [Signature]
Signature
Village Attorney
Title

~~X County~~
~~X City~~ of Naples
~~X Town~~
Village

Date: January 20, 2023

AMENDMENT TO THE CODE OF THE VILLAGE OF NAPLES ALLOWING THE USE OF SINGLE FAMILY APARTMENTS ON THE FIRST FLOOR OF CERTAIN STRUCTURES IN THE C-1 DISTRICT.

Section 385-19(A) Permitted Principal Uses is hereby amended as follows:

1. Section 385-1(A)(1)(r) is hereby amended to read as follows:

“Single family apartments on the ground floor of the structure on premises which do not front on Main Street, and single family apartments on the ground floor of any other structure within the C-1 Commercial District provided that the structure has the architectural characteristics of a residence property and not of a typical commercial structure. 110 South Main Street, now Caruso’s Cafe, 120 South Main Street, now The Sutton Co., 130 South Main Street, now Mitchell-Joseph Insurance, and 111 South Main Street, now The Naples Hotel are examples of typical commercial structures within the Village.

SCHEDULE A