

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 Rouses Point

FILED
STATE RECORDS
JUN 18 2021

DEPARTMENT OF STATE

Local Law No. 1 of the year 20 21

A local law to extend the moratorium on the acceptance
(Insert Title)
and approval of building permit applications for the use,
installation, and placement of Electric boilers and hot air
furnaces in the village of Rouses Point.

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

County City Town Village
(Select one:)

of Rouses Point as follows:

see attached.

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

LOCAL LAW NO. 1 – 2021

A LOCAL LAW TO EXTEND THE MORATORIUM ON THE ACCEPTANCE AND APPROVAL OF BUILDING PERMIT APPLICATIONS FOR THE USE, INSTALLATION, AND PLACEMENT OF ELECTRIC BOILERS AND HOT AIR FURNACES IN THE VILLAGE OF ROUSES POINT

Be it enacted by Village Board of the Village of Rouses Point as follows:

Section I. Title

This Local Law shall be referred to as the “Local Law to Extend the Moratorium on the Acceptance and Approval of Building Permit Applications for the Use, Installation, and Placement of Electric Boilers and Hot Air Furnaces in the Village of Rouses Point”.

Section II. Purpose and Intent

By Local Law No. 3 of 2019 the Village Board of the Village of Rouses Point enacted an eighteen (18) month moratorium on the acceptance and approval of building permit applications for the use, installation, and placement of electric boilers and hot air furnaces in the Village of Rouses Point. The Moratorium became effective on October 21, 2019 when Local Law No. 3 was filed with the New York Secretary of State. The Moratorium is set to expire on April 21, 2021.

The Village Board has undertaken a comprehensive review of the Village Zoning Law General Code and New York State Building Code relating to the installation and use of electric boilers and hot air furnaces and have investigated the impact same has on the electric system for the Village of Rouses Point. The Village has also discussed the issue with New York Conference of Mayors to provide assistance and recommendations. The Village Board is currently in the process of proposing a Local Law to address this issue.

It is the Village Board’s desire to complete its review of the proposed local law in an appropriate and deliberate manner free from any race to diligence or timing concerns raised by the possible expiration of the moratorium. The moratorium is set to expire on or about April 21, 2021 and it is anticipated the Village Board may need additional time to complete this process and the required procedure for the adoption of a local law. Accordingly, the Village Board desires to extend the current moratorium for an additional six (6) month period.

Section III – Moratorium – Extended Term

- A. Local Law No. 3 of 2019 Imposing an Eighteen-Month Moratorium on the Acceptance and Approval of Building Permit Applications for the Use, Installation, and Placement of Electric Boilers and Hot Air Furnaces in the Village of Rouses Point shall be extended for an additional six (6) month period through October 21, 2021.
- B. Except as otherwise amended herein, all provisions of Local Law No. 3 of 2019, including but not limited to the scope of controls and hardship variance procedures

contained therein, shall be extended for an additional six (6) month period of time through October 21, 2021.

Section IV - Severability

The invalidity of any word, section, clause, paragraph, part or provision of this local law shall not affect the validity of any other part of this law which can be given effect without such invalid part or parts.

Section V – Suspension of Other laws.

All local laws in conflict with the provisions of this Local Law are hereby superseded and suspended. This Local Law also supersedes, amends, and takes precedence over any inconsistent provisions of New York Town Law under the Town's Municipal Home Rule powers, pursuant Municipal Home Rule Law §10(1)(ii)(d)(3), §10(1)(ii)(a)(14), and §22.

Section V – Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State in accordance with the Municipal Home Rule Law of the State of New York.

(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. 1 of 20 21 of the (County)(City)(Town)(Village) of Rouses Point was duly passed by the Board of Trustees on June 7 20 21, 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 _____ above.

Susan Sullivan (Susan Sullivan)
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: June 14, 2021

(Seal)