

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 Washingtonville

Local Law No. 3 of the year 2013

A local law Re-Establishment of the Village Planning Board
(Insert Title)

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

County City Town Village
(Select one:)

of Washingtonville as follows:

Section 1. The purpose of this local law is to repeal Local Law No. 2 of 2011, which local law transferred all powers, authority and responsibilities of the Village Planning Board to the Board of Trustees. This local law re-establishes the Village Planning Board and restores all of those powers, authority and responsibilities to the Planning Board.

Section 2. Local Law No. 2 of 2011, which amended Chapters 21, 48, 88, 150, 175, and A181 of the Code of the Village of Washingtonville, is repealed in its entirety.

Section 3. A new chapter, designated Chapter 129, titled "Planning Board," of the Code of the Village of Washingtonville is adopted to read as follows:

PLANNING BOARD

§129-1. Authority.

The Village of Washingtonville Planning Board is re-established and is authorized and empowered to review and approve, conditionally approve or deny preliminary and final plats of subdivisions, site plans, special permits, and such other applications as authorized by the Village Code, for the development, re-development or alteration of real property in the Village.

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

§129-2. Membership; terms of office; removal.

A. Membership.

(1) The Planning Board shall consist of (5) five members, each appointed by the Mayor, subject to the approval of the Board of Trustees.

(2) The chairperson of the Planning Board shall be appointed by the Mayor, subject to the approval of the Board of Trustees. In the absence of a chairperson, the Planning Board may designate a member to serve as chairperson.

B. Terms of office; removal.

(1) The term of office shall be five (5) years, commencing at the beginning of an official year. However, the terms of the initial appointees to the re-established Planning Board shall be staggered, in one-year intervals, such that the term of no member expires at the end of the same official year as the term of another member. Any person appointed to fill an unexpired term of a member shall serve for the remainder of that unexpired term.

(2) Any member may be removed by the Board of Trustees for cause after an opportunity for hearing.

C. No person who is a member of the Board of Trustees shall be eligible for membership on the Planning Board.

§129-3. Compensation.

The members of the Planning Board shall receive such compensation as the Board of Trustees shall determine by resolution.

§129-4. Training and education.

The Board of Trustees may require members to complete training and continuing education courses in accordance with any local requirements for the training of such members. Such requirements may be established by resolution of the Board of Trustees. Failure to complete any required training or continuing education courses shall be just cause for removal of a member.

§129-5. Experts and staff.

The Planning Board shall have the power and authority to employ experts and a staff and to pay for their services and for such other expenses as may be necessary and proper, not exceeding in all the appropriation that may be made for such Board.

Section 4. Supersession of inconsistent laws, if any.

The Board of Trustees hereby declares its legislative intent to supercede any provision of the state Village Law, including Village Law §7-718, or any other special law that may be declared inconsistent or in conflict with this local law.

Section 5. This local law shall take effect immediately upon filing with the Secretary of State.

(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 2013 of the ~~(County)(City)(Town)~~(Village) of Washingtonville was duly passed by the Board of Trustees on June 3, 2013, 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.)

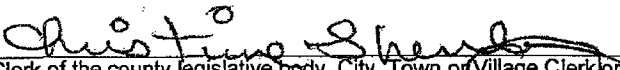
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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.


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

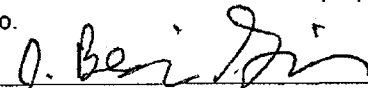
(Seal)

Date: 06-10-13

(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 ORANGE

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.



Signature
J. Benjamin Gailey, Esq, Attorney for Village

Title

~~COUNTY~~
~~CITY~~ of Washingtonville
~~TOWN~~
Village

Date: June 10, 2013