

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 Westhampton Beach

Local Law No. 15 of the year 2023

A local law Amending Chapter 40 Entitled "Affordable Housing Units"
(Insert Title)

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

County City Town Village
(Select one:)

of Westhampton Beach as follows:

SEE ATTACHED

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

Chapter 40

Affordable Housing Units, Administration of

§ 40-1 Purpose; findings.

- A. The purpose of this chapter is to provide for control and administration of affordable housing units created pursuant to Chapter 197 (Zoning) of the Village of Westhampton Beach.
- B. The lack of affordable housing creates many adverse effects for the Village. Employers often grapple with the task of hiring and retaining employees because of the limited availability of affordable housing. Recruiting and retaining essential personnel (e.g., public safety, health care, municipal employees, volunteer EMS, and fire protection) has increasingly become a challenge because of the lack of affordable housing. Volunteer emergency services also are impacted by the lack of affordable housing, prompting the possibility of paid services. While the Village has benefited from increased tourism and second-home ownership, the Village Trustees find there is a need to ensure housing opportunities for income-eligible households in order to sustain the local economy and community services. Presently, income-eligible households priced out of market-rate housing include but are not limited to health-care professionals, teachers, municipal staff, shop clerks, mechanics, and many others. Additionally, the Village has found that there is a need to sustain the ranks of its volunteers who provide critical public-safety services for fire protection and emergency medical services.
- C. ~~The priority population for affordable housing opportunities facilitated by the provisions contained in Chapter 197 of the Village Code shall be as follows:~~
 - (1) ~~Income eligible households residing year round in the Village of Westhampton Beach. Higher priority will be given to at least one adult member who is a qualified active member of Westhampton Beach fire/EMS volunteer community services.~~
 - (2) ~~Income eligible households residing year round in the Town of Southampton. Higher priority will be given to at least one adult member who is a qualified active member of Westhampton Beach fire/EMS volunteer community services, and then to those households residing in the Westhampton Beach School District.~~
 - (3) ~~Income eligible households residing year round outside of the Village of Westhampton Beach, but in which an adult member works at a location physically within the Village. A higher priority will be given to those households in which at least one adult family member is currently employed by the Village of Westhampton Beach, and then to those employed by general community services providers, as defined herein.~~
 - (4) ~~All others.~~
- D. To promote perpetual affordability within the Village, all recipients of housing opportunities facilitated by zoning incentives pursuant to Chapter 197 (Zoning) shall be legally bound to sell their properties utilizing resale price formulas set forth in the chapter.

§ 40-2 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

AFFORDABLE HOUSING

Generally, housing is considered affordable if it costs no more than 30% of the monthly household income to rent or own. See definitions of "moderate-income household," "median income," "middle-income household."

AFFORDABLE HOUSING UNIT INVENTORY

The listing maintained by the Village, or its designee, of units reserved for moderate-income, median-income, and middle-income households.

AFFORDABLE UNIT

A below-market-rate dwelling unit that is facilitated through zoning incentives pursuant to Chapter 197 (Zoning).

AFFORDABILITY EASEMENT

A restriction imposed on a deed to real property and the certificate of occupancy for a dwelling unit reserved for affordable units that limits equity upon resale of the real property, restricts capital improvements, and ensures ~~long-term~~ **perpetual** affordability. Real property encumbered with an affordability easement is entitled to tax exemptions for affordable housing and reduced property tax assessments.

APARTMENT

As defined in § 197-1 of the Village Code.

APARTMENT HOUSE

As defined in § 197-1 of the Village Code.

CERTIFICATE OF ELIGIBILITY

The document issued by the Village, or its designee, that confirms the applicant (head of a household), meets the criteria for an income-eligible household.

COMMUNITY SERVICES PROVIDER

As defined in § 197-1 of the Village Code.

CONSUMER PRICE INDEX

The Consumer Price Index (CPI) as published by the United States Department of Labor, Bureau of Labor Statistics for the New York Metropolitan Area.

HEAD OF HOUSEHOLD

The individual considered the head of the household for an individual family, which for purposes of this chapter, shall be the applicant.

INCOME-ELIGIBLE HOUSEHOLDS

Those individuals/families whose household incomes are classified as "moderate income," "median income" or "middle income" as defined herein.

MEDIAN-INCOME HOUSEHOLD

As established annually by the United States Department of Housing and Urban Development (HUD), a household whose gross annual income is greater than 80%, but does not exceed 100%, of the median gross household income for households of the same size within the Nassau-Suffolk primary metropolitan statistical area (PMSA).

MIDDLE-INCOME HOUSEHOLD

As established annually by the United States Department of Housing and Urban Development (HUD), a household whose gross annual income is greater than 100%, but does not exceed 120%, of the median gross household income for households of the same size within the Nassau-Suffolk primary metropolitan statistical area (PMSA).

MODERATE-INCOME HOUSEHOLD

As established annually by the United States Department of Housing and Urban Development (HUD), a household whose gross annual income but does not exceed 80% of the median gross household income for households of the same size within the Nassau-Suffolk primary metropolitan statistical area (PMSA).

MULTI-FAMILY UNIT

As defined in § 197-1 of the Village Code.

MULTIPLE DWELLING, FAMILY RESIDENTIAL DEVELOPMENT

Developments subject to the provisions of § 197-80.3 of the Village Code.

PERMANENT FIXED IMPROVEMENT

An improvement to a lot or unit reserved for either a moderate-income, median-income, or middle income household which cannot be removed without substantial damage to the subject premises or total loss of value of said improvements. No adjustment shall be deemed a permanent fixed improvement unless the actual initial cost of the improvement to the owner exceeds 1% of the purchase price paid by the owner.

QUALIFIED ACTIVE MEMBER OF FIRE/EMS VOLUNTEER COMMUNITY SERVICE

A volunteer involved in providing fire protection or emergency medical services in the Village of Westhampton Beach, including but not limited to volunteer firefighters, volunteer fire police, volunteer emergency medical technicians, as decided by the administration or bylaws of the given agency providing such firematic protection or emergency services. For purposes of administering the provisions of this chapter for qualified active members of fire/EMS volunteer community services, the Village of Westhampton Beach shall utilize the approved list compiled by the given agency for the Length of Service Award Program (LOSAP) and supplemental listings provided by the given agency which list persons who have met the point requirements of LOSAP having remained active in service but no longer are eligible for LOSAP listing due to age restrictions, and further provided that the bylaws of the agency providing fire protection or ambulance services in the Village are not exclusionary in nature in order to conform to the Fair Housing Act.

TOWNHOUSE

As defined in § 197-1 of the Village Code

VILLAGE

The Village of Westhampton Beach.

§ 40-3 Interagency coordination; priority review.

- A. Whenever the Planning Board receives a referral on a special exception application pursuant to § 197-80.3 from the Village Trustees that contains affordable units, the Planning Board shall assign a first priority status to the application as the next an agenda item (or as soon as practicable) to be reviewed by the Planning Board in the performance of its duties. Such applications shall retain first priority status for as long as there is compliance with all sections of this Code through the approval process, including resubmissions and revisions and if, in the opinion of the Planning Board, the applicant continues to apply a good-faith, diligent effort to prepare, submit and process the application. Should the application no longer comply with the sections cited herein or, in the opinion of the Planning Board, the applicant is not applying in a good-faith effort with respect to

this Code, a ~~normal~~ priority status shall be reassigned to removed from the application by a written resolution of the Planning Board

§ 40-4 Administration and control of housing opportunities created pursuant to Chapter 197 (Zoning) of Village Code.

- A. The Village or its designee shall be responsible for the administration and control of affordable units, as defined in § 40-2, created pursuant to Chapter 197 (Zoning) of the Village Code.
- B. The Village or its designee shall promulgate all rules and regulations, including model agreements, subject to Village Board approval, and any other instruments necessary to implement this chapter and the provisions of Chapter 197 (Zoning).
- C. The Village or its designee shall cause to be prepared and will maintain a housing registry, as defined in § 40-2, of applicants interested in community housing opportunities for various units reserved for income-eligible housings under Chapter 197 (Zoning).
- E. The Village or its designee shall cause to be prepared and shall maintain an affordable housing unit inventory, as defined in § 40-2, of all units reserved for moderate-income, median-income, and middle-income households created pursuant to Chapter 197 (Zoning).
- D. To the extent permitted by law and federal, state, and county programs, the Ppriority populations for housing opportunities facilitated by the zoning incentives pursuant to Chapter 197 (Zoning) shall be as follows:
 - (1) Income-eligible households residing year-round in the Village of Westhampton Beach. Higher priority will be given to at least one adult member who is a qualified active member of Westhampton Beach fire/EMS volunteer community services.
 - (2) Income-eligible households residing year-round in the Town of Southampton. Higher priority will be given to at least one adult member who is a qualified active member of Westhampton Beach fire/EMS volunteer community services, and then to those households residing in the Westhampton Beach School District.
 - (3) Income-eligible households residing year-round outside of the Village of Westhampton Beach, but in which an adult member works at a location physically within the Village. A higher priority will be given to those households in which at least one adult family member is currently employed by the Village of Westhampton Beach, and then to those employed by general community services providers, as defined herein.
 - (4) All others.
- E. Where a unit is reserved for income-eligible households and restricted pursuant to a grant or subsidy from the federal government, State of New York or other municipal agency to provide affordable housing opportunities consistent with the intent of this chapter, the Village or its designee may accept such eligibility priorities and restrictions in lieu of the restrictions set forth in this chapter, subject to approval by resolution by the Village Trustees.

§ 40-5 Policies and procedures.

- A. Lottery procedures.

~~(1) A lottery administered by the Village, or its designee, for the units reserved for income-eligible households created pursuant to Chapter 197 (Zoning), shall be held consistent with the procedures promulgated by the New York State Affordable Housing Corporation.~~

(1) The Village or its agent will develop procedures for housing lotteries for the aforementioned newly constructed community benefit units created pursuant to Chapter 197 (Zoning). To the extent practicable, such lottery procedures will be consistent with those promulgated by the New York State Affordable Housing Corporation, its successors and assigns.

(2) All administrative costs associated with using a qualified and Village-approved entity to screen applicants, conduct the lottery process and file any and all required documents, pursuant to Chapter 40 of the Village Code, shall be the responsibility of the project developer unless, for a not-for-profit developer, waived by resolution of the Village Board and absorbed as a Village cost.

(3) Certificates of occupancy (COs) for any units in the housing development shall not be issued by the Building Inspector until the housing lottery is administered by the Village or its designee **conducted** for the units reserved for income eligible households created pursuant to Chapter 197 (Zoning).

(4) **Notwithstanding the foregoing, the**The Building Inspector may issue COs for up to 50% of the market-rate units within a particular development prior to issuing a certificate of occupancy for the affordable units; thereafter, certificates of occupancy shall be issued for all the affordable units prior to issuing any additional COs for the market-rate units.

B. Initial sales price or rental price for affordable units; ongoing requirements.

(1) Upon receipt of an application for the issuance of a certificate of occupancy for a dwelling unit reserved for an income-eligible household, or earlier if requested by the owner, but not prior to the issuance of a building permit, the Building Inspector shall send a copy of the application to the Village or its designee, who shall inform the owner in writing within 30 days of the maximum monthly rental or initial maximum sales price for the dwelling unit and the maximum household income for eligibility for occupancy of said unit **based upon a formula set forth in the Village Code or adopted by a Village Board resolution.**

~~(2) The maximum monthly rental or initial maximum sales price for a dwelling unit and the maximum household income for eligibility for occupancy of said unit shall be determined by the Village or its designee in accordance with the following criteria, unless provided for under other applicable law for a particular development.~~

~~(a) Maximum monthly rent. The maximum gross monthly rent (rent plus tenant paid utilities) shall not exceed the lesser of the following:~~

~~[1] Thirty percent of the maximum annual household income level designated for the subject unit divided by 12 minus the standard utility allowance for Nassau/Suffolk;~~
or

~~[2] The fair market rent for the applicable unit size as promulgated for the Nassau-Suffolk primary metropolitan statistical area and published annually in the Federal Register by the Secretary of the United States Department of Housing and Urban Development, pursuant to Section 8(c)(1) of the United States Housing Act of 1937 [42 U.S.C. 1437f(e)(1)] and Part 888, Subpart A, Sections 111-115, of Title 24, Subtitle B, of the Code of the Federal Regulations (24 CFR 888.111-115).~~

~~(b) Maximum sales price. The sale price for the dwelling unit not exceed 300% of an applicant's annual income. In determining the maximum sales price the mortgage interest rate, property taxes, hazard insurance, and any homeowners' association fees shall be included, thereby adhering to the affordability standards of the United States Department of Housing and Community Development (HUD.)~~

(3)(2) To the extent practical, units reserved for as affordable units shall meet or exceed the following minimum dwelling unit size to accommodate household or family size:

Household or Family Size	Minimum Dwelling Unit Size
1	Efficiency Unit
2	1-bedroom
3 to 4	2-bedroom
5 to 6	3-bedroom
7 to 8	4-bedroom

Note: The table above shall not be construed as a limitation on occupancy.

(3) Buyer benefit. At the time of initial purchase, the Village will obtain, at its own cost, an appraisal of each unit reserved for income-eligible households to determine its fair market value. The difference between such appraised value and the purchase price shall be referred to as the "buyer benefit." The Village will place a lien in the amount of the buyer benefit on the unit. All necessary duly executed documents shall be delivered at closing in accordance with guidelines developed by the Village or its agents and applicable banking regulations.

(4) No certificate of occupancy may be issued by the Building Inspector until the Village or its designee has provided the maximum monthly rental or initial maximum sales price for the dwelling unit and the maximum household income for eligibility for occupancy of said unit, except as provided elsewhere in this chapter.

C. Eligibility certificates required.

(1) The Village or its designee shall certify the eligibility of all applicants for rental or sale of affordable units. An eligibility certificate shall be issued to said applicant in writing and shall be dated. Eligibility certificates shall expire 18 months from the date of original issuance, but may be renewed for six-month increments. Renewal periods shall be noted on the eligibility certificate.

(2) In the case of rental units, the Village or its designee shall annually reexamine or cause to be reexamined the eligibility of each rental occupant household.

(3) On or before March 31 of each year thereafter, the Village or its designee shall notify the owner or manager of the subject affordable unit as to the rent, sales and income eligibility requirements for such units based upon figures derived from the preceding year, in accordance with § 197-1, unless otherwise provided for under applicable law for a particular development.

(4) The owner or manager of the affordable unit shall certify to the Village or its designee on or before May 31 of each year that all rentals comply with the provisions of this chapter and Chapter 197.

- (5) In the case of for-sale units, the Village or its designee shall ensure the eligibility of a purchaser is certified prior to closing of title.

D. Restrictions on rental units. Unless otherwise prohibited as a condition of approval for the particular development under Chapter 197 (Zoning) or within covenants and restrictions associated with the subject property, affordable rental units shall be subject to the following conditions:

- (1) The apartment or dwelling unit shall remain the primary residence of the income-eligible household for the term of the lease, and the occupants shall maintain the subject premises in conformity with Chapter 197 (Zoning).
- (2) The apartment or dwelling unit shall not be used or leased as a seasonal rental as the term is defined in Chapter 197 (Zoning).
- (3) The lease for said unit shall not exceed two years. As long as an occupant household remains eligible and has complied with the terms of the lease, the occupant shall be offered a two-year renewal of the lease. If an occupant's annual income shall exceed the eligible income level by more than 20%, and there is an eligible applicant for the unit, the occupant household may complete the current lease term and shall be offered, if available, another unit for which the occupant household is income-eligible, or a market-rate unit in the development. If no such dwelling unit is available, the occupant household may be allowed to sign one additional one-year lease, but no further renewal shall be permitted, **unless the eligible income falls below the eligible income level.**
- (4) In the circumstances referenced in Subsection D(3) above, if such should occur in the same housing complex and another unit is available for which the occupant household is income-eligible (e.g., upgrade from unit reserved for moderate-income to unit reserved for middle-income household), the Village or its designee shall have the authority to request the Building Inspector to substitute certificates of occupancy for the respective units rather than having an occupant household relocate within the same complex, provided that the units are comparable.

E. Restrictions on ownership units.

- (1) The occupant household of an affordable dwelling unit shall occupy the premises as its primary residence and shall not rent or lease the premises or any portion thereof to others, unless it is to another income eligible household and approved by the Village or its designee utilizing the same procedures and criteria provided in this chapter.
 - (a) The apartment or dwelling unit shall not be used or leased as a seasonal rental as the term is defined in Chapter 197 (Zoning).
- (2) Use of a one-family dwelling shall be in conformity with Chapter 197 (Zoning).

(3) Permanent fixed improvements.

(a) For dwelling units reserved for income-eligible households, the following types of permanent fixed improvements are prohibited for all units with certificates of occupancy dated subsequent to the effective date of this changer:

[1] In-ground swimming pools.

[2] Tennis courts.

[3] Expansions of the dwelling unit greater than 50%.

(b) Prior to the installation of a permanent fixed improvement consistent with the definition

provided in §40-2 of this chapter, the owner must notify the Village of the proposed permanent fixed improvement, together with an estimate of the cap

- (4) Resale of affordable units.
- (a) The Village shall have first right of refusal to purchase all affordable housing for dwelling units that are offered for resale.

[1] The seller of any such unit shall first give written notice via certified mail to the Village Clerk of its intention to sell. Such certified mail shall be addressed to the Village Clerk at Village Hall, 165 Mill Road, Westhampton Beach, New York, 11978 in order to be sufficient notice.

[2] Thereafter, upon receipt of such written notification, the Village shall have the right of first refusal to purchase the unit, the procedures for which shall be established by the Village or its agents. Simultaneously, the Village or its agent will seek to provide a purchaser meeting the eligibility requirements of this section. Should the Village choose not to exercise its right, the seller will have the right to convey the property to the purchaser selected by the Village, at a price the Village or its agents shall determine.

- (b) No individual/family who purchases an affordable housing unit facilitated through the provisions of Chapter 197 may sell their home for a profit within the first three years of ownership.
- (c) The equity realized in units sold after three years of ownership will be based on the equivalent percentage of the Consumer Price Index (CPI) as compiled by the United States Department of Labor. The percentage will be calculated from the date of the initial purchase to the date of resale. In addition, the seller shall be compensated for permanent fixed improvements that have been made to the home. Depreciation shall apply to capital improvements, as applicable.
- (d) Maximum resale price can not exceed the initial purchase price plus the cost of permanent fixed improvements, adjusted for the change in the consumer price index for "all items" for the New York Metropolitan Area during the period of ownership of such dwelling unit and such improvements plus reasonable and necessary resale expenses.
- (e) **In the event the owner of such affordable housing or community benefit unit is in default with respect to any obligation under any lien encumbering the affordable housing or community benefit unit, the Village of Westhampton Beach shall refer the owner to a third-party counseling organization or to a mortgage insurer which will advise the owner on ways to meet his/her mortgage obligation. The owner authorizes the Village of Westhampton Beach to release information to such third-party counseling organization or mortgage insurer and requests that the counseling party make contact with such owner. The owner authorizes the third-party counseling organization or mortgage insurer to make a recommendation about appropriate action to take with regard to the owner's mortgage loan, which may assist the lender in determining whether to restructure the loan or to offer other extraordinary services that could preserve the owner's home ownership.**
- (f) **The conditions and procedures required to resell the dwelling units reserved for income-eligible households shall not apply in the following three instances. For all further and subsequent transfers of title the resale restriction shall apply.**

[1] When title is transferred by a court-appointed referee to a commercial bank, savings and loan association, credit union, savings bank, national bank, licensed funding company, licensed mortgage banker or the State of New York Mortgage Agency, its successors and or assigns (hereinafter referred to as "institutional

lenders”), pursuant to the actual foreclosure of their mortgage lien or when the delivery of the deed is directly to such mortgagee by the defaulting mortgagor given in lieu of foreclosure; or

[2] When title is subsequently transferred by said foreclosing institutional lender to a third party; or

[3] When title is conveyed to a party by virtue of a deed issued by a referee naming it as the grantee pursuant to the foreclosure of a mortgage loan given by an institutional lender described in the preceding subsection.

- F. Distribution of units reserved for ~~as~~ affordable units. Affordable units shall be physically integrated into the design of the development in a manner satisfactory to the Planning Board during site plan review, and the bedroom mix of dwelling units associated with the development shall be distributed in the same proportion as all other dwelling units in the development, unless a different proportion is approved by the Planning Board as being better related to the housing needs.
- G. Sustainable affordability.
- (1) All affordable housing units facilitated through the provisions of Chapter 197 shall be affordable in perpetuity. **Unless prohibited by law, all units reserved for income-eligible households shall be encumbered with an affordability restrictive covenant. In the event a court of competent jurisdiction invalidates such affordability restrictive covenant for reason of its duration, then the unit so reserved for income-eligible households as a community benefit shall be deemed restricted to no less than 99 years and renewable upon transfer.**
 - (2) Where an affordable unit is restricted pursuant to a grant or subsidy from the federal government, State of New York or other municipal agency to provide affordable housing consistent with the intent of this chapter, the Village or its designee may accept such restrictions in lieu of the restrictions set forth in this chapter, provided that the Village Trustees approve by majority vote and file their decision in writing ~~in~~ **to** the office of the Village Clerk.
- H. Certificates of occupancy. All certificates of occupancy issued for affordable dwelling units shall be endorsed with a notation that occupancy of such units is conditioned upon continued compliance with the provisions of Chapter 40, (Affordable Housing Units, Administration of), Chapter 197 (Zoning) and all regulations and conditions promulgated thereunder.
- I. Assessment. The encumbrance of an affordability easement or associated covenants and restrictions on the deeds or certificates of occupancy issued for affordable dwelling units shall be taken into consideration by the Assessor in determining the assessments on such units.

(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. 15 of 2023 of the ~~(County)(City)(Town)~~(Village) of Westhampton Beach was duly passed by the Board of Trustees on December 7, 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) (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.

Hally Lindtner

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

Date: December 11, 2023

(Seal)