

# Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
41 STATE STREET, ALBANY, NY 12231

(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

of ----- LIVINGSTON -----  
Local Law No. ----- 3 ----- of the year 2006

A local law ----- "TOWN OF YORK MORATORIUM ON WIND"  
(Insert Title) -----  
----- ENERGY CONVERSION SYSTEMS LAW"  
-----  
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Be it enacted by the ----- TOWN BOARD ----- of the  
(Name of Legislative Body)

County  
City  
Town  
Village

of ----- YORK ----- as follows:

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

**TOWN OF YORK  
LOCAL LAW NO. 3 OF THE YEAR 2006**

A Local Law **TOWN OF YORK MORATORIUM ON WIND ENERGY  
CONVERSION SYSTEMS LAW**

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

**SECTION I**

**ENACTMENT & AUTHORIZATION**

The Town Board of the Town of York does hereby ordain and enact the Town of York Moratorium on Wind Energy Conversion Systems pursuant to authority and provisions of Section 10 of the Municipal Home Rule Law.

**SECTION II**

**TITLE**

This Local Law shall be known as the Town of York Moratorium on Wind Energy Conversion Systems Law.

**SECTION III**

**PURPOSE**

1. It is the purpose of this law to prevent and avoid serious detrimental health, environmental and planning conditions which threaten the Town of York by allowing degradation of its significant environmental and agricultural resources and in order not to undermine the conscious and continuous determination by the Town to resolve and lessen such threats to the health, safety and welfare of the citizens of the Town of York.
2. It is the further purpose of this law to enable the Town of York to stop the construction or erection of wind energy deriving towers for a reasonable time pending the completion of a local law regulating tower construction in the Town of York.

## **SECTION IV**

### **IMPOSITION OF MORATORIUM**

For a period of one (1) year (365 days) from and after the adoption date of this law, no application for construction or erection of wind energy deriving towers may be filed, accepted or processed. For the purpose of this law an application for tower construction shall be deemed to mean any request for official action by the Town Board, Planning Board or Code Enforcement Officer which request and approval would in any way commence or continue the process whereby a wind energy deriving tower may be constructed or erected.

## **SECTION V**

### **VALIDITY**

If any section, sentence, clause or phrase of this law is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this law.

## **SECTION VI**

### **APPEALS**

A party aggrieved by the provisions of this Local Law may file an appeal to the Town of York Zoning Board of Appeals. The Town of York Zoning Board of Appeals shall act upon an application for an appeal from this Local Law in conformance with the procedural requirements and standards of the Town Zoning Ordinance.

## **SECTION VII**

### **EFFECTIVE DATE**

This Local Law shall take effect after the publication provisions of Local Law No. 3 of 2006 have been complied with and it has been filed with the New York State Department of State, whichever occurs last. It will remain in effect for a period of one (1) year from the effective date.

(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. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, 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. \_\_\_\_\_<sup>3</sup> of 20<sup>06</sup> of the (County)(City)(Town)(Village) of \_\_\_\_\_<sup>YORK</sup> was duly passed by the \_\_\_\_\_<sup>TOWN BOARD</sup> on NOV. 16 20<sup>06</sup>, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_<sup>SUPERVISOR</sup> and was deemed duly adopted on NOV. 16 20<sup>06</sup>, in accordance with the applicable provisions of law.  
*(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\_\_\_\_. 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.  
*(Elective Chief Executive Officer\*)*

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.  
*(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.