

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.

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED
FEB 29 2008

- County
- City of Hammond
- Town
- Village

MISCELLANEOUS
& STATE RECORDS

Local Law No. 1 of the year 20 08

A local law Enacting a Moratorium on The Siting of Wind Turbines Within The Town of Hammond
(insert Title)

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

- County
 - City of Hammond
 - Town
 - Village
- as follows:

(Delete this line of text and enter text of local law here)

See attached page 4.

(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. 1 of 20 08 of the (County)(City)(Town)(Village) of Hammond was duly passed by the Hammond Town Board on February 11 20 08, 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 on _____ 20 _____ 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) _____ (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*)~~

* 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.)

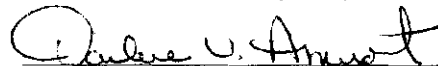
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified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

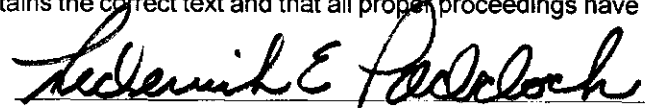
Date: 2/26/08

(Seal)

(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 Saint Lawrence

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
Town Attorney
Title

County
City of Hammond
Town
Village

Date: February 25, 2008

LOCAL LAW NUMBER 1 OF 2008

OF THE TOWN OF HAMMOND

A LOCAL LAW ENACTING A MORATORIUM ON THE SITING OF WIND TURBINES WITHIN THE TOWN OF HAMMOND.

Section 1. Purpose and Legislative Intent

The Town of Hammond is currently studying the effects on the community of the utilization of wind power. The study is being conducted by a committee duly appointed by the Town Board of the Town of Hammond. At this time, no application for permits to construct wind towers or turbines have been received by the Town. This moratorium is meant to and does prohibit the application for, or issuance of, Special Use Permits or Building Permits with respect to construction of wind towers or turbines. In addition, no person shall be permitted to site, place, build, construct, modify or prepare any site for the placement or use or use of, wind towers or turbines.

Section 2. Relief from Moratorium.

Affected landowners may apply for relief from this moratorium directly to the Town Board, Town of Hammond. All such requests shall be in writing. The Town Board shall, within 30 days of a request for such relief, issue a decision to the affected landowner stating whether or not such relief will be granted.

Section 3. Conflict with Other Laws

Where this Local Law differs or conflicts with other Laws, rules and regulations, unless the right to do so is preempted or prohibited by the Town, State or Federal government, this Local Law shall apply.

Section 4. Effective date and Duration.

This Local Law shall be effective immediately upon passage, pursuant to applicable legal and procedural requirements. This moratorium (Local Law) shall remain in effect for a period of eight months, (240 days), from the effective date.

Section 5. Authority

This Local Law is enacted pursuant to applicable authority granted by the State and Federal government.