

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.

Town of Hammond

Local Law No. 1 of the year 2018

A Local Law to establish a moratorium on any application for site plan review for land use activity within the Town of Hammond with the exception of food service establishments to allow the Town Board of the Town of Hammond sufficient time to review its Site Plan and Subdivision Review Law and to revise regulations that need more specificity to ensure the health, safety and welfare of the residents of the Town of Hammond.

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

Section 1. AUTHORITY. This local law is adopted pursuant to Article 16 of the Town Law, the New York State Executive Law, §10 of the Municipal Home Rule Law; and Section IX of the New York State Constitution.

Section 2. INTENT and PURPOSE. The Town Board of the Town of Hammond hereby determines that the Hammond Site Plan and Subdivision Review Law, as it is currently written may inadequately address certain conditions and regulations relative to certain land use activities. The Town Board intends to review and revise those regulations to be more specific and protect the health, safety and

welfare of its residents. In order to allow the Town sufficient time to conduct such a review and make appropriate revisions, it is the finding of the Town Board that it is necessary to provide a moratorium of six (6) months on all applications for site plan approval with the exception of food service establishments, pending the adoption of said regulations.

Section 3. The Town Board of the Town of Hammond hereby enacts a moratorium on all applications for site plan within the Town with the exception of applications in connection with food service establishments. The siting, locating, application for review of any application for such uses shall be suspended for six (6) months as of the effective date of this law while the Town Board considers the adoption of further regulation with respect to such uses.

Section 4. SEVERABILITY. If any section, paragraph, subdivision, clause or provision of this local law shall be adjudged invalid, such judgment shall apply only to such section, paragraph, subdivision, clause or provision so adjudged, and shall not affect, impair, or invalidate any other part or portion of this local law.

Section 6. EFFECTIVE DATE. This local law shall take effect 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. 1 of 2018 of the Town of Hammond was duly passed by the Town Board on _____20_____, in accordance with the applicable Town Board provisions of law.

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

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the (County)(City)(Town)(Hammond) 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 (Elective Chief Executive Officer*) on _____ 20____, in accordance with the applicable provisions of law.

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)(Hammond) 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)(Hammond) of _____ was duly passed by _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20____. Such local (Elective Chief Executive Officer)

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 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 Hammond, 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 town of said county considered as a unit voting at said general election, became operative.

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(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.

Pamela Burton Town Clerk, of the
Town of Hammond

(seal)

Date:

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Hammond Attorney or other authorized attorney of locality.)

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

Title Joseph W. Russell, Attorney
 Town of Hammond

Date: _____, 2017