

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.

~~XXXXX~~

~~XXX~~ of CLAY

Town

~~XXXXX~~

FILED
JUN 15 2006

MISCELLANEOUS
& STATE RECORDS

Local Law No. 5 of the year 2006

A local law amending Chapter 230 entitled "ZONING" of the Code of the Town of Clay by adding a sentence to
(Insert Title)

The purpose of this Local Law is to clarify that a nonconforming use must be discontinued prior to said property being used for a conforming use.

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

~~XXXXX~~

~~XXX~~ of

Town

~~XXXXX~~

Clay as follows:

Said Local Law No. 5 of the Year 2006 to read as follows: (See Attached)

(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. 5 of 2006 of the ~~(County)(City)(Town)(Village)~~ of Clay was duly passed by the Town Board on June 5th, 2006, 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.

AMENDMENT OF AN EXISTING CHAPTER

LOCAL LAW NO. 5 OF THE YEAR 2006

A LOCAL LAW TO AMENDING CHAPTER 230 ENTITLED "ZONING", SECTION 230-23 B. DEFINITIONS OF THE TOWN OF CLAY MUNICIPAL CODE.

BE IT ORDAINED AND ENACTED by the Town Board of the Town of Clay, Onondaga County, New York, as follows:

SECTION 1 AMENDMENT OF CHAPTER 230

That **Chapter 230** entitled **"ZONING"** of the Code of the Town of Clay is amended as follows:

Local Law No. 5 of the Year 2006 entitled "A Local Law Amending Chapter 230 entitled 'ZONING', of the Town of Clay of Clay Municipal Code, adding a new sentence to Section 230-23 Nonconformities, Subdivision B. Definitions – Nonconforming Use " The purpose of said Local Law is to add a sentence at the end of Section 230-23(B) Nonconforming Use- after the word structures, **"A nonconforming use must be discontinued before the property can be used for a conforming use"**. Said local law amendment to read as follows:

LOCAL LAW

A proposed Local Law Amending **Chapter 230** entitled "**ZONING**", **Section 230-23 Nonconformities, Subdivision B. Definitions**, of the Town of Clay Municipal Code.

§ 230-23. Nonconformities

B. Definitions.

NONCONFORMING USE - A legally preexisting activity or land use occurring on or associated with a structure or site and is not permitted by building or zoning permit, site plan review or a special permit approval in the applicable zone district. A nonconforming use may be found to occur in conforming structures. A nonconforming use must be discontinued before the property can be used for a conforming use.

SECTION 1. PURPOSE

That the purpose of this Local Law is to add a sentence at the end of Section 230-23 Nonconformities, Subdivision B. Definitions – Nonconforming Use to clarify that a nonconforming use must be discontinued prior to said property being used for a conforming Use

SECTION 7. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State.

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.

Vivian J. Mason

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

VIVIAN J. MASON, TOWN CLERK

Date: JUNE 12, 2006

(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 ONONDAGA

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]
Signature ROBERT M. GERMAIN

TOWN ATTORNEY

Title

~~XXXXXX~~
~~XXXXXX~~ of CLAY

Town

~~Village~~

Date: JUNE 8, 2006