

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
162 WASHINGTON AVENUE, 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 CLAY

Local Law No. 3 of the year 19 98

A local law AMENDING CHAPTER 101 ENTITLED "SCHEDULE OF FEES" OF THE TOWN OF CLAY

(Insert Title)

MUNICIPAL CODE.

Be it enacted by the TOWN BOARD of the

(Name of Legislative Body)

~~County~~

~~City~~

~~Town~~

~~Village~~

of CLAY

as follows:

AMENDING Chapter 101 entitled "SCHEDULE OF FEES", Section 101.4 (A), (B)[4 through 8 (C) and (D) [2 and 5] of the Town of Clay Municipal Code. The purpose of this amendment is to increase certain fees charged by the Town set forth in such Section and subdivisions and necessary requirements accordingly. Said amended Local Law is to read as follows:

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

CHAPTER 101

§ 101.01 SCHEDULE OF FEES OF THE TOWN OF CLAY §101.04(B)[3]

§ 101.01 TITLE

This Chapter shall be known and designated as "**Schedule of Fees**" of the Town of Clay.

§ 101.02 PURPOSE

The Town of Clay recognizing the need to revise certain fees previously adopted dealing with zone changes, special permits, site plan applications, preliminary plat applications, department fees and certain other fees relating to Town Board services incurred for engineering, legal and administrative costs, intends herein to establish a schedule of fees for such various services and to incorporate same within the provisions of this Local Law.

§ 101.03 LEGISLATIVE INTENT

It is the intent of the Town of Clay by the enactment of this Local Law establishing a schedule of fees for various services performed by Town departments and personnel, to rescind and repeal any and all resolutions and regulations previously adopted that pertain in any way to the fees hereinafter set forth.

§ 101.04 SCHEDULE OF FEES

A. TOWN CLERK'S OFFICE

FEE

- | | |
|-------------------------------|----------|
| 1. Town Maps | \$ 3.00 |
| 2. Zoning Ordinance - (Copy) | \$ 20.00 |
| 3. Zoning Map - (Whole) | \$ 20.00 |
| 4. Zoning Map - (Half) | \$ 10.00 |
| 5. Drainage & Sewer Standards | \$ 5.00 |
| 6. Copies - per page | \$ 0.25 |
| 7. Certification | \$ 1.00 |

B. PLANNING & DEVELOPMENT DEPARTMENT

FEE

- | | |
|-----------------------------|-----------|
| 1. Zone Change Applications | \$ 250.00 |
| 2. Variance | \$ 200.00 |
| 3. Special Permit | \$ 200.00 |

4. SITE PLANS - Residential*

- | | |
|--------------------|-------------|
| a. 3 acres or less | \$ 500.00 |
| b. Over 3 acres | \$ 1,200.00 |

5. SITE PLANS - Commercial/Industrial*

- | | |
|--------------------|-------------|
| a. 3 acres or less | \$ 700.00 |
| b. Over 3 acre | \$ 1,300.00 |

6. AMENDED SITE PLANS

Amendment of site plans which are proposed within five (5) years of the original site plan approval, which in the opinion of the Commissioner of Planning & Development, would not involve changes that could adversely impact adjacent properties:

- | | |
|----------------------------|-----------|
| a. Residential | \$ 400.00 |
| b. Commercial & Industrial | \$ 500.00 |

7. PRELIMINARY PLATS*

- | | |
|--|-------------|
| a. Subdivision of a property into two separate parcels, non-inclusive of new public streets, public sanitary sewers or water lines. | \$ 200.00 |
| b. Subdivision of a property into three or more lots non-inclusive of new public streets, public sanitary sewers or water lines. | \$ 700.00 |
| c. Subdivision of less than fifty lots, commercial subdivisions or industrial subdivisions inclusive of new public streets and/or public sanitary sewers or water lines. | \$ 1,900.00 |
| d. Residential subdivision of more than fifty lots. | \$ 2,500.00 |

* (Fees for Site Plans and Preliminary Plats include engineering charges.)

- | | |
|----------------|-----------|
| 8. FINAL PLATS | \$ 200.00 |
|----------------|-----------|

C. PAYMENT TO THE TOWN OF CLAY IN LIEU OF PARK LAND CONTRIBUTIONSFEE

- | | |
|----------------|-----------|
| l. Fee per lot | \$ 300.00 |
|----------------|-----------|

§ 101.01(D)[1] SCHEDULE OF FEES OF THE TOWN OF CLAY § 101.07

D. TOWN BOARD SERVICES FOR SPECIAL DISTRICT IMPROVEMENT FEES

1. Engineering, legal and administrative charges associated with petition preparation, reviews of petition plans, public hearings, review of contract drawings, and construction inspection shall be based on actual costs incurred. In each case, the project developer shall be required to place deposits with the Town of Clay to cover such costs.
2. For single family homes and townhouses, an initial deposit of \$1,600.00, plus \$175.00 per lot shall be required before public hearings can be scheduled on petitions for any improvements. Prior to the time that contract drawings are considered for approval, an additional deposit of \$1,600.00 and \$ 175.00 per lot shall be required for each and every section of the development thereafter proposed
3. For commercial, industrial, and multi-family residential projects, deposits shall be based on a percentage of the estimated construction cost in accordance with the Town engineering agreement for work in special districts on file with the Town Clerk. One-half of the total deposit will be required before public hearings can be scheduled on petitions for improvements and the balance of said amount shall be deposited before the contract drawings can be considered for approval.
4. Any pending improvement for which contract drawings have not been approved shall be subject to the same fee provisions as set forth in paragraph "2" above.
5. Prior to acceptance of facilities, a preliminary accounting shall be made to determine whether additional monies are required with any necessary payment being made before the facilities are accepted. Upon written request and completion of all facilities, including overland drainage requirements, a final accounting shall be made to the developer within ninety days of such acceptance of the facilities and/or completion of overland drainage requirements. Any unexpended funds will be returned to the developer without interest

§ 101.05 AMENDMENTS

Amendments, changes and/or revisions to the above schedule of fees shall be made by resolution of the Town Board of the Town of Clay after conducting a public hearing thereon.

§ 101.06 SEVERABILITY

If any clause, sentence, paragraph, word, section or part of this local law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

§ 101.07 EFFECTIVE DATE

This Local Law shall take effect immediately 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. 3 of 1998 of the ~~(County)(City)~~(Town)(Village) of CLAY was duly passed by the TOWN BOARD on DECEMBER 21, 1998, 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 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 19____, 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 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19____. 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 _____ 19____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(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 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 19____, 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.)

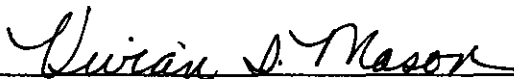
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19_____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 19____, 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 19_____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 19____, 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

VIVIAN I. MASON, TOWN CLERK OF THE TOWN OF CLAY

Date: December 22, 1998

(Seal)

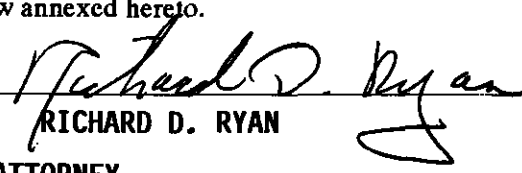
X

(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


RICHARD D. RYAN

TOWN ATTORNEY

Title

~~XXXXXX~~
~~XXXX~~ of CLAY
Town
~~XXXXXX~~

Date: DECEMBER 22, 1998