

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.

~~XXXXXX~~

~~City~~ of

CLAY

Town

~~XXXXXX~~

Local Law No. 3 of the year 2010

A local law Amending CHAPTER 230 entitled 'ZONING', § 230-16 B.(2)(e), § 230-16 C.(2)(e); ~~§230-17 C.(2)(e); § 230-17 D.(2)(e) deleting~~ certain subparagraphs, ~~renumber~~ accordingly and ~~adding~~ subparagraphs; and to amend § 230-11C. Terms defined, deleting and ~~adding~~ term to the Code of the Town of Clay .

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

~~XXXXXX~~

~~City~~ of

Clay

Town

~~XXXXXX~~

as follows:

SEE ATTACHED LOCAL LAW NO. 3 OF THE YEAR 2010

FILED
STATE RECORDS

APR 21 2010

DEPARTMENT OF STATE

(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. 3 of 2010 of the ~~(County)(City)~~(Town)~~(Village)~~ of Clay was duly passed by the Town Board on April 5th, 2010, 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.

5. (City local law concerning Charter revision proposed by petition.)

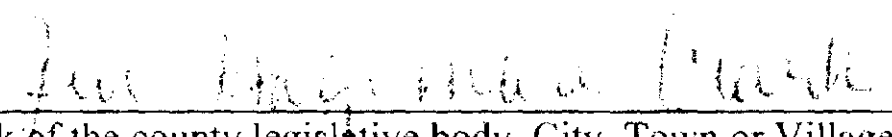
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20_____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified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

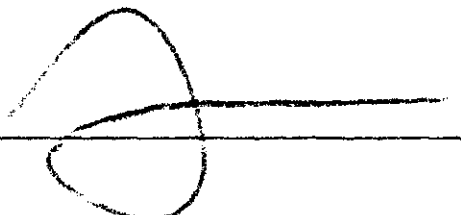

Clerk of the county legislative body, City, Town or Village Clerk or
officer designated by local legislative body
JILL HAGEMAN-CLARK, TOWN CLERK
Date: April 12th, 2010

(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
ROBERT M. GERMAIN, TOWN ATTORNEY
Title

~~XXXX~~
~~XXXX~~ of Town of Clay
Town
~~XXXXXX~~

Date: April 12th, 2010

LOCAL LAW NO. 3 OF THE YEAR 2010

TOWN OF CLAY

LOCAL LAW NO. 3 OF THE YEAR 2010 AMENDING CHAPTER 230, entitled ‘**ZONING**’ **Section 230-16 B.(2)(e); Section 230-16 C.(2)(e); Section 230-17 C.(2)(e); Section 230-17 D.(2)(e)** deleting certain subparagraphs and adding new subparagraphs to said sections; renumbering said subparagraphs accordingly and amending **Section 230-11C. Terms defined.** by deleting certain terms and adding new terms to the Code of the Town of Clay

It is the purpose of this local law to amend **Section 230-16B.(2)(e)** by deleting the present subparagraphs new [4] Motor vehicle sales, service, and rental, and adding new subparagraphs [4] Motor vehicle service.; [5] Motor vehicle sales and [6] Motor vehicle rental and to renumber remaining subparagraphs accordingly in said Section 230-16B.(2)(e); amending **Section 230-16C.(2)(e)** by deleting the present subparagraph [4] Motor vehicle sales, service, and rental; then adding subparagraphs [4] Motor vehicle service; [5] Motor vehicle sales and [6] Motor vehicle rental and to renumber remaining subparagraph accordingly in said **Section 230-16C.(2)(e)**; amending **Section 230-17C.(2)(e)**; by adding subparagraph [3] Motor vehicle rental to said **Section 230-17C.(2)(e)**; amending **Section 230-17D.(2)(e)** adding subparagraph [5] Motor vehicle rental to **Section 230-17D.(2)(e)**; and amending **Section 230-11C. Terms defined**, deleting the term **MOTOR VEHICLE SALES, SERVICE, RENTAL** and adding the terms **MOTOR VEHICLE RENTAL, MOTOR VEHICLE SALES, MOTOR VEHICLE SERVICE** to said **Section 230-11C.** to the Code of the Town of Clay, in order to clarify certain terms for better application and understanding in the Code of the Town of Clay

BE IT ENACTED by the Town Board of the Town of Clay, County of Onondaga as follows:

SECTION 1. Be it enacted by amending **Chapter 230** entitled “**ZONING**”, **Sections 230-16B.(2)(e); 230-17C.(2)(e); 230-17D.(2)(e)** and **Section 230-11C. Terms defined** to the Code of the Town of Clay.

February 1st, 2010 called public hearing for proposed local law for March 1st, 2010 at 7:44 P.M.,

Notice of public hearing published in the Post Standard on February 18th, 2010.

Public hearing held and completed on March 15th, 2010.

Local Law No. 3 of the year 2010 was approved by the Clay Town Board on April 5th, 2010.

Said Local Law No. 3 was sent to Dept. of State April 12th, 2010.

Received letter from Dept. of State, local law was filed on _____.

B. HC-1 Highway Commercial (based on C-2).

(2). Uses allowed:

(e) Town Board special permit approval and optional advisory referral to the Planning Board:

[4] Motor vehicle service.

[5] Motor vehicle sales.

[6] Motor vehicle rental.

§ 230-16 C

C. RC-1 Regional Commercial (based on C-3, -5, -7 and -10).

(2) Uses allowed:

(e) Town Board special permit approval and optional advisory referral to the Planning Board:

[4] Motor vehicle service.

[5] Motor vehicle sales.

[6] Motor vehicle rental.

§ 230-17C

C. I-1 Industrial 1 District.

(2) *Uses allowed. In addition to the following requirements, all land uses and/or structures shall comply with all relevant local, county, state or federal permits and regulations prior to or as a condition of final zoning approval.*

(e) Town Board special permit approval and optional advisory referral to the Planning Board:

[3] Motor vehicle rental.

§ 230-17 D

D. I-2 Industrial 2 District.

(2) Uses allowed. In addition to the following requirements, all land uses and/or structures shall comply with all relevant local, county, state or federal permits and regulations prior to or as a condition of final zoning approval.

(e) Town Board special permit approval and optional advisory referral to the Planning Board:

[5] Motor vehicle rental.

**ZONING
ARTICLE II
Definitions**

Section 230-11C. Terms defined.

MOTOR VEHICLE SERVICE -- Land and/or structures commercially used for the servicing and repair (including auto body/collision repair) of motor vehicles; including cars, trucks, recreational vehicles, motorcycles, trailers, snowmobiles or boats.

MOTOR VEHICLE SALES -- Land and/or structures commercially used for the sales of motor vehicles; including cars, trucks, recreational vehicles, motorcycles, trailers, snowmobiles or boats.

MOTOR VEHICLE RENTAL-- Land and/or structures commercially used for the rental of motor vehicles; including cars, trucks, recreational vehicles, motorcycles, trailers, snowmobiles or boats.

SECTION 2. This local law shall take effect upon filing in the Office of the Secretary of State.