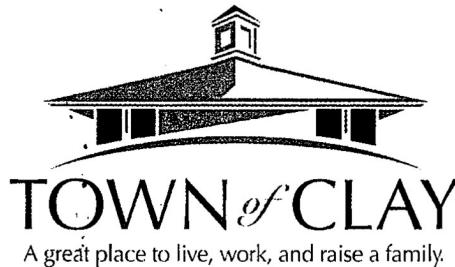


Town Clerk
Jill Hageman-Clark

4401 State Route 31
Clay, New York 13041-8707
Website: www.townofclayny.gov



Phone: (315) 652-3800
Fax: (315) 622-7259

E-mail: townclerk@townofclayny.gov

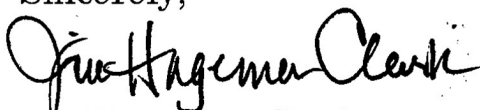
NYS Department of State
Division of Corporations, State Records and Uniform Commercial
Code
One Commerce Plaza, 99 Washington Ave.
Albany NY 12231

July 21, 2026

Dear Sir/Madam:

Enclosed please find **Local Law No. 7** of the year **2026**, for the establishment of **Chapter 210** of the Code of the Town of Clay for the codification of Local Law No. 7, entitled "**Large-Scale Development Permit and Community Host Agreement.**" Please do not hesitate to contact me with any questions. Thank you in advance.

Sincerely,


Jill Hageman-Clark
Town Clerk

Emailed: ezsupp@generalcode.com



Department of State
Corporations, State Records & UCC

New York State
Department of State
DIVISION OF CORPORATIONS,
STATE RECORDS AND
UNIFORM COMMERCIAL CODE
One Commerce Plaza
99 Washington Ave.
Albany, NY 12231-0001
dos.ny.gov

Local Law Filing

Pursuant to Municipal Home Rule Law §27

Local Law Number ascribed by the legislative body of the local government listed below:

7 of the year 20 26

Local Law Title: Large-Scale Development Permit and Community Host Agreement establishing Chapter 210
of the Code of the Town of Clay for the codification of Local Law No. 7 of the year 2026.
See attached.

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

☐ **County** ☐ **City** ☒ **Town** ☐ **Village**
(Select one)

of Clay **as follows on the attached pages:**
(Name of Local Government)

For Office Use Only

Department of State Local Law Index Number: _____ **of the year 20** _____

(The local law number assigned by the Department of State for indexing purposes may be different from the local law number ascribed by the legislative body of the local government.)

Local Law Filing

(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 ascribed as local law number 7 of 2026 of the (County)(City)(Town)(Village) of Clay was duly passed by the Town Board on July 20 2026 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, ascribed as local law number _____ 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____ 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, ascribed as local law number _____ 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 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.

(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, ascribed as local law number _____ 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.

Local Law Filing

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

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20 ____ of the City of _____ having 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.

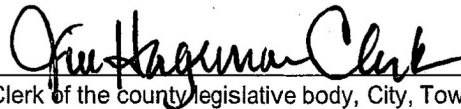
6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed thereto, ascribed as local law number _____ 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 the paragraph _____ above.

(Seal)



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

July 21, 2026

(Date)

TOWN OF CLAY, NEW YORK

LOCAL LAW NO. 7 OF 2026

**A LOCAL LAW AUTHORIZING ADJUSTMENTS TO BUILDING PERMIT
FEES FOR LARGE-SCALE PROJECTS AND PERMITTING COMMUNITY
HOST AGREEMENTS**

SECTION 1. TITLE

This Local Law shall be known as the “**Large-Scale Development Permit and Community Host Agreement Authorization Law.**”

SECTION 2. LEGISLATIVE INTENT AND FINDINGS

The Town Board hereby finds that:

1. The Town of Clay may host large-scale development projects, including but not limited to semiconductor manufacturing facilities and other advanced industrial uses, with total project costs exceeding One Hundred Million Dollars (\$100,000,000.00).
2. Such large-scale projects create:
 - Extraordinary demands on municipal infrastructure, services, and administrative capacity;
 - Long-term impacts on housing, traffic, public safety, and environmental resources; and
 - Unique opportunities for economic growth and community benefit.
3. Under New York law, building permit fees must generally be limited to the reasonable costs of administration, review, and inspection.
4. The Town Board further finds that it is in the best interest of the Town and its residents to:
 - Ensure cost recovery for enhanced review and inspection activities associated with large-scale development; and

- Establish a mechanism to secure additional voluntary mitigations and benefits through negotiated agreements that are separate from and not a condition of permit issuance.
5. Therefore, the Town Board adopts this Local Law to:
- Adjust building permit fee structures for large-scale development in a manner consistent with applicable law; and
 - Authorize the Town to enter into **Community Host Agreements** for the purpose of addressing impacts and securing community benefits.
-

SECTION 3. DEFINITIONS

For purposes of this Local Law:

A. “Large-Scale Development Project”

Any construction, redevelopment, or phased development project with an estimated total construction value of **One Hundred Million Dollars (\$100,000,000.00) or more.**

B. “Building Permit Fees”

Fees imposed by the Town in connection with review, issuance, inspection, and enforcement of building permits.

C. “Community Host Agreement” or “CHA”

A voluntary, negotiated agreement between the Town and an applicant for a Large-Scale Development Project that may provide for mitigation measures, community benefits, or financial contributions, separate and apart from any fees imposed under the Town Code.

D. “Applicant”

Any individual, corporation, partnership, or entity seeking approval for a Large-Scale Development Project.

SECTION 4. BUILDING PERMIT FEES FOR LARGE-SCALE DEVELOPMENT

A. Fee Structure Authorization

The Town Board is hereby authorized to adopt, by resolution, a schedule of Building Permit Fees applicable to Large-Scale Development Projects.

B. Cost-Based Limitation

All Building Permit Fees shall:

1. Be based upon the reasonable and necessary costs of:
 - Plan review;
 - Engineering review;
 - Inspections;
 - Administrative overhead directly related to review and enforcement; and
 - Retention of outside consultants where required.
2. Comply with all applicable provisions of New York law limiting fees to actual or anticipated municipal costs.
3. No Building Permit shall be issued for any qualifying large-scale project unless and until the applicant and the Town have executed a Community Host Agreement, where applicable, following the receipt of all required land use and zoning approvals.

C. Supplemental Cost Recovery Mechanisms

The Town may require:

- Escrow accounts for professional review fees; and
- Periodic replenishment of such accounts,

provided that such amounts are directly related to the costs incurred.

SECTION 5. AUTHORIZATION OF COMMUNITY HOST AGREEMENTS

A. Authority

The Town Board is hereby authorized to negotiate and approve Community Host Agreements with Applicants for Large-Scale Development Projects.

B. Voluntary Nature

1. A Community Host Agreement:

- Shall be **voluntary** and **not a condition precedent** to the issuance of any permit or approval; and
 - Shall not be considered a fee, tax, or exaction.
2. No permit, approval, or certificate shall be denied solely due to an Applicant's refusal to enter into a Community Host Agreement.

C. Permissible Provisions

A Community Host Agreement may include, but is not limited to:

- Contributions toward:
 - Infrastructure improvements;
 - Public safety services;
 - Workforce housing initiatives;
 - Environmental mitigation measures;
- Funding for community benefit programs;
- Road, traffic, or utility improvements not otherwise required by law; and
- Long-term monitoring or support services related to project impacts.

D. Nexus to Project Impacts

The terms of any Community Host Agreement shall:

- Be reasonably related to the nature, scale, and potential impacts of the proposed project; and
- Promote the health, safety, and welfare of Town residents.

SECTION 6. APPROVAL PROCESS

1. Any Community Host Agreement shall be:
- Approved by resolution of the Town Board; and
 - Subject to a public meeting in accordance with the Open Meetings Law.
2. The Town Board may:

- Consult legal counsel, financial advisors, and other experts; and
 - Coordinate with County, State, or regional entities as appropriate.
-

SECTION 7. SEVERABILITY

If any clause, sentence, paragraph, section, or part of this Local Law shall be adjudged invalid by a court of competent jurisdiction, such judgment shall not affect the validity of the remaining portions thereof.

SECTION 8. SUPERSESSION

To the extent necessary, this Local Law is intended to supersede any inconsistent provisions of the Town Code, pursuant to Municipal Home Rule Law § 10.

SECTION 9. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the New York State Secretary of State in accordance with Municipal Home Rule Law § 27.