

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.

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

of CANANDAIGUA

12/21/2020

Local Law No. _____ of the year 20 _____

A local law TO REVISE TOWN CODE 220-21(C)(4)&(5) RELATED TO SWIMMING POOLS
(Insert Title)
IN THE RLD ZONING DISTRICT

DRAFT

Be it enacted by the TOWN BOARD _____ of the
(Name of Legislative Body)

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

of CANANDAIGUA _____ as follows:

SEE ATTACHMENT "A"

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

TOWN OF CANANDAIGUA
LOCAL LAW # ____ OF 2021

ATTACHMENT "A"

SECTION ONE. Town Code § 220-21(C)(4) and (5), relating to hot tubs and swimming pools in the RLD Zoning District, shall be replaced in their entirety with the following subsection (4) entitled "Swimming Pools":

(4) Swimming Pools

(a) Installation. No swimming pool shall be installed unless a building permit shall have been issued in accordance with the New York State Uniform Fire Prevention and Building Code and the provisions of the Town Code, General Requirements.

(b) No permit shall be issued for such swimming pool unless it is shown that the proposed drainage for such swimming pool shall not drain directly to neighboring properties or Canandaigua Lake.

(c) In-ground Swimming Pools:

[1] One in-ground swimming pool may be allowed for each lot.

[2] In-ground swimming pools shall only be located in the rear or side yard of a lot.

[3] In-ground swimming pools shall be included as part of lot coverage as measured by the water surface and all adjoining structures, including, but not limited to, patio and deck areas.

[4] In-ground swimming pools shall meet the setback requirements for an accessory building/structure within the RLD.

(d) Above Ground Swimming Pools:

[1] One above-ground swimming pool may be allowed for each lot not adjoining Canandaigua Lake.

[2] Above-ground swimming pools shall be located only within the rear or side yard of a lot.

SECTION TWO. Severability. If any portion of this Local Law shall be deemed by a court of competent jurisdiction to be invalid, illegal, or unenforceable, the remainder of this Local Law shall remain in full force and effect to the extent practicable.

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SECTION THREE. Effective Date. This Local Law shall be effective immediately upon its filing with the New York State Secretary of State.

DRAFT

(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. _____ of 20____ of the (County)(City)(Town)(Village) of CANANDAIGUA was duly passed by the _____ on _____ 20____, in accordance with the applicable 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 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.

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____.

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.

* 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 so adopted in the manner indicated in paragraph _____ above.

DRAFT

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

Date: _____

(Seal)