

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

DRAFT
11/15/2021

Local Law No. _____ of the year 20²¹

A local law Creation of Chapter 255, Uptown Business Improvement District
(Insert Title)

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.)

Attachment A

Chapter 255

UPTOWN BUSINESS IMPROVEMENT DISTRICT

DRAFT

11/15/2021

§ 255-1. Authorization.

Authorization. The Town Board of the Town of Canandaigua hereby authorizes the provisions of Article 19-A of the General Municipal Law in its entirety, subject to permissive referendum, and any amendments thereto, are hereby adopted and incorporated as if fully set forth at length herein and shall be applicable to the establishment or extension of Business Improvement Districts within the Town of Canandaigua.

§ 255-2. Establishment Uptown Business Improvement District

Establishment. The Uptown Business Improvement District of the Town of Canandaigua shall be and hereby is established in the Town of Canandaigua, the Town Board of the Town of Canandaigua having found that the establishment of the district is in the public interest, that all notice, mailing and hearing requirements have been complied with, that all properties located within the district will benefit from its establishment and that all property benefited is included in the boundaries of the district. The boundaries of said district shall be identified in the 2021 district plan, Uptown Business Improvement District (Uptown BID) and by official map of Uptown BID.

§ 255-3. Intent; purpose.

The Town Board of the Town of Canandaigua has determined that a District Plan, including all information required by § 980 of the GML, was duly and properly filed with the Town Clerk of the Town of Canandaigua. By resolution of the Town Board of the Town of Canandaigua and pursuant to GML § 980-e(a), a public hearing was properly scheduled, advertised and held on the establishment of the BID (Uptown BID). The Board has also determined that there has been compliance with the requirements of GML § 980-e(c), and every owner and all known tenants of the real property located within the Uptown BID were notified of the public hearing. The public hearing on the establishment of the Uptown BID, having been held, the Town Board of the Town of Canandaigua finds each of the questions set forth in GML § 980-f(1) has been answered affirmatively. No objection has been presented by the requisite number of owners of real property in the Uptown BID to the adoption of this chapter. The Uptown BID cultivates and advocates the economic growth of the Uptown BID creating an inviting, dynamic, and sustainable community that celebrates the Town's history while building towards its future. The Uptown BID is dedicated to improving the quality of life within the District, to further enhance and make the community a vibrant, attractive destination for visitors, businesses, residents, property owners, and workforce. The Town Board of the Town of Canandaigua concludes that the creation of the Uptown BID is in the public's best interest and will benefit the health and welfare of the residents of the Town of Canandaigua and that all properties benefited are included in the District Plan.

§ 255-4. Creation of district.

The Uptown BID shall be and hereby is created and established in the Town of Canandaigua. All properties within the Uptown BID will benefit from the establishment thereof and all properties benefited are included within the boundaries of the Uptown BID.

Any amendments or extensions of the Uptown BID must be adopted in accordance with the provisions of § 980-g of GML Article 19-A. The boundaries of the Uptown BID are contained in the 2021 District Plan adopted by the Town Board of the Town of Canandaigua.

§ 255-5. Improvements and services.

All services and improvements provided under the District Plan shall be undertaken solely in the name of the Uptown BID. Services pursuant to the Uptown BID shall not be in substitution for those municipal services provided by the Town of Canandaigua but shall act as additional services. All improvements and services shall be provided pursuant to the District Plan and in compliance with the GML.

§ 255-6. Operation and control.

This chapter and the provisions set forth in Article 19-A of the GML shall govern the operation and control of the Uptown BID.

§ 255-7. When effective.

This chapter shall become effective upon compliance with the requirements set forth in § 980-g of Article 19-A of the GML and upon 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 2021 of the (County)(City)(Town)(Village) of Canandaigua was duly passed by the Town Board _____ on _____ 20____, in accordance with the applicable provisions of law.

DRAFT

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) _____ (Name of Legislative Body) (repassed after disapproval) by the _____ and was deemed duly adopted _____ (Elective Chief Executive Officer*) 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) _____ (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20____. _____ (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) _____ (Name of Legislative Body) (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 finally adopted in the manner indicated in paragraph _____ above.

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

Date: _____

(Seal)