

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

Local Law No. 9 of the year 2016

A local law Amendment to Chapter 1, General Provisions, Section 17 Definitions and

(Insert Title)

Amendment to Chapter 220, Zoning, Clarifying Treatment of Accessory Structures

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

County City Town Village

(Select one.)

of Canandaigua as follows:

see attached

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

SECTION ONE. Intent. It is the intent of this Local Law to clarify accessory structures in the Town Code.

SECTION TWO. The definition of Accessory Structure in Town Code § 1-17 shall be removed and replaced in its entirety with the following:

ACCESSORY STRUCTURE. A detached structure, but not including buildings, subordinate and incidental to the principal building or structure on the same lot, that contributes to the comfort, convenience, or necessity of the occupants of the principal building or structure and that is used for a purpose incidental to the use of the principal building or structure. Accessory structures include but are not limited to swimming pools, tennis courts, basketball courts, paddleball courts, patios, decks, generators. Accessory Structures shall not include fences for setback purposes.

SECTION THREE. Town Code § 220-21 RLD Residential Lake District shall be replaced in its entirety with the following:

§ 220-21 RLD Residential Lake District.

- A. Purpose. The purpose of the RLD Residential Lake District is to allow limited residential uses that protect the quality of Canandaigua Lake and the surrounding natural topography, including the shoreline, ridgelines, and scenic vistas of this unique and environmentally sensitive area.
- B. Permitted principal uses.
 - (1) One single-family dwelling per lot.
 - (2) Public parks.
 - (3) Public safety facilities.
- C. Permitted accessory uses.
 - (1) One detached private garage no taller than 16 feet and one attached private garage may be permitted.
 - (2) One accessory building/structure, not to exceed 100 square feet in total area and 10 feet in height above average finished grade may also be permitted. Except as provided in Subsection C(2)(c) and (d), and Subsection D below, setback requirements for accessory buildings/structures are specified in Schedule 1, Zoning Schedule, RLD.

(a) If the principal building on a lakefront is located on the lake side portion of the lot, then the accessory building/structure may be permitted in the side yard of the principal building.

(b) If a lakefront lot is divided by a street and the principal building is located on the lake side portion of the lot, then the accessory building/structure may be permitted on the portion of the lot opposite the lake side. In this instance, the front setback shall not be less than 60 feet, the rear setback shall not be less than 10 feet, and the minimum side yard setback shall be 10 feet.

(c) If a lakefront lot is divided by a street and the principal building is not located on the lake side portion, then the accessory building/structure may be located in the rear yard of the principal building.

(d) If a lakefront lot is divided by a street and the principal building is not located on the lake side portion, then the accessory building/structure may be located on the lakeside portion and may contain a rest room, but only with public water and sewer service.

(e) There shall be no additions to an accessory building/structure such as, but not limited to, decks, porches and cantilevers.

(3) Seasonal storage, commencing no earlier than October 31 of any year and continuing no later than May 31 of the following year, of docks, hoists and buoys permitted to be used on the premises by the provisions of Chapter 96, Canandaigua Lake Uniform Docking and Mooring.

(4) Hot tubs.

(a) Definitions. As used in this section, the term "hot tub" shall have the meaning set forth in Chapter 1, Article II.

(b) Installation. No hot tub 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. With the exception of Subsection C(5)(a) and (b), every hot tub shall conform to the provisions set forth for swimming pools in this chapter.

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

(5) One in-ground swimming pool is allowed for each lot. In addition, each in-ground swimming pool in the RLD:

(a) Shall be located only within the side yard of a lot or the rear yard of the lot if not adjoining Canandaigua Lake.

(b) Shall not be located in the front yard of a lot or in the rear yard of a lot where said rear yard adjoins Canandaigua Lake.

(c) Shall be included as part of lot coverage as measured by the water surface and all adjoining impervious surfaces.

(d) Shall meet the setback requirements for an accessory building/structure within the RLD.

D. Dimensional requirements. The dimensional requirements for this district are specified in Schedule I, which is made a part of this chapter. However, pre-existing nonconforming lots that are less than 20,000 square feet shall be subject to the following setback requirements:

(1) Lots less than 10,000 square feet:

(a) Principal structures.

[1] Front setback shall be 50 feet.

[2] Rear setback shall be 30 feet.

[3] Side setbacks shall be eight feet.

(b) Accessory structures.

[1] Rear setback shall be 15 feet.

[2] Side setbacks shall be eight feet.

(c) Maximum building coverage on lot shall not exceed 25%.

(d) Maximum lot coverage shall not exceed 40%.

(2) Lots more than 10,000 square feet but less than 20,000 square feet:

(a) Principal structures.

[1] Front setback shall be 55 feet.

[2] Rear setback shall be 30 feet.

[3] Side setbacks shall be 10 feet.

(b) Accessory structures.

[1] Rear setback shall be 15 feet.

[2] Side setbacks shall be 10 feet.

(c) Maximum building coverage on lot shall not exceed 20%.

(d) Maximum lot coverage shall not exceed 30%.

E. Special permit uses.

(1) Essential services, public utility facilities or communications installations.

(2) Tourist home.

F. Special provisions subject to all development within the RLD Residential Lake District.

(1) No accessory buildings or tennis courts shall be constructed within rear yards adjoining Canandaigua Lake.

(2) Erosion/sedimentation control measures shall be used before, during and after construction until ground cover is reestablished as specified in Chapter 165 of the Town of Canandaigua Code, Soil Erosion and Sedimentation Control.

(3) All boat docking, mooring and other related improvements in or on the waters of Canandaigua Lake are governed by Chapter 96 of the Town Code.

(4) Rear setbacks shall be measured from the Mean High Water Mark.

SECTION FOUR. Town Code § 220-9 Regulations Applicable to All Districts shall be replaced in its entirety with the following:

§ 220-9 Regulations applicable to all districts.

A. Preservation of natural features.

(1) Except as otherwise stated in this Chapter, no structure shall be built within 100 feet of the bed of a stream carrying water on an average of six months of the year, or within 25 feet of the mean high-water elevation of Canandaigua Lake, except for:

(a) Docks, piers, boathouses and/or ramps designed for provision of navigational access;

(b) Public bridges, public water works and other municipal or public utility facilities; and

(c) Private bridges, fords, drainage conduits, embankments and similar structures as are necessary to permit access to a lot or portion thereof or as are incidental to a lawful use of a lot, provided that such structure will not have a material adverse effect on the stream, nor alter the flow of water therein, nor substantially increase the likelihood of flood or overflow in the area.

(2) No person shall strip, excavate, stockpile, or otherwise remove or relocate topsoil except:

(a) In connection with the approved construction or alteration of: a building, a structure, a parking lot or road, a swimming pool, a pond, or lawful excavation operations pursuant to § 220-38 of this chapter; and

(b) In compliance with the provisions of Chapter 165 of the Town Code, Soil Erosion and Sedimentation Control.

(3) No movement of earth or soil erosion shall be permitted at any time in any district which adversely affects conditions on any other property.

(4) Whenever natural features such as trees, brooks, drainage channels and views interfere with the proposed use of property, the retention of the maximum amount of such features consistent with the intended use of the property shall be required.

B. All accessory buildings and accessory structures, not including agricultural structures and except as otherwise specified in this chapter, shall be subject to the standards in this section.

(1) An accessory building attached to a principal building shall comply with the yard requirements of this chapter for the principal building. For the purposes of this section, "attached" shall mean physical connection by way of a common wall or foundation.

(2) No detached accessory building shall be closer to the street or right-of-way line than the minimum front yard setback for the principal building.

(3) Accessory buildings and structures for multiple-family dwellings, manufactured home parks, public uses, commercial uses and industrial uses may be allowed in rear or side yard(s) of the primary building(s).

(4) Detached accessory buildings and structures may be required to be fenced and/or buffered from adjacent properties, consistent with approved site plans, in order to protect the value of adjacent properties.

(5) Except as otherwise stated in this Chapter, a nine-hundred-square-foot accessory building shall be allowed on vacant lots with no primary building or use and may be used for storage of materials, equipment, and other personal property in the AR-1, AR-2, RR-3 and SCR-1 districts. Such accessory building shall be subject to the setback and height requirements contained in the Zoning Schedule (Schedule I).

(6) Accessory buildings shall not be used as habitable space.

(7) The following shall apply to lots with one or more single- and two-family dwellings outside of the Residential Lake District:

(a) A lot of 20,000 square feet or less may have:

[1] One detached or attached private garage;

[2] One additional detached accessory building not exceeding 200 square feet; and

[3] A total combined building footprint for all detached accessory buildings not exceeding 1,200 square feet.

(b) A lot of greater than 20,000 square feet may have, in addition to attached accessory buildings:

[1] A maximum of five detached accessory buildings; and

[2] A total combined building footprint for all detached accessory buildings not exceeding 1,000 square feet plus 1% of the subject lot's area in square feet and rounded to the nearest hundred, or 3,000 square feet, whichever is less.

(c) Height allowances:

[1] Detached accessory buildings with a building footprint of less than 1,000 square feet shall not exceed 16 feet in height.

[2] Detached accessory buildings with a building footprint of 1,000 square feet or greater shall not exceed 22 feet in height.

(d) Detached accessory buildings that are taller than the principal building shall be separated from the principal building by a distance greater than twice the rear setback required for a principal building on the subject lot.

(e) Detached accessory buildings that have a footprint greater than that of the principal building, not including attached private garages, porches, decks and patios, shall be separated from the principal building by a distance greater than twice the rear setback required for a principal building on the subject lot.

(f) With the exception of detached private garages, all detached accessory buildings shall be located in the rear yard and subject to the setback requirements for the district in which it is located.

(g) Detached private garages shall be located to the rear of the front building line of the principal building and may be located in a side yard.

(h) On corner lots, detached accessory structures shall be located in a side yard.

(i) Accessory buildings may have electrical, gas, and water service but no other utilities.

(j) Accessory buildings shall not have decks or porches.

(8) Lots located within the NC, CC, RB-1, LI, and I districts that accommodate one or more existing agricultural uses and/or single- and two-family dwellings shall be allowed the same accessory uses, buildings, and structures specified in Town Code § 220-14, AR-1 Agricultural Rural Residential District, but subject to the lot and setback requirements applicable to their respective zoning district, except that accessory buildings and accessory structures used for the sale of agricultural and nursery products shall not be allowed along State Route 332.

(9) Additional requirements for detached accessory buildings and structures in the Residential Lake District are in Town Code § 220-21.

- C. Every developed lot of record shall have access to a public street. Access may be either direct or by private road or drive. Where a private road or drive provides access to more than one developed lot of record, said road shall have a right-of-way width of not less than 30 feet and an improved surface of at least 20 feet in width. All structures shall be so located on lots so as to provide safe and convenient access for servicing, fire protection and required off-street parking.
- D. At the intersection of two or more streets, no hedge, fence or wall (other than a single post or tree) which is higher than three feet above curb level, nor any obstruction to vision, including agricultural crops, shall be permitted in the triangular area formed by the intersecting street lines and a line joining each 50 feet distant from said intersection measured along the edge of the pavement.
- E. Where a building lot has frontage on a street which is proposed for right-of-way widening, the required front yard setback area shall be measured from such proposed right-of-way line.
- F. Outdoor display of goods for sale. Unless the display of goods for sale in such an area shall have been approved by the Town Planning Board, no commercial establishment shall place or display goods, including vehicles, for sale upon any seeded or landscaped area nor upon any paved area necessarily designated on an approved site plan to meet the minimum requirements of the Town Zoning Law for off-street parking.
- G. No manure, odor or dust-producing substances shall be permitted to be stored within 200 feet of any lot line, unless such substance is part of accepted agricultural operations or practices and the land involved lies within an agricultural district established pursuant to New York State Agriculture and Markets Law.

- H. For the purpose of regulating the location of buildings or structures on corner lots and through lots, all portions of a corner lot and a through lot which fronts on a public street shall be subject to the front yard setback requirements of the zone district in which the corner lot or through lot is located.
- I. No front yard, wherever located, and except as may be otherwise provided in Article V, no rear yard adjoining Canandaigua Lake, shall be used for the open storage of boats, vehicles, travel trailers or any other equipment, except for vehicular parking on driveways. Such open storage may be stored on the side of the building but not nearer than 10 feet from the rear or side lot line.
- J. When a new lot is formed so as to include within its boundaries any part of a former lot on which there is an existing building or use, the subdivision must be carried out in such a manner as will not infringe upon any of the provisions of this chapter either with respect to any existing structures or use and any proposed structures or use or setbacks.
- K. Fences erected in the Town shall adhere to the following standards:
- (1) Except as may be otherwise provided in this Subsection K, no fence in a front yard within a residential district or in a rear yard adjoining Canandaigua Lake shall be erected, altered or reconstructed to a height exceeding four feet above ground level.
 - (2) Except as may be otherwise provided in this Subsection K, no fence in a rear yard or side yard within a residential district shall be erected, altered or reconstructed to a height exceeding six feet above ground level.
 - (3) Fencing used to enclose a tennis court may be permitted up to 12 feet in height, provided that such fencing is not less than the minimum permitted setback for accessory structures in the subject district.
 - (4) These restrictions shall not be applied so as to restrict the erection of a wall for the purpose of retaining earth.
 - (5) Except as provided in § 220-60, fences in the Restricted Business, Industrial and Commercial Districts may be up to eight feet in height.
 - (6) Fences for kennels and for the purpose of enclosing farmland, horses and cattle shall not exceed eight feet in height.
 - (7) No fence shall be erected to encroach on any property line or upon a public right-of-way.
 - (8) No fence shall be erected in a delineated area of special flood hazard, except for farm fences, provided that it can be demonstrated that such fence would not restrict the flow of floodwaters nor would it have any impact on any buildings.

No fence shall be erected in such area of special flood hazard until a development permit is obtained in accordance with Chapter 115 of the Town Code.

(9) Snow fences may be allowed without a permit, provided that the placement does not result in snow drifting onto adjacent properties or the public highway. Said fence may be erected for a period not to exceed six months and must be removed not later than May 1 of each year.

(10) Fencing surrounding telecommunications towers shall be as set forth in § 220-60.

(11) Fences on lots adjoining Canandaigua Lake shall not be erected within 15 feet of the Mean High Water Mark and shall not be erected in a way that will impair the view from any neighboring property.

- L. If the use of any lot or building involves the disposal of on-site wastewater and public sewers are not available, an adequate on-site wastewater treatment system shall be installed and maintained in accordance with regulations and standards promulgated by Chapter 202 of the Code of the Town of Canandaigua. The minimum lot area otherwise required shall be increased where necessary to the extent required to provide such on-site wastewater treatment system.
- M. Except for customary farm operations, no lot shall be used for the commercial storage or disposal of solid or liquid waste without the prior approval of the Town Board. Duly approved on-site wastewater treatment systems shall be excepted from this provision. Town Board approval shall be given only upon a finding that the proposed use shall not have a detrimental effect upon surrounding properties and evidence of any required permits necessary from the New York State Departments of Health and/or Environmental Conservation. The Town Board may require the submission of any documents necessary to make the foregoing finding. Consistent with the provisions of Subsection G above, this provision shall not prohibit the storage of animal waste upon any farm.
- N. On-site wastewater treatment systems shall be designed, installed and maintained in accordance with approved plans and the procedures and standards of the New York State Departments of Health and Environmental Conservation and Chapter 202, On-Site Wastewater Treatment Systems.
- O. All construction plans shall include design solutions for each site's drainage needs. Site grading shall direct water away from buildings and structures to the natural drainage way, or a public storm drainage system. Where no public storm drainage system exists, site drainage controls will be required for each development, to maintain surface runoff to any adjacent site or natural drainageway. The rate of surface runoff shall be the site's existing rate shown to exist based on accepted drainage calculation.
- P. Any structure which has been vacant or which has had utility service disconnected

for 12 consecutive months shall not be used for any purpose without obtaining a new certificate of compliance.

Q. Amateur radio towers. Amateur radio towers erected or maintained within any zoning district shall adhere to the following standards:

(1) The sole purpose of the tower is to support antennas for an FCC-licensed amateur radio station. Towers erected under this section shall only be allowed to continue so long as a licensed amateur radio station continues on the premises.

(2) An application for an amateur radio tower building permit must be accompanied by the tower manufacturer's ASME specifications or an equivalent structural analysis, including 150% safety factor design by a licensed professional engineer.

(3) Amateur radio towers shall only be erected or maintained within the front yard if it is not possible to effectively communicate on amateur HF, VHF or UHF bands using a tower located within the rear or side yards. A written statement from an engineer or other recognized competent authority, such as the American Radio Relay League, describing the impracticability of effective communication from a tower located within the permitted rear or side yards shall be included with any application to erect a tower within the front yard.

(4) The base of an amateur radio tower shall be located no closer to any property line than:

(a) The minimum setback requirements for accessory buildings within the district; or

(b) A distance equivalent to 40% of the tower height, whichever is greater.

(5) Supporting structures other than the tower base, tower guys and buried anchors shall be located no closer to any property line than the minimum setback requirements for accessory buildings within the district.

(6) There is no restriction on the location of tower guys and buried anchors. However, if a guy point or anchor is placed on or nearer a property line than the accessory building setback, the guy point must be elevated at least six feet above ground level and constructed of suitable material.

(7) Towers more than 30 feet in height above ground level shall be only erected upon issuance of a special use permit approved by the Town Planning Board pursuant to § 220-53 herein.

R. All dumpsters in a permanent location shall be enclosed and surrounded by a fenced area with a secured gate in front and landscaping around the remaining three sides. In no instance shall the dumpster be visible from along the public way.

In addition, the height of the fencing or landscaping shall be one foot higher than the height of the dumpster. All dumpsters shall be placed on a durable surface consisting of concrete, asphalt, or crushed stone. No fence enclosure shall be comprised of either chain link or plastic strips, and the color of the fence shall be consistent with the principal building.

S. Placement of manufactured housing within the Town of Canandaigua.

(1) The siting of single-wide manufactured homes shall be permitted only in manufactured home parks within the Town of Canandaigua.

(2) A single-wide manufactured home sited under the provisions of this section shall offer no less than 720 square feet of living area, excluding decks, porches and other structures which are either attached or placed immediately adjacent to the single-wide manufactured home.

(3) Double-wide manufactured homes are permitted in all residential zoning districts, except the Residential Lake District, provided that the double-wide manufactured home shall offer no less than 1,100 square feet of living space, excluding decks, porches and other structures which are either attached or placed immediately adjacent to the double-wide manufactured home, and further provided that the double-wide shall be no less than 20 feet wide.

(4) All double-wide manufactured homes located outside of a manufactured home park shall be sited on a full perimeter foundation with concrete or concrete block foundation walls extended below the frost line and must be affixed to the foundation in accordance with the manufacturer's specifications.

(5) All manufactured homes to be sited within the Town of Canandaigua shall comply with all applicable federal, state and/or local laws at the time of application.

(6) A permit must be obtained from the Code Enforcement Officer of the Town of Canandaigua prior to the siting of any manufactured home within the Town of Canandaigua.

T. All single-family dwelling units, except senior living facilities and single-wide manufactured homes, constructed and/or located within the Town of Canandaigua shall offer no less than 1,100 square feet of living area excluding decks, porches, and other structures which are either attached or placed immediately adjacent to the dwelling unit, and provided further that the dwelling unit shall be no less than 20 feet wide. This shall not apply to multiple-family dwellings.

U. (Reserved)

V. Driveways.

(1) No driveway shall be permitted where by its design there results in surface runoff directly onto the adjacent public highway.

(2) No driveway shall be permitted where by its design there results an unsafe sight distance as may be determined by the appropriate highway official or the Town Engineer. [See § 220-76A(2) and C(1).]

(3) A single driveway, providing a single point of access to a public street, serving a single-family detached dwelling located on a residential site shall be 10 feet from any side property line. Driveways closer than 10 feet may be permitted, provided they are designed as a shared driveway between two or more residential sites. Where a single-family dwelling site also involves land being used for agricultural operations, then a second point of access to a public street may be allowed, but only for agricultural purposes.

(4) A single-purpose driveway, providing a single point of access to a public street, serving a multifamily site, a commercial, industrial, or mixed-use site shall be 20 feet from any side property line. Driveways closer than 20 feet may be permitted, provided they are designed as a shared driveway between two or more of these types of site.

(5) Driveways shall not be subject to the front setback requirements contained elsewhere in this Chapter.

W. Swimming pools.

(1) General requirements.

(a) Permit applications for swimming pools shall include a site drawing showing:

[1] All existing and proposed structures, including the swimming pool dimensions and depths.

[2] Distance of swimming pool and other proposed structures from all boundary lines.

[3] Location of the on-site wastewater treatment system, if applicable.

[4] Well location, if applicable.

[5] Proposed lighting.

[6] Easements and any other additional information as may be required by the Town to demonstrate compliance with Town Code and other applicable laws.

(b) All swimming pools and their components shall comply with the requirements of the New York State Uniform Fire Prevention and Building Code.

(c) Swimming pools shall be sited in compliance with the National Electrical Code and the electric service provider for the site.

(d) No swimming pool or discharge water shall drain upon the lands of the adjoining premises.

(e) Filter pumps and other mechanical devices used in connection with any swimming pool shall be located in order not to interfere with the health, safety and enjoyment of the adjoining premises.

(f) If the use of any private swimming pool shall be abandoned or permanently discontinued, the owner shall see that excavated depression shall be filled in and that no potential hazard exists.

(2) Dimensional requirements.

(a) In any residential zone, no outdoor pool shall exceed 40 feet in length and 20 feet in width, or 30 feet in diameter in the case of a round or curved pool, nor shall the total perimeter of any pool exceed 125 feet.

(b) Swimming pools shall only be located in the rear and/or side yard of a lot.

(c) No swimming pool shall be constructed or erected closer than 15 feet to the rear or side lot line.

(d) On a corner lot in any district where a front yard is required, the swimming pool shall be no closer than 10 feet to the side lot line.

(e) Any structures or devices connected with the installation, maintenance or operation of a swimming pool, including but not limited to concrete or wood patio areas, pump and filter enclosures, bathhouses and cabanas, shall also comply with the setback requirements of this section.

X. Outdoor furnaces. All outdoor furnaces shall comply with applicable New York State Department of Environmental Conservation requirements.

Y. Development in any zoning district shall comply with the applicable provisions contained elsewhere in Town Code and the Town of Canandaigua Site Design and Development Criteria.

Z. Site development permits.

(1) When no building permit or other Town approval pursuant to this chapter is required, a site development permit from the Town Development Office shall be obtained for the following:

(a) Construction of new agricultural structures with a building footprint

greater than 50 square feet.

(b) Installation of new driveways.

(c) Construction or installation of a fence, excepting snow fences.

(2) A site development permit shall include information described in § 220-66, Sketch plan requirements, and all other information as may be required by the Town Development Office.

(3) Site development permit applications shall be made by the land owner and reviewed by Town staff to determine compliance with Town Code requirements.

AA. Oil-and-gas-extraction-related land uses are prohibited anywhere within the Town except as provided in § 220-107, Preexisting nonconformities.

SECTION FIVE. Severability Clause

The provisions of this local law are declared to be severable, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any remaining sections, subsections, sentences, clauses or part of this local law.

SECTION SIX. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State of the State of New York.

(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. 9 of 2016 of the ~~(County)(City)(Town)(Village)~~ of Canandaigua was duly passed by the Town Board on October 17 2016, in accordance with the applicable *(Name of Legislative Body)* 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) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 2016, 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 *(Elective Chief Executive Officer*)* 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.



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

Date: 10/20/2016

(Seal)