

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.

FILED
STATE RECORDS

AUG 19 2010

County
City
Town of WASHINGTON
Village

DEPARTMENT OF STATE

Local Law No. 1 of the year 2010

A local law OF THE TOWN OF WASHINGTON, DUTCHESS COUNTY, NEW YORK TO AMEND THE ZONING CODE TO: (a) ADD A NEW SECTION 421 "ALTERNATE MEMBERS TO THE ZONING BOARD OF APPEALS"; AND (b) ADD A NEW SECTION 431 "ALTERNATE MEMBERS TO THE PLANNING BOARD"

Be it enacted by THE TOWN BOARD of the
(Name of legislative Body)

County
City
Town of WASHINGTON as follows:
Village

Section 1. The Zoning Code of the Town of Washington is amended to add a new section 421, which shall read as follows:

SECTION 421. ALTERNATE MEMBERS TO THE ZONING BOARD OF APPEALS

The Town Board may appoint up to two (2) alternate members to the Zoning Board of Appeals, with each such position having a term of one (1) year, for purposes of substituting for a member(s) in the event such member(s) is absent or unable to participate because of a conflict of interest. All provisions relating to members of the Zoning Board of Appeals, including training, continuing education, attendance and compensation apply to alternate members.

The Chairman shall determine when an alternate member shall substitute for a member on any particular application or matter before the Board. Once designated, the alternate member shall possess all

the powers and responsibilities of the member being substituted. The minutes of the Zoning Board of Appeals shall reflect the meeting at which the substitution is made.

Section 2. The Zoning Code of the Town of Washington is amended to add a new section 431, which shall read as follows:

SECTION 431. ALTERNATE MEMBERS TO THE PLANNING BOARD.

The Town Board may appoint up to two (2) alternate members to the Planning Board, with each such position having a term of one (1) year, for purposes of substituting for a member(s) in the event such member(s) is absent or unable to participate because of a conflict of interest. All provisions relating to members of planning boards, including training, continuing education, attendance and compensation apply to alternate members.

The Chairman shall determine when an alternate member shall substitute for a member on any particular application or matter before the Board. Once designated, the alternate member shall possess all the powers and responsibilities of the member being substituted. The minutes of the Planning Board shall reflect the meeting at which the substitution is made.

Section 3. Supercession.

Pursuant to §22 of this state's Municipal Home Rule Law, the provisions of this law are intended to supercede any inconsistent provisions of state or local law, including those of the following sections of New York State Town Law governing Zoning Boards of Appeal and Planning Boards: Town Law §§267 and 271.

Section 4. This local law shall take effect immediately upon filing with this state's Secretary 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. 1 of 2010 of the ~~(County)~~ (City) (Town) (~~Village~~) of WASHINGTON was duly passed by the TOWN BOARD on August 12, 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____. 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.)~~

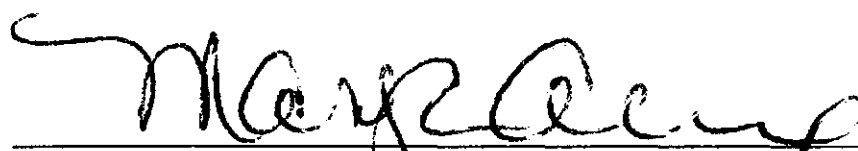
~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified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



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

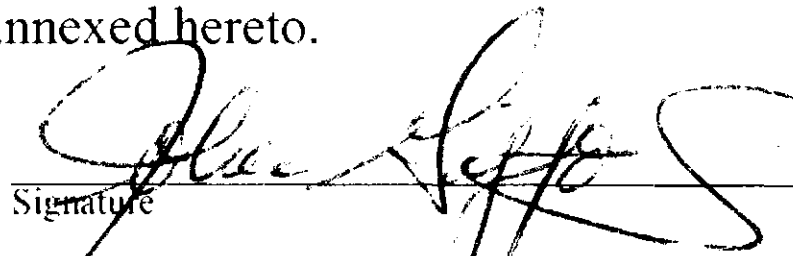
(Seal)

Date: August 12, 2010

(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 DUTCHESS

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
TOWN ATTORNEY
Title

County
City
Town of WASHINGTON
Village

Date: August 12, 2010