

LOCAL LAW FILING

New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001

(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 of Gorham
Village

Local Law No. 3 of the year **2017**

A local law **"Changing the Zoning District Classification of Certain Parcels and Amending a Portion of the Town of Gorham Zoning Map"**

(Insert Title)

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

County
City
Town of Gorham
Village

as follows:

Section 1. In accordance with Sections 31.1.7 and 31.3.6 of the Town of Gorham Municipal Code, the Zoning Map of the Town of Gorham is hereby amended by changing the zoning district classification of the following four (4) properties:

- A. Property located at 4789 County Road 11 in the Town of Gorham, identified as Tax Map No. 141.10-1-64.000; and
- B. Property located at 4793 County Road 11 contiguous and to the west of the property identified in A above in the Town of Gorham, identified as Tax Map No. 141.10-1-52.000; and
- C. Property located contiguous to and south of the property identified in A above in the Town of Gorham, identified as Tax Map No. 141.10-1-63.000 (this property does not have a physical street addressed assigned to it); and
- D. Property located on New York State Route 364 in the Town of Gorham identified as Tax Map No. 141.00-1-64.500 (this property does not have a physical street addressed assigned to it), this property being located contiguous and to the north of property identified as Tax Map No. 141.00-1-60.000.

All three (3) of the properties identified in A., B. and C. above, presently designated to be in the R-1 – Single Family Residential District, are rezoned so as to be designated to be in the GB – General Business District, subject to the condition set forth in Section 2 of this Local Law.

The property identified in D. above, presently designated to be in the RR – Rural Residential District, is rezoned so as to be designated to be in the GB – General Business District, subject to the condition set forth in Section 2 of this Local Law.

All of the properties identified in A., B., C. and D. above shall remain within the Lake Front Overlay District after this rezoning takes effect.

Section 2. The rezoning of the four (4) properties identified in A., B., C. and D. above is conditioned on the properties identified in A., C. and D. above, along with four (4) additional tax map parcels, identified as 141.00-1-60.000, 141.13-1-1.000, 141.13-1-2.000 and 141.13-1-3.000, being combined into a single tax map parcel.

Section 3. If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been ordered.

Section 4. This local law shall take effect upon the later to occur of i) the filing of this local law with the Secretary of State or ii) the combining into a single tax map parcel of the following seven (7) properties:

1. The property identified in A. above as Tax Map No. 141.10-1-64.000;
2. The property identified in C. above as Tax Map No. 141.10-1-63.000;
3. The property identified in D. above as Tax Map No. 141.00-1-64.500;
4. Property identified as Tax Map No. 141.00-1-60.000;
5. Property identified as Tax Map No. 141.13-1-1.000;
6. Property identified as Tax Map No. 141.13-1-2.000;
7. Property identified as Tax Map No. 141.13-1-3.000.

(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 2017 of the **Town of Gorham** was duly passed by the Gorham Town Board on _____, 2017, 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 Officer¹.)

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.

¹ 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 2005 of the City of _____ 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 1, above.

Clerk of the Town

(Seal)

Date: _____

(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 ONTARIO

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.

Attorney to the Town
Town of Gorham

Date: _____