

Local Law Filing Instructions

Adopted 9-27-2023
Local Law 9-2023
Extra Board member for Zoning & Planning Board
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
www.dos.ny.gov

PLEASE OBSERVE THESE INSTRUCTIONS FOR FILING LOCAL LAWS WITH THE SECRETARY OF STATE

1. Each local law shall be filed with the Secretary of State within 20 days after its final adoption or approval as required by section 27 of the Municipal Home Rule Law. The cited statute provides that a local law shall not become effective before it is filed in the office of the Secretary of State.
 2. Each local law to be filed with the Secretary of State shall be an original certified copy.
 3. Each local law shall be filed on a form provided by the Department of State. If additional pages are required, they must be the same size as the form. Typewritten copies of the text may be attached to the form. Only legible copies will be accepted.
 4. File only the number, title and text of the local law.
 5. In the case of a local law amending a previously enacted local law, the text must be that of the law as amended. Do not include any matter in brackets, with a line through it, italicized or underscored to indicate the changes made. The printed number of the bill and explanatory matter must be omitted.
 6. For the purpose of filing a local law with the Department of State, number each local law consecutively, beginning with the number one for the first local law filed in each calendar year. The next number in sequence should be applied to each local law when it is submitted for filing, regardless of its date of introduction or adoption. The date of filing of a local law is the date on which the local law is placed on file by the Department.
- It is suggested that municipalities use introductory identifying bill numbers for proposed local laws. After the local law is enacted (and approved by the voters, if required), the local law should then be numbered with the next consecutive local law number, as described above, and then submitted to the Department for filing.
7. Each copy of a local law filed with the Secretary of State shall have affixed to it a certification by the Clerk of the County legislative body or the City, Town or Village Clerk or other officer designated by the local legislative body. Certification forms are provided herewith.
 8. A copy of each local law may be mailed or delivered to:
NYS Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231.

(DO NOT FILE THIS INSTRUCTION SHEET WITH THE LOCAL LAW.)

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 Ogden

Local Law No. 9 of the year 20 23

A local law Of the Town of Ogden proposing to establish an alternate membership position on the Zoning Board
(Insert Title)
of Appeals and the Planning Board of the Town of Ogden which alternate member shall be entitled to
serve whenever there is an absence of a presently appointed member or when a presently appointed
has a conflict of interest precluding their participation in a particular application

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

County City Town Village
(Select one:)

Of Ogden

as follows:

Resolution #249-9.27.23

Resolution and Final Order
Introductory LOCAL LAW #9- 2023

A Local Law of the Town of Ogden proposing to establish an alternate membership position on both the Zoning Board of Appeals and the Planning Board of the Town of Ogden which alternate member shall be entitled to serve whenever there is an absence of a presently appointed member or when a presently appointed member has a conflict of interest precluding their participation in a particular application.

Introduced by: Councilman Baker Seconded by: Councilman Toms

WHEREAS, the Town Board of the Town of Ogden has considered the enactment of Introductory Local Law # 9-2023; and

WHEREAS, pursuant to Legal Notice duly given the Town Board of the Town of Ogden did hold and conduct a Public Hearing to consider the enactment of such Local Law, at which hearing all interested persons were heard concerning the subject matter thereof; and

WHEREAS, the Town Board did heretofore adopt a Resolution and Negative Declaration of Environmental Significance with respect to the enactment of the subject Local Law; and

WHEREAS, the Town Board is now desirous of enacting Local Law # 9-2023;

NOWHEREFORE, BE IT RESOLVED, by the Town Board of the Town of Ogden, New York as follows:

SECTION I: That the Town Board of the Town of Ogden does hereby enact Local Law # 9-2023 to read and provide

as follows:

A LOCAL LAW ESTABLISHING THE POSITION OF ALTERNATE MEMBERS TO THE ZONING BOARD OF APPEALS AND PLANNING BOARD

SECTION I. Creation of Alternate Member Positions.

The Town Board of the Town of Ogden is empowered pursuant to § 267 and § 271 of Town Law and Municipal Home Rural to create the position of Alternate Member to serve on the Zoning Board of Appeals and Planning Board and such positions are hereby created.

SECTION II: Appointment of Alternate Members-Zoning Board of Appeals and Planning Board.

The Town Board of the Town of Ogden is empowered by Resolution to appoint an Alternate Member to the Zoning Board of Appeals and Planning Board by Resolution of the Town Board adopted from time to time.

SECTION III: Service of Alternate Member.

The Alternate Member of the Zoning Board of Appeals and Planning Board may serve whenever a present member of either Board shall recuse themselves from participation due to an announced conflict of interest or when any presently member of either Board shall be absent. No such Alternate Member shall be entitled to act upon any application before the Board pending at the time of their appointment.

SECTION IV: Educational Requirements.

Before serving as an Alternate Member to either of such Boards, such duly appointed Alternate Member shall participate in and complete all required education and training requirements of such position.

SECTION V: When Effective.

This Local Law shall be effective upon adoption upon the Town Board and filing of the same with the Secretary of State.

SECTION II: That the Town Clerk is hereby directed to file this Local Law with the Secretary of State.

Vote of the Board:

Ayes: Zale, Baker, Gerbino, Hinman, Toms
Nays: None

(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. 9 of 2023 of the (Town) of Ogden was duly passed by the Town Board on September 27, 2023, 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) _____
(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)*

* 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 ,1 above.

Nedde M. Bunley
Clerk of the county legislative body, Town Clerk or officer
designated by local legislative body

Date: 10/3/2023

(Seal)