

CHRISTOPHER IVERS
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DEPUTY MAYOR

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TRUSTEE

EDDIE LEE
TRUSTEE

KATARINA G. WOODS
TRUSTEE

MARY KAY YANIK
ATTORNEY



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CLERK/TREASURER

SHAWN FORRESTER
DEPUTY CLERK/TREASURER

ANDREW W. CHANLER
FIRE CHIEF

DANIEL J. QUINLAN
SUPERINTENDENT OF PUBLIC WORKS

ERIC G. OSGANIAN
CHIEF OF POLICE

CRAIG WADSWORTH
CODE ENFORCEMENT OFFICER

August 1, 2023

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

RE: Village of Geneseo – Local Law #2 of 2023

To Whom it May Concern:

Enclosed please find a copy of Local Law #2 of 2023 for the Village of Geneseo, New York. This local law was adopted by the Village Board of Trustees on Monday, July 31, 2023.

I ask that your office return a letter to the Village of Geneseo Clerk's Office stating that this local law has been filed in the Office of the Department of State.

If you have any questions or concerns, please feel free to contact me at 585-243-1177 ext. 102.

Sincerely,

Aprile S. Mack
Clerk/Treasurer

Enc.

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 Geneseo

Local Law No. 2 of the year 2023

A local law modifying and extending the existing moratorium on inns within the Village of Geneseo.
(Insert Title)

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

County City Town Village
(Select one.)

of Geneseo as follows:

ARTICLE 1: ENACTMENT, AUTHORIZATION, TITLE, PURPOSE

Section 101: Enactment and Authorization

The Village of Geneseo Board of Trustees does hereby ordain and enact the modification and extension of the current moratorium on new applications for inns within the Village of Geneseo pursuant to authority and provisions of Section 10 of the Municipal Home Rule Law.

Section 102: Title

This local law shall be known as the Village of Geneseo moratorium on inns with the Village of Geneseo.

Section 103: Purpose

- a) It is the purpose of this local law to protect the public interest for the Village of Geneseo to designate certain areas within the confines of the Village of Geneseo as zones generally for commercial and/or residential purposes.
- b) It is the further purpose of this local law to allow further time for the Village of Geneseo Board of Trustees to clarify the term "transients" as used in the definition of "Inns" pursuant to the Village of Geneseo Code Section 130-5.
- c) It is the further purpose of this local law to extend the moratorium on inns as imposed by local law#1 of 2023.

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

one extra page = ★

(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. 2 of 2023 of the ~~(County)(City)(Town)~~(Village) of Geneseo was duly passed by the Village Board of Trustees on July 31 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 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.

Opile S. Mack

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

Date: 07/31/2023



ARTICLE II: IMPOSITION OF MORATORIUM

Section 201: Imposition of Moratorium

For a period of six months after the date of filing this local law with the Department of State, a new application for an inn shall not be granted for any street level space or location within the Village of Geneseo. For purposes of this local law, the term "inn" is defined in the Village of Geneseo Code Section 130-5 as follows:

"A commercial facility for the housing and feeding of transients, containing more than five rooms and less than 35 rooms. The facility may have an ancillary use such as a restaurant or bar." This local law is applicable to the prohibited use of space from the date of the proposed local law in the Village of Geneseo regular monthly meeting agenda.

ARTICLE III: VALIDITY

Section 301: Validity

If any section, sentence, clause, or phrase of this local law is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this local law.

ARTICLE IV: EXPIRATION

Section 401: Expiration

This six (6) month extended moratorium, unless otherwise extended by the Village Board of Trustees shall expire upon (a) the enactment of a local amending the current definition of "inns" by defining the word "transients" as found in said definition; (b) the adoption by the Village of Geneseo Board of Trustees of a resolution expressing said Board's determination that the further regulation would not be appropriate; or(c)the elapse of six months from the effective date of this local law, whichever shall first occur.

ARTICLE V: EFFECTIVE DATE

Section 501: Effective Date

This Local Law shall take effect immediately after filing it with the Secretary of State.

