

CITY OF BEACON



Iola C. Taylor
City Clerk
One Municipal Plaza, Suite One
Beacon, New York 12508

Telephone (845) 838-5003
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I, IOLA C. TAYLOR, Clerk of the City of Beacon, New York, do hereby certify that the attached is a true and accurate copy of Local Law No. 13 of 2017 entitled:

A LOCAL LAW TO AMEND MORATORIUM ON DEVELOPMENT TO ADD AN EXEMPTION FOR EXISTING INDUSTRIAL/MANUFACTURING BUILDINGS

adopted by the Beacon City Council at a regular meeting held on October 16, 2017. Council Member Wetherbee made the motion to adopt the proposed local law. The motion was seconded by Council Member Mansfield. On roll call Council Members Harper, Mansfield, Wetherbee, Ross and Mayor Casale voted in favor (5). Council Member Muhammad was opposed (1). Council Member Kyriacou was absent (1). Motion Carried.

WITNESS THERE I have set my hand and seal of the City of Beacon this 17th day of October, 2017.

Signed Iola C. Taylor
Iola C. Taylor, City Clerk

SEAL

(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. 13 of 2017 of the City of Beacon was duly passed by the City Council on October 16, 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 Officer*.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20__ of the City of Beacon was duly passed by the City Council 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 City of Beacon was duly passed by the City Council 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 _____ was duly passed by _____ 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.

* 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 chairman 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.)~~

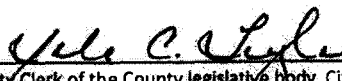
~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified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



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

(Seal)

Date: October 17, 2017

(Certification to execute 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

City Attorney

Title

City of Beacon

Date: October 17, 2017

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.

County
City of.....**Beacon**.....
Town
Village
Local Law No....13...of the year....2017.....

BE IT ENACTED by the City Council of the City of Beacon as follows:

Section 1. Section 3.2 of the City of Beacon Moratorium on Development is hereby amended as follows:

Section 3. Moratorium

...

2. All applications for building permits, use variance, area variance, special use permit, site plan approval and subdivision approval submitted to the City on or before July 25, 2017 or pending before the Building Department or Land Use Board are exempt from this moratorium. Any application submitted after July 25, 2017 may be heard and reviewed by the Planning Board or Zoning Board of Appeals, but may not be subject to a vote. The Land Use Board may hold public hearing and discuss the application, but the Land Use Board may not formally approve or deny such application. Any building permit application for a single-family home and any application seeking a modification or extension of an existing approval that does not increase the density (by unit or bedroom count) shall be exempt from this moratorium and any residential application that would result in an increase in water usage of less than 330 gallons of water per day, as determined by the City Building Inspector, is exempt from this moratorium. Any non-residential application that would result in an increase in water usage of less than 2,000 gallons per day, as determined by the City Building Inspector, is exempt from this moratorium. In addition, this moratorium shall not apply to the reuse of any existing non-residential building for industrial or manufacturing uses, as determined by the Building Inspector, where such use does not increase the existing building footprint or otherwise increase the building square footage.

Section 2. Ratification, Readoption and Confirmation

Except as specifically modified by the amendments contained herein, the City of Beacon Moratorium on Development is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

Section 3. Numbering for Codification

It is the intention of the City of Beacon and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the City of Beacon; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word "Local Law" shall be changed to "Chapter," "Section" or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

Section 4. Severability

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt there from.

Section 5. Effective Date

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