SECTION 627 Mobile Home Parks

Mobile Home Parks shall consist of 2 or more mobile homes located on a single lot. In the development of new parks as well as the expansion of existing parks, the following conditions shall be maintained:

A. Area and Setback Requirements -
1. Size of Park - Parks shall be created on a parcel(s) of land totaling at least 5 acres.
2. Buffer - An appropriate vegetation or open space buffer shall be located around the perimeter of the park. The type and size of the buffer shall be determined by the density and type of adjacent uses and the need for separating the uses. As a minimum, a 25 foot buffer (open space or vegetation) shall be required with the Zoning Board of Appeals determining the need for a greater buffer.
3. Lot Size - Each mobile home lot shall consist of a lot of a minimum of 11,000 square feet and a minimum of 70 feet at the narrowest point. The park shall average no more than 4 mobile homes per acre.

B. Drainage - The park shall be located on a well-drained site properly graded to insure rapid drainage and freedom from stagnant pools of water.

C. Streets/Walkways/Parking -
1. Parking - Space for parking of 2 automobiles must be provided for each mobile home lot adjacent to it.
2. Park Roadways - Park roadways shall be a minimum of 20 feet in width and shall all have unobstructed access to a public street or highway.
3. Walkways - Walkways of not less than 2 feet in width shall be provided to the service buildings.
4. Grade & Surface Composition - All driveways and walkways within the park shall be of suitable grade and shall be surfaced with gravel as a minimum.

D. Skirting - Mobile homes shall be skirted with an attractive fire resistant material within 30 days from the time of setup.

E. Lighting & Utilities - All driveways and walkways within the park shall be lighted at night with electric lamps of such candle power and so situated as may be directed by the Zoning Board of Appeals. It is recommended that consideration in each instance be given to the construction of all utilities underground. It shall be required that all lines between the meter and lot be underground.

F. Patios - All lots may have a patio convenient to the entrance of each mobile home.

G. Park Design - It is recommended that the design of the park not be barracks-like in nature and not designed on the gridiron pattern with identical rectangular spaces. The angling of spaces and the clustering of mobile homes around cul-de-sacs could be considered. Should this latter type of design be hampered by the minimum space size of 11,000 feet and space width of 70 feet, the Municipal Board, upon recommendation of the Zoning Board of Appeals shall have the authority to wave those 2 requirements.

SECTION 628 Travel Trailer-Accessory Use

A. Length of Occupancy - Travel trailers may be lived in on a seasonal basis but shall not be used as a permanent year-round home.

B. Utility Hookups - When a travel trailer is inhabited for an extended period of time and it is possible that a health violation could exist, the Chautauqua County Health Department shall be notified in writing and requested to investigate.

C. Location - Whether inhabited or not, travel trailers shall be placed a minimum of 25 feet from any property line. Travel trailers may be stored as long as it does not create a nuisance.

SECTION 629 Travel Trailer Campgrounds (Commercial)

Travel Trailer Campgrounds shall be allowed in AR1 and T Districts by Special Use Permit in accordance with the following conditions:

A. Area & Setback Requirements -
1. All lots (pads) shall be a minimum of 75 feet from any public highway.
2. A 20 foot wide buffer zone of appropriate vegetation shall be provided around the circumference of the park, where adjacent property use is of such a nature that there could be conflicts.
3. Minimum lot sizes shall be 2,500 square feet for a vacation camp and 1,500 square feet for overnight camps, as required by State Law.

B. Streets & Walkways -
1. Access to the park must be designed to assure safe and convenient movement of traffic into and out of the park with a minimum disruption of traffic on adjacent streets. This shall include a minimum clear view of 150 feet while pulling out onto the adjacent street.
2. Walkways shall be provided to service buildings.

C. Parking - Offstreet parking, loading, and maneuvering space shall be provided.

D. Occupancy - Travel trailers shall be used for seasonal occupancy only. Trailers shall not be utilized as a permanent residence.

E. Accessory Uses - Accessory uses such as snack bars, recreational facilities, showers, laundromats, etc., customarily associated with travel trailer campgrounds shall be permitted. However, the land utilized in this manner should not account for more than 10% of the total area of the park and the services shall be directed towards the occupants of the park. Finally, no commercial character shall be visible from outside the park and such services shall only be allowed when the number of sites is sufficient to support these services.

F. Location - Parks shall not be located so as to cause heavy traffic to be directed through residential areas not accustomed to or capable of supporting heavy traffic.

G. Preexisting Camps - Travel trailer camps in existence before the enactment of this Law shall be subject to all of the regulations in this Law within reason as determined by the permitting board. Compliance shall occur within 3 month or a longer specified time period if it is determined in a written decision to be necessary.

SECTION 630 Gas Compressors, Generators, and Related Equipment

A. Purpose - To promote the safety and general welfare of the public and to maintain the quality of neighborhoods by reducing continuous or frequent unreasonably loud noises associated with the operation of gas compressors, generators, and equipment connected thereto. The conditions specified in this section are to be enforced for all gas compressors, generators, and equipment connected thereto not already subject to New York State Law and regulations.

B. Administration -

1. Permit Requirements - A Special Use Permit shall be required for the placement of a gas compressor, generator, and all equipment connected thereto.
2. Preexisting Gas Equipment - All gas compressors, generators, and equipment connected thereto in place or being placed on real property at the time of the enactment of this section and for which a permit has not been issued by the Zoning Officer shall be subject to the following specific conditions: C1, Location; C2, NOise Levels; C3, Certification of Noise Levels; C4, Buffers; C5, Identification Signs; and D, Protective Fencing. Notification to comply must be given within 10 days of enactment and compliance shall take place within 60 days after notification. A longer compliance period may be granted by the Permitting Officer after appropriate public hearing if the cost of the alterations are significantly high.

C. Conditions - All gas compressors, generators, and equipment connected thereto shall be located and and designed such that noises associated with the use shall be mitigated to the standards set forth herein. It shall be unlawful for any person or firm owning or operating gas compressors, generators, and related motorized equipment to make, continue or cause to be made or continued any noise in excess of the standards specified herein. The following specific conditions shall be met.

1. Location - The equipment and appropriate mechanical silencing apparatus shall be appropriately located with consideration given to predominant wind direction, topography, location of dwelling units and other relevant physical factors, including ambient noise levels and natural acoustical buffers. The equipment shall be located on land owned or leased by the operator of the equipment and placed no closer than 500 feet (as a safety factor only) from any dwelling unit which is present on the date the permit is granted and all proposed residential construction for which a zoning permit has been received and substantial work has been completed within 1 year from the granting of the permit.

2. Noise Levels -
   a. Decibel level (existing equipment) - The compressors, generators, and equipment connected thereto shall be designed, operated, and maintained by the owner or operator so that the sound level produced by the equipment does not exceed 40 decibels (A-weighted) (expressed as 40 dBA) sound level at the exterior of any presently existing residence and all proposed residential construction for which a Zoning Permit has been received and substantial work has been completed within 1 year from the granting of the permit.
   b. Decibel level (proposed equipment) - The compressor, generator, and equipment connected thereto shall be designed, operated, and maintained with good engineering practices and shall not emit noise at a level exceeding 40 dBA at the distance from the compressor predicted by the inverse square law and atmospheric attenuation at standard conditions to yield 40 dBA when the criteria (52 + 10 log HP) dBA at 50' on-axis to the heat-exchanger fans) is invoked.
   c. The compressor, generator, and equipment connected thereto shall not be operated except for daytime testing until the owner or operator demonstrates that the compressor meets the performance standards expressed in Paragraphs C2a and C2b above. It is the responsibility of the owner or operator of the equipment to satisfy these standards.
   d. The same standards of performance described in Paragraphs C2a, C2b, and C2c above shall be required for any continuously operating power source and meeting this requirement shall be the responsibility of the owner and/or operator of the source.
3. Certification of Noise Level - Prior to being granted a permit for the placement of equipment, the owner or operator of the equipment proposed to be placed shall be responsible for verifying that the equipment and quieting devices (silencer, low speed fan, building, buffers, etc.) as proposed will meet the specified DB level requirements. An ambient noise study conducted by a qualified expert in acoustical engineering must be submitted in writing with the permit application for the ambient noise level of the location and at occupied dwelling units located in proximity thereto. Additionally, after placement of the equipment is completed along with the specified quieting devices, the same noise consultant must verify that the decibel requirements are complied with.
4. Buffers - Where it is deemed necessary, either a natural or man-made acoustical buffer may be required for the purpose of minimizing the nuisances associated with the equipment. In extreme cases where no alternative is available, a fully enclosed and muffled structure may be required.
5. Identification Sign - Each piece of equipment shall be identified with a sign conspicuously placed at the intersection of the access road and the public highway, identifying the equipment, its location and the name of the person/company responsible for the unit and a 24-hour emergency telephone number.
6. Protective Fencing - All compressors, generators, and related equipment not surrounded by a building constructed to bring the equipment in compliance with the decibel levels herein specified shall be surrounded by a protective fence of suitable construction as a safety factor.

SECTION 701 Enforcement

This Law shall be enforced by the Zoning Officer who shall be appointed by the municipality. No Zoning Permit shall be issued by him except where there is compliance with all provisions of this Law.

SECTION 702 Duties

It shall be the duty of the Zoning Officer in connection with this Law to do the following:

A. Permits - Issue Zoning Permits or refuse to issue the same and give the reasons for such refusal to the applicant in writing.

B. Records - Keep a record of all applications for permits and record of all permits issued with a notation of all special conditions involved.

C. Fees - Receive all required fees and deposit them with the Municipal Clerk.

D. Coordination - Keep the Municipal Board and the Zoning Board of Appeals and Planning Board informed and advised of all matters, other than routine matters in connection with this Law.

E. Reports - Submit such reports as may be deemed necessary.

F. Assist Applicants - Whenever possible to advise and assist persons applying for Zoning Permits with the preparation of their applications.

G. Violations - Assist in securing warrants and prosecution of violators of the provisions of this Law.

H. Notices - Serve all notices that may be required to be served in connection with this Law.

I. Fire Inspector - Notify fire inspector of all permits issued.

J. Amendment Recommendations - Make recommendations for keeping the Zoning Law and accompanying map up-to-date.

K. Inspections - Inspect new construction or changes of use during and/or after construction or change in use to insure conformity with the provisions of this Law and other applicable laws.

SECTION 703 Zoning Permits

A. No building, structure, or lot shall be erected, added to, structurally enlarged or changed to another use until a Zoning Permit has been issued by the Zoning Officer. Excluded, however, from these Zoning Permit requirements are:
   1. Interior modifications unless additional dwelling units or different types of uses are created.
   2. Home repairs or improvements not involving additions or enlargements of floor space.
   3. Uses listed in the district regulations as allowed with no permit. When a project is excluded from the Zoning Permit requirement, it is still subject to all applicable regulations of this Law such as yard setbacks, etc.

B. Permit Contents - The application for a Zoning Permit shall be made on a form obtained from the Zoning Officer. The form shall, as a minimum, contain the following:
   1. Applicant information - name, address, etc.
   2. Property identification - street address and Section/Block/Lot.
   3. Project description including purpose - proposed use.
   4. Construction type - height, family units, lot dimension, setbacks, accessory buildings, etc.
   5. Other information - copy of Health Department permit, offstreet parking, location of wetlands, floodplains, need for curb cut.
   6. Signature of applicant.
   7. Sketch drawn to approximate scale showing the lot size, setback, highways.

C. Commercial Permit Requirements - All applications for Zoning Permits for commercial buildings must contain information detailing drainage and landscaping plans, offstreet parking, offstreet loading, and any other data the Zoning Board of Appeals deems necessary.

D. Validity - Zoning Permits shall be valid for a 1-year period only. However, they may be extended for an additional 6-month period with the approval of the Zoning Officer. Within 1 year from the date that the Zoning Permit is granted, the exterior of the structure shall be completed, backfilling and rough grading will be accomplished, and no new building materials will be stored outside. Upon expiration of the 1-year period, a new Zoning Permit will be required in order not be in violation of the Zoning Law.

E. Notification of Adjacent Property Owners - The Zoning Officer may attempt to notify adjacent property owners when requests are filed for Zoning Permits on adjoining property, if, in the opinion of the Zoning Officer, the proposed project is of such a nature to be controversial. Failure of such adjacent property owners to receive such notice, however, shall not be a basis for invalidating such a Zoning Permit, nor of contesting the actions of the Zoning Officer, Board of Appeals, Planning Board, or the Municipal Board in regard to the issuance or withholding of such permit.

F. Decisions - All decisions by the Zoning Officer to grant or deny a Zoning Permit shall be made in writing within 10 days from the time that the completed Zoning Permit form is submitted along with full payment of the required fee. The decision form shall, as a minimum, include a project description, location information, reference to section of the Zoning Law which would not be complied with and a description of alternatives open to applicants who are turned down.

SECTION 704 Schedule of Fees

Dwelling Units (Per Unit)	
Up to 1,500 Sq. Ft.	$10.00
Over 1,500 Sq. Ft.	20.00
Accessory Uses	5.00
Business (Nonagricultural)	
Up to 1,500 Sq. Ft.	20.00
Over 1,500 Sq. Ft.	40.00
Agricultural Use	10.00
All Other Uses	10.00
Hearing Fee in Addition to Above Fees	10.00

ARTICLE VIII
NONCONFORMING USES

SECTION 801 Continuation

The lawful use of any building or land existing at the time of the enactment of this Law may be continued although such use does not conform with the provisions of this Law. All preexisting uses which do not conform with specific provisions of this Law shall not be required to comply with these provisions unless it is specifically stated within this Law that they must comply within a certain reasonable time period.

SECTION 802 Alteration of Structures

A. Unsafe Structures - Nonconforming buildings damaged by fire, wind and other catastrophic causes as well as structures declared to be unsafe due to general dilapidation may be restored or rebuilt for the nonconforming use it was used for last. Unsafe structures cannot be restored or rebuilt if it would result in a use which is more nonconforming than the structure was prior to becoming unsafe. When the unsafe condition was caused by fire, wind, or any catastrophic causes, the permit must be applied for within 6 months from the date of the fire, etc. Otherwise, the Zoning Permit need not be granted.

B. Alterations of Structures - A nonconforming structure may be added to or altered during its life to an extent of up to 50% of the market value of the building. As long as the alterations do not cause the structure to be more nonconforming. If the alterations are made to bring the building into conformity with all provisions of this Law, then the 50% rules does not apply alterations above 50% shall be allowed if all conditions of this Law are met.

SECTION 803 Prior Approved Construction

Nothing herein contained shall require any change in plan, construction, or designated use of a building for which a Zoning Permit has been heretofore issued and the construction of which shall have been diligently carried on within 3 months of the date of such permit.

SECTION 804 Abandonment

Whenever a nonconforming use has been voluntarily discontinued for a period of 1 year, such use shall not thereafter be reestablished, and any future use shall be in conformity with the provisions of this Law.

SECTION 805 Displacement

No nonconforming use shall be extended to displace a conforming use.

SECTION 806 District Changes

Whenever the boundaries of a district or zone shall be changed so as to transfer an area from one district or zone to another district or zone of a different classification, the provisions of this article shall also apply to any nonconforming uses existing therein.

SECTION 807 Nonconforming Yards Changes

An allowed use which is not in conformance with yard requirements (e.g., setbacks, etc.) may be removed and replaced with another structure (same use) which is more in compliance with the yard requirements without going through area variance procedures. The Zoning Officer shall determine the applicability of this section to specific cases.

SECTION 808 Use Changes

Once changed to a conforming use, no building or land shall be permitted to revert to a nonconforming use.

A legal nonconforming use may be changed to another nonconforming use which is of such a character so as to be less of a nuisance and more in conformance with the Zoning Law requirements. Once changed, the use would not be allowed to return to the original use. The Zoning Board of Appeals would make all determinations as to what new conforming uses would be allowable through the normal use variance procedures (see Section on Variances).

SECTION 809 Nonconforming Mobile Homes

Mobile homes legally existing at the time this Law goes into effect shall continue to be allowed, even in districts where they are presently not to be allowed.

All conforming mobile homes may be replaced with more conforming mobile homes (e.g., floor space requirements).

ARTICLE IX
ZONING BOARD OF APPEALS

SECTION 901 Creation

A Zoning Board of Appeals is hereby created. Said Board shall be appointed and function in accordance with the enabling law. Said Board shall consist of 5 members. The Board may prescribe for its affairs.

SECTION 902 General Procedures

A. Duties - The Zoning Board of Appeals shall act in strict accordance with procedures specified by law and by this Zoning Law. The major duties of the Board shall be to hear and decide on variance requests as well as to interpret the meaning of the Zoning Law as requested and to consider Special Use Permit requests.

B. Format for Requests - All requests shall be in writing on forms prescribed by the Zoning Board of Appeals. Specific provisions of the Zoning Law shall be referred to and as a minimum, the following information shall be provided by the person requesting the variance/interpretation:
1. property identification;
2. project description;
3. sketch;
4. reasons for permit denial;
5. proof of unnecessary hardship or practical difficulties; and
6. hearing information.

C. Referral to Planning Board - On an optional basis, the Zoning Board of Appeals may request in writing a recommendation by the Planning Board. The Planning Board should receive all necessary information at least 2 weeks prior to the hearing date. The advisory opinion shall be received by the Zoning Board of Appeals prior to the hearing. The failure of the Planning Board to submit said report shall be deemed to be an approval of the appeal or interpretation in favor of the applicant.

D. Hearings - All hearing procedures shall be in accordance with appropriate laws with respect to notices, timeliness, etc.

E. Decisions - Every decision of the Zoning Board of Appeals shall be by resolution, each of which shall contain a full record of the findings.

SECTION 903 Interpretation

The Zoning Board of Appeals shall have the power to interpret the meaning of this Zoning whenever called upon by the Municipal Board, Zoning Officer or an aggrieved party who has been denied a Zoning Permit. This interpretive power shall include the determination of district boundary lines.

SECTION 904 Use & Area Variances

A. Reasons for Variances - The Zoning Board of Appeals has the authority to vary or modify the strict letter of the Zoning Law where a literal interpretation would cause practical difficulties (Area Variances) or unnecessary hardships (Use Variance).

B. Applicability & Limitations - The Zoning Board of App[illegible] can decide appeals from a person who feels aggrieved by a decision of the Zoning Officer. The Zoning Board of Appeals may reverse, affirm, or modify the decision made by the Zoning Officer.
The Zoning Board of Appeals has absolutely no power to amend the Zoning Law and must exercise great care to insure that its rulings do not in effect amend the Zoning Law.

C. Basis for Granting Area Variances - Area Variances provide relief of a dimensional nature, (e.g., lot shape or grade) and must be based on practical difficulty. The burden of proof is on the applicant and, if relief is warranted, it should be the minimum necessary.
The following 5 determinations must be considered in order to decide if "Practical Difficulty" is present:
1. How substantial the variation is in relation to the requirements of the Zoning Law.
2. The effect of the proposal on increased population density and governmental facilities (e.g., fire, water, etc.).
3. Whether a substantial change in the character of the neighborhood or a detrimental effect on adjoining properties would take place.
4. Whether the difficulty can be eliminated by some other reasonable alternative other than a variance (e.g., add room to other side of house).
5. Will justice be served in allowing the variance.

7 The fact that the practical difficulty was self-imposed does not disqualify the applicant from being granted an Area Variance.
If a property owner will suffer significant economic injury by strict interpretation of the area standards and practical difficulties are present, then the Area Variance can only be denied based on health, safety or general welfare reasons.

D. Basis for Granting Use Variances - Use Variances provide relief to an applicant who is denied thru application of the Zoning Law by the Zoning Officer the right to use land or structures in a certain manner since the use is not listed as an allowable use in the Zoning Law. In order to be granted the Use Variance the applicant must prove that "Unnecessary Hardship" exists and this is accomplished by showing all of the following:
1. The land in question cannot yield a reasonable return if used only for a purpose allowed in the district. This does not mean that profits will necessarily be maximized.
2. The use requested by the variance will not alter the essential character of the neighborhood, and be detrimental to properties in the vicinity.
3. The plight of the applicant is due to unique circumstances and not to the general conditions in the neighborhood. This last factor shall not in itself be the basis for denying a Use Variance.

7 In the case of a Use Variance, if the hardship is self-imposed then the variance should generally speaking, be denied. An example of this would be the purchase of property which is not appropriate for the proposed use.

E. In granting any variance, the Zoning Board of Appeals shall prescribe any conditions that it deems to be necessary or desirable.
The decisions must be written in the form of a resolution and must state in detail the reasons for granting or denying the variance and the conditions imposed.

SECTION 905 Special Use Permits

1. General Provisions - The special uses listed in this Zoning Law for which conformance to additional standards are required shall be deemed to be permitted uses in their respective districts, subject to the satisfaction of the requirements and standards set forth herein, in addition to all other requirements of this Zoning Law. All such uses are hereby declared to possess characteristics of such unique and special forms that each specific use shall be considered as an individual case.
2. Standards - The location and size of the use, the nature and intensity of the operations involved, the size of the site in relation to it, and the location of the site with respect to the existing or future streets giving access to it, shall be such that it will be in harmony with the orderly development of the district and the location, nature and height of buildings, walls and fences will not discourage the appropriate development and use of adjacent land and buildings or impair the value thereof. Operations in connection with any special use shall not be more objectionable to nearby properties by reason of noise, fumes, vibrations, or lights, than would be the operations of any permitted use.
3. Conditions - In the granting of Special Use Permits, the Planning Board shall attach such conditions and safeguards as it deems appropriate under this Law.
   The Supplemental Section of this Law entitled General Conditions will be referred to and used as a checklist of possible conditions to be attached to the Special Use Permit being request. It should not be assumed that this Section is all-inclusive.
   A plan for the proposed development of a site for designated special use shall be submitted with an application for a Special Use Permit, and plan shall show the location of all buildings, lots, parking areas, traffic access and circulation drives, open spaces, landscaping, and any other pertinent information that the Zoning Board of Appeals deems necessary.
4. Procedures - The Planning Board shall act in strict accordance with procedure specified by law and by the Zoning Law with regard to public hearings, notices, publications, etc.
5. Expiration - A Special Use Permit shall be deemed to authorize only one particular use and shall expire of the special use shall cease for more than 1 year for any reason.
6. Existing Violations - No Special Use Permit shall be issued for a property where there is an existing violation of this Law.

SECTION 906 Mandatory Referral (General Municipal Law 239-l & m)

A. Before issuing a special use permit or granting a variance affecting any real property lying within a distance of 500 feet of the boundary of this Municipality or from the boundary of any existing or proposed county or state park or other recreation area, or from the right-of-way of any existing or proposed county or state parkway, thruway, expressway, road or highway, or from the channel owned by the county or for which the county has established channel lines, or from the existing or proposed boundary of any county or state owned land on which a public building or institution is situated, the matter shall be referred to the Chautauqua County Planning Board.

B. Within 30 days after receipt of a full statement of such referred matter, the Chautauqua County Planning Board to which referral is made, or an authorized agent of said agency shall report its recommendations thereon to the Board of Appeals, accompanied by a full statement of the reasons for such recommendations. If the Chautauqua County Planning Board fails to report within such period of 30 days, the Board of Appeals may act without such report. If the Chautauqua County Planning Board disapproved the proposal, or recommends modification thereof, the Board of Appeals shall not act contrary to such disapproval or recommendation except by a vote of a majority plus one of all the members thereof and after the adoption of a resolution fully setting forth the reasons for such contrary action.

C. Within 7 days after final action by the Board of Appeals, modifications or disapproval of a referred matter, the Board of Appeals shall file a report of the final action it has taken with the Chautauqua County Planning Board which had made the recommendations, modifications, or disapproval.

ARTICLE XII
VIOLATIONS AND PENALTIES

ECTION 1201 Violations

Whenever a violation of this Law occurs, any person may file a complaint in regard thereto. All such complaints must be in writing and shall be filed with the Zoning Officer, who shall properly record such complaint and immediately investigate. However, the Municipal Board shall be responsible for insuring compliance with this Law when it is brought to their attention that a violation may exist, even though no formal complaint is filed.

ECTION 1202 Penalties

Any violation of any provision of this Law be any person shall be punishable by fine not to exceed $50. Each week's continued violation shall constitute a separate additional violation.

ARTICLE XIII
LEGALITY

SECTION 1301 Conflicts

In their interpretation and application, the provisions of this Law shall be held to be minimum requirement, adopted for the promotion of the public health, safety, or the general welfare. Whenever the requirements of this Law are at variance with the requirements of any other lawfully adopted rules, regulations, or ordinances, the most restrictive, or that imposing the higher standards, shall govern.

SECTION 1302 Separability

The invalidity of any provisions of this Law shall not invalidate any other part thereof.

SECTION 1303 Repealer

Any previously adopted regulations of the Municipality, dealing with issues covered in the Zoning Law together with all changes and amendments thereto, is hereby repealed and declared to be of no effect.

SECTION 1304 Effect

This Local Law shall take effect 10 days after the date of its publication and posting as required by Law.

(Please Use this Form for Filing your 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 ARKWRIGHT
Village

Local Law No. 1 of the year 19 91

A local law Amending the Town of Arkwright Zoning Law of 1988 of the Town of
(Insert title)
Arkwright, New York, to Provide for Certain Additions, Deletions and Changes to the Zoning Law of 1988.

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

County
City
Town of Arkwright as follows:
Village

Section 1. Section 401 of Article IV of the Town of Arkwright Zoning Law of 1988 is hereby amended to read as follows:

A. Purposes - AR1 Districts are established to promote maintenance of agricultural lands as well as to allow large lot residential development. The providing of municipal sewage or water systems is not recommended or encouraged. Any uses not listed herein are prohibited.

B. Uses by Right (Permit Required)
Single-family dwelling-detached (convent., prefab., modular)
Mobile homes in accordance with Section 625
Duplex-attached
Agricultural land use in accordance with Section 512
Agricultural buildings
General agricultural business
Animal farms (mink, etc.)
Sawmill-commercial
Horticulture-private
Nursery/greenhouse-commercial
Blacksmith shop
Utilities (public) (e.g. water)
Mobile homes for storage
Municipal office
Tennis court-private
Swimming pool-private in accordance with Section 611
Riding academy/stable
Garage-accessory
Customary accessory use (over 150 sq. ft.)
Customary accessory use (150 sq. ft. or less)
Storage structure (over 150 sq. ft.)
Storage structure (150 sq. ft. or less)
Signs in accordance with Section 614
Open porch or deck (100 sq. ft. or more)

Section 2. The title of Section 602 of Article VI of the Town of Arkwright Zoning Law of 1988 is hereby amended to read and provide as follows:

Section 602 - Cluster Development and Subdivision of Land.

(If additional space is needed, please attach sheets of the same size as this and number each)

Section 3. Section 619 B of Article VI of the Town of Arkwright Zoning Law of 1988 is hereby amended to read and provide as follows:

B. Initial Identification - When a potentially unsafe structure is brought to the attendion of the Zoning Officer and fire inspector, they shall, within a 5-day period, inspect the structure, and if inspection warrants further action, then an additional qualified inspector shall be called in to verify the findings.

Section 4. Section 619 C of Article VI of the Town of Arkwright Zoning Law of 1988 is hereby amended to read and provide as follows:

C. Written Report - A written report of the findings shall be submitted to the Municipal Board and if applicable, the County Health Department shall receive a report also.

Section 5. Section 619 F of Article VI of the Town of Arkwright Zoning Law of 1988 is hereby amended to read and provide as follows:

F. Noncompliance - In case the owner, agents or person in control cannot be found within a reasonable period of time, or if such owner, agent or person in control shall fail, neglect or refuse to comply with notice to repair, rehabilitate or demolish such building or structure or portion thereof, the Municipal Board shall be advised of all the facts in the case and shall institute an appropriate action to remedy the situation and the cost thereof shall be added to the taxes on that parcel of property.

Section 6. Section 620 C of Article VI of the Town of Arkwright Zoning Law of 1988 is hereby amended to read and provide as follows:

A. Number of Junk Vehicles Allowed - A maximum of 2 junk vehicles (cars, trucks, buses) shall be allowed to be maintained outdoors by each landowner(s). More than 2 junk vehicles shall constitute a vehicle dismantling yard and be subject to regulations in the dismantling/scrap yard section.

B. Location - All junk vehicles shall be stored so as not to be visible from public highways and/or adjoining parcels of property.

C. Preexisting Junk Cars - All junk vehicles existing at the effective date of this Law shall be brought into compliance with this section within 30 days from date of notification.

Section 7. Section 622 B of Article VI of the Town of Arkwright Zoning Law of 1988 is hereby amended to read and provide as follows:

B. Definition of Trash - glass, scrap metals, salvaged metals, rags, refuse, garbage, wastepaper, salvaged machines, appliances, industrial waste, contractor waste, tires, or similar materials, but not to include woodpiles, lumber, building materials, compost, used farm machinery, etc., which shall be stored in compliance with residence setback lines.

Section 8. The Preamble statement of Section 627 of Article VI of the Town of Arkwright Zoning Law of 1988 is hereby amended to read and provide as follows:

> Mobile Home Parks shall consist of 2 or more mobile homes located on a single lot. Each mobile home requires a separate permit. In the development of new parks as well as the expansion of existing parks, the following conditions shall be maintained:

Section 9. Section 802 A of Article VIII of the Town of Arkwright Zoning Law of 1988 is hereby amended to read and provide as follows:

> A. Unsafe structures - Conforming and nonconforming buildings damaged by fire, wind and other catastrophic causes as well as structures declared to be unsafe due to general dilapidation may be restored or rebuilt for the nonconforming use it was used for last. Unsafe structures cannot be restored or rebuilt if it would result in a use which is more nonconforming than the structure was prior to becoming unsafe. When the unsafe condition was caused by fire, wind or any catastrophic causes, the permit must be applied for within 6 months from the date of the fire, etc. Otherwise, the Zoning Permit need not be granted. If property owner fails to do so within 3 months of notification by the Town, the Town can have the structure demolished and the cost thereof assessed to the taxes on the parcel.

Section 10. Section 1201 of Article XII of the Town of Arkwright Zoning Law of 1988 is hereby amended to read and provide as follows:

> Whenever a violation of this Law occurs, any person may file a complaint in regard thereto. All such complaints must be in writing and shall be filed with the Zoning Officer, who shall properly record such complaint and immediately investigate. However, the Municipal Board shall be responsible for insuring compliance with this Law when it is brought to their attention that a violation may exist, even though no formal complaint is filed. All violations of this Law shall be issued summons under Arkwright Town Law.

Section 11. Section 1202 of Article XII of the Town of Arkwright Zoning Law of 1988 is hereby amended to read and provide as follows:

> Any violation of any provision of this Law by any person shall be punishable by fine not to exceed $250.00. Each week's continued violation shall constitute a separate additional violation.

Section 12. This act shall take effect upon filing with the Office of the New York State Secretary of State.

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein 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 19 91 of the County City Town Village of Arkwright was duly passed by the Town Board (Name of Legislative Body) on July 30, 19 91 in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer,* or repassage after disapproval.)

I hereby certify that the local law annexed hereto, designated as local law No. ..... of 19..... of the County City Town Village of ..... was duly passed by the ..... (Name of Legislative Body) on ..... 19 ..... not disapproved / and was approved / repassed after disapproval by the ..... Elective Chief Executive Officer*

and was deemed duly adopted on ..... 19 ....., 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 19 ..... of the County City Town Village of ..... was duly passed by the ..... (Name of Legislative Body) on ..... 19 ..... not disapproved / and was approved / repassed after disapproval by the ..... Elective Chief Executive Officer*

on ..... 19 ..... 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 .....19 ....., in accordance with the applicable provisions of law.

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. ..... of 19 ..... of the County City Town Village of ..... was duly passed by the ..... (Name of Legislative Body) on ..... 19 ..... not disapproved / and was approved / repassed after disapproval by the ..... Elective Chief Executive Officer*

on ..... 19 ..... Such local law was subject to a permissive referendum and no valid petition requesting such referendum was filed as of ..... 19 ....., 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 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 19 ..... of the City of ..... having been submitted to referendum pursuant to the provisions of §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 .... 19..... 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 19..... of the County of ....., State of New York, having been submitted to the Electors at the General Election of November ....., 19....., 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 of 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.

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

Date: July 31, 1991

(Seal)

(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 Chautauqua

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
Albert W. Foley
Attorney - Town of Arkwright
Title

Date: July 31, 1991

~~County~~ ~~City~~ Town ~~Village~~ of Arkwright

(Please Use this Form for Filing your 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 of ARKWRIGHT

Local Law No. 2 of the year 19 93

A local law Amending the Town of Arkwright Zoning Law
(Insert title)

Be it enacted by the Town Board (Name of Legislative Body) of the County / City / Town / Village of ARKWRIGHT as follows:

SECTION 1. Section Number 620 relating to Junk Cars of the Town of Arkwright Zoning Law, adopted January, 1988, be and is hereby amended and superseded by this Local Law, as follows:

SECTION 620 JUNK CARS - PRIVATE PROPERTY

A. Number of Junk Vehicles Allowed - A maximum of two junk vehicles shall be allowed to be maintained outdoors on any premises in the Town of Arkwright by the Landowner(s). More than two junk vehicles shall constitute a vehicle dismantling yard and be subject to regulations in the dismantling/scrap yard section.

B. Location - Any additional junk vehicles, other than the permitted two set forth in paragraph A above, shall be stored inside a building or in a place on the premises out of sight so as not to be visible from any public highway and/or adjoining parcels of property.

C. The definition of Landowner for the purpose of this section shall include the record title owner(s) of the premises, a life tenant, a tenant under a written or unwritten lease, a month to month tenant, squatters, a tenant by sufferance or any other person who occupies the premises with or without the owner's permission. Any such person described herein who drives, carries, or places directly or indirectly, a Junk Vehicle on any premise, located in the Town of Arkwright knowing that two other Junk Vehicles are already located out of doors on the premises shall be in violation of this section.

D. Pre-existing Junk Cars - All Junk Vehicles existing at the effective date of this Law shall be brought into compliance with this section within thirty (30) days from the date of adoption and filing of this Local Law.

(If additional space is needed, please attach sheets of the same size as this and number each)

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein 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 19 ..93.....
County
City
of the Town of ..ARKWRIGHT.... was duly passed by the ..TOWN BOARD.....
Village (Name of Legislative Body)

on April 21, ... 19 ..93..... in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer,* or repassage after disapproval.)

I hereby certify that the local law annexed hereto, designated as local law No. ..... of 19.....
County
City
of the Town of ..... was duly passed by the .....
Village (Name of Legislative Body)

not disapproved
on ..... 19 ..... and was approved by the .....
repassed after disapproval Elective Chief Executive Officer*

and was deemed duly adopted on ..... 19 ....., 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 19 .....
County
City
of the Town of ..... was duly passed by the .....
Village (Name of Legislative Body)

not disapproved
on ..... 19 ..... and was approved by the .....
repassed after disapproval Elective Chief Executive Officer*

on ..... 19 ..... 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
general
thereon at the special election held on .....19 ....., in accordance with the applicable
annual
provisions of law.

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. ..... of 19 .....
County
City
of the Town of ..... was duly passed by the .....
Village (Name of Legislative Body)

not disapproved
on ..... 19 ..... and was approved by the .....
repassed after disapproval Elective Chief Executive Officer*

on ..... 19 .....Such local law was subject to a permissive referendum and

no valid petition requesting such referendum was filed as of ..... 19 .....,
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 power to approve or veto local laws or ordinances.

ty local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. ..... of 19 ..... of the ~~CITY OF~~ ..... having been submitted to referendum pursuant to the provisions of §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 .... 19..... became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. ..2..... of 1993..... of the County of ..Chautauqua....., State of New York, having been submitted to the Electors at the General Election of November ....., 19....., 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 of 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.

Carol S. Gizowski

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

Date: April 21, 1993

Town Clerk, Town of Arkwright

(Seal)

(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 ....CHAUTAUQUA.....

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
Albert W. Foley
.....
Attorney - Town of Arkwright

Date: April 26, 1993

~~County~~ ~~City~~ Town ~~Village~~ of ..ARKWRIGHT.....

(Please Use this Form for Filing your 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 ARKWRIGHT
Village

Local Law No. 1 of the year 1991

A local law Amending the Town of Arkwright Zoning Law of 1988
(Insert title)

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

County
City
Town of ARKWRIGHT as follows:
Village

SECTION 1. Section Number 401E relating to Area Standards of the Town of Arkwright Zoning Law, adopted January, 1988 be and is hereby amended and superseded by this Local Law, as follows:

E. Area Standards - See Section 505 for substandard sized lots. Note that State Health laws may require more area than below.

1. Single-family dwellings and other allowed uses (excluding structures which house or are intended to house more than 1 family unit) shall meet the following standards:

Minimum Lot Size (Sq. Ft.)	43,560 1 acre
Minumum Lot Width (Ft.)	150
Minimum Front Yard (Measured from Middle of Road in Ft.)	75
Minimum Rear Yard (Ft.)	20
Minimum Side Yard (Ft.)	20
Minimum Floor Space (Sq. Ft.)	750

2. Attached multiple-family units shall meet the following standards:

Minimum Lot Size (Base	30,000
+ Square Feet Per Unit)	+10,000
Minimum Lot Width (Base	150
+ Feet Per Unit)	+15
Maximum Lot Coverage (% of lot area)	40
Minimum Front Yard (Measured from Middle of Road in Ft.)	75
Minimum Rear Yard (Ft.)	20
Minimum Side Yard (Ft.)	20
Maximum Stories	3½
Minimum Floor Space (Each Unit)	600
Minimum Mobile Home Size (Utilize Manufacturers' Advertised Size)	600

SECTION 2. This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule.

(If additional space is needed, please attach sheets of the same size as this and number each)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 19 93

of the County / City / Town / Village of Ackwright was duly passed by the Town Board (Name of Legislative Body)

on February 9 19 93 in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer,* or repassage after disapproval.)

I hereby certify that the local law annexed hereto, designated as local law No. ..... of 19.....

of the County / City / Town / Village of ..... was duly passed by the ..... (Name of Legislative Body)

on ..... 19 ..... not disapproved / and was approved / repassed after disapproval by the ..... Elective Chief Executive Officer*

and was deemed duly adopted on ..... 19 ....., 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 19 .....

of the County / City / Town / Village of ..... was duly passed by the ..... (Name of Legislative Body)

on ..... 19 ..... not disapproved / and was approved / repassed after disapproval by the ..... Elective Chief Executive Officer*

on ..... 19 ..... 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 .....19 ....., in accordance with the applicable provisions of law.

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. ..... of 19 .....

of the County / City / Town / Village of ..... was duly passed by the ..... (Name of Legislative Body)

on ..... 19 ..... not disapproved / and was approved / repassed after disapproval by the ..... Elective Chief Executive Officer*

on ..... 19 ..... Such local law was subject to a permissive referendum and no valid petition requesting such referendum was filed as of ..... 19 ....., 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 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 19 ..... of the City of ..... having been submitted to referendum pursuant to the provisions of §16 / §17 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 .... 19..... 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 19..... of the County of ....., State of New York, having been submitted to the Electors at the General Election of November ....., 19....., 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 of 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.

Carol S. Gizowski

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

Town Clerk, Town of Arkwright

Date: February 11, 1993

(Seal)

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 .....CHAUTAUQUA.....

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.

Albert W. Murray

Attorney - Town of Arkwright

Title

Date: 11 February, 1993

City / Town / Village of ...Arkwright.....

(Please Use this Form for Filing your 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 ARKWRIGHT
Village

Local Law No. 2 of the year 19 94

A local law AMENDING TOWN OF ARKWRIGHT ZONING LAW OF 1988 – FEE SCHEDULE
(Insert title)

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

County
City
Town of ARKWRIGHT as follows:
Village

SECTION 1.

Section 704 entitled "Schedule of Fees" of Article VII of the Town of Arkwright Zoning Law adopted February, 1988 be and the same is hereby rescinded.

SECTION 2.

Effective the 13th day of December, 1994, all Zoning Permit Fees applicable to the Town of Arkwright Zoning Law will be determined, ordered and posted, from time to time, by resolution(s) duly adopted or amended by the Town Board of the Town of Arkwright.

SECTION 3.

This Local Law shall take place immediately.

(If additional space is needed, please attach sheets of the same size as this and number each)

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 19 ..... of the City of ..... having been submitted to referendum pursuant to the provisions of §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 .... 19..... 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 19..... of the County of ....., State of New York, having been submitted to the Electors at the General Election of November ....., 19....., 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 of 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.

Carol Gizowski

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

Date: 19 December 1994

Carol Gizowski
Town Clerk
Town of Arkwright

(Seal)

(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 CHAUTAUQUA

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

Date: 19 December 1994

County / City / Town / Village of Arkwright

(Please Use this Form for Filing your 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 ARKWRIGHT
~~Village~~

Local Law No. 1 of the year 19 94

A local law amending the Town of Arkwright Zoning Law
(Insert title)

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

~~County~~
~~City~~
Town of ARKWRIGHT as follows:
~~Village~~

SECTION 1. Section Number 620 relating to Junk Vehicles of the Town of Arkwright Zoning Law, adopted January, 1988, as amended on April 21, 1993, be and is hereby further amended and superseded by this Local Law, as follows:

SECTION 620 JUNK VEHICLES - PRIVATE PROPERTY

A. Number of Junk Vehicles Allowed - A maximum of two junk vehicles shall be allowed to be maintained outdoors on any premises in the Town of Arkwright by the Landowner(s). More than two visible junk vehicles shall constitute a vehicle dismantling yard and be subject to regulations in the dismantling/scrap yard section.

B. All permitted junk vehicles located on private property must be stored at least 75 feet from the center line of any public highway that borders the premises and at least 20 feet from all other property lines of the premises. All excess junk vehicles, other than the two visible vehicles permitted, shall be stored so as to be out of sight from public highways and adjoining properties and concealed by an approved barrier. Cloth, plastic or paper covering over one or more junk vehicles shall not be considered a barrier as described in this subsection.

C. The definition of Landowner for the purpose of this section shall include the record title owner(s) of the premises, a life tenant, a tenant under a written or unwritten lease, a month to month tenant, squatters, a tenant by sufferance or any other person who occupies or uses the premises with or without the owner's permission. Any such person described herein who drive, carriers, or places directly or indirectly, a junk vehicle on any premise, located in the Town of Arkwright knowing that two other visible junk vehicles are already located out of doors on the premises shall be in violation of this section.

D. Pre-existing Junk Vehicles - All junk vehicles existing at the effective date of this Law shall be brought into compliance with this section within thirty (30) days from the date of adoption and filing of this local law.

(If additional space is needed, please attach sheets of the same size as this and number each)

omplete the certification in the paragraph which applies to the filing of this local law and strike out the matter herein 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 19 94 of the County City Town Village of ARKWRIGHT was duly passed by the TOWN BOARD (Name of Legislative Body) on March 8 19 94 in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer,* or repassage after disapproval.)

I hereby certify that the local law annexed hereto, designated as local law No. ..... of 19..... of the County City Town Village of ..... was duly passed by the ..... (Name of Legislative Body) on ..... 19 ..... not disapproved and was approved repassed after disapproval by the ..... Elective Chief Executive Officer*

and was deemed duly adopted on ..... 19 ....., 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 19 ..... of the County City Town Village of ..... was duly passed by the ..... (Name of Legislative Body) on ..... 19 ..... not disapproved and was approved repassed after disapproval by the ..... Elective Chief Executive Officer*

on ..... 19 ..... 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 annual special election held on .....19 ....., in accordance with the applicable provisions of law.

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. ..... of 19 ..... of the County City Town Village of ..... was duly passed by the ..... (Name of Legislative Body) on ..... 19 ..... not disapproved and was approved repassed after disapproval by the ..... Elective Chief Executive Officer*

on ..... 19 ..... Such local law was subject to a permissive referendum and no valid petition requesting such referendum was filed as of ..... 19 ....., 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 power to approve or veto local laws or ordinances.

(City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. . ..... of 19 ..... of the City of ... . having been submitted to referendum pursuant to the provisions of §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 . ... 19..... 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 19..... of the County of .. .., State of New York, having been submitted to the Electors at the General Election of November ....., 19....., 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 of 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.

Carol S. Hryniuk

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

Town Clerk, Town of Arkwright

Date: March 8 , 1994

(Seal)

(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 ...CHAUTAUQUA.....

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.

.....
Jeffrey Passafaro Signature

.Attorney. .. .Town. of. Arkwright.....
Title

Date: March 11, 1994

~~County~~
~~City~~
Town
~~Village~~ of .....ARKWRIGHT.....

(Please Use this Form for Filing your 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 Arkwright
~~Village~~

Local Law No. 2 of the year 1995

A local law Amending the Town of Arkwright Local Law Regulating the Discharge of
(Insert title)
Firearms for Target Practice in the Town of Arkwright, New York.

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

~~County~~
~~City~~
Town of Arkwright as follows:
~~Village~~

SECTION 1. Section Numbered THREE relating to "Restrictions" provided for in the Town of Arkwright Local Law No. 1 of the Year 1981 Regulating the Discharge of Firearms for Target Practice in the Town of Arkwright, New York is amended and superseded by this Local Law, as follows:

SECTION THREE: Restrictions

a. No person shall discharge a firearm in the Town of Arkwright for target purposes during the nighttime.

b. No person under the age of sixteen (16) years shall discharge a firearm for the purposes of target practice without the presence of his or her parent or guardian or other authorized adult with written permission from said parent or guardian.

c. Every person who engages in target practicing in the Town of Arkwright, except as provided for in sub-paragraph b. of Section 3 above, must possess at the time either a,

(1) New York State current and valid hunting license, or

(2) In the case of target practicing with a pistol or revolver, a valid New York State pistol permit, or

(3) Current proof that he or she has successfully completed an approved hunter training course or recognized firearm safety course, or

(4) Current proof of certification as an instructor of an approved hunter training course or recognized firearm safety course, including, but not limited to, the New York State Hunter Education Program, National Rifle Association Firearms Training Courses, Scouting Counsellors, New York State Pistol Permit Instructors, or

(5) Be participating in, under the supervision of a certified instructor, a recognized firearm safety or training course, including, but not limited to, New York State Hunter Education Courses, National Rifle Association Firearms Training Courses, Scouting Activities, New York State Pistol Permit Courses.

(If additional space is needed, please attach sheets of the same size as this and number each)

SECTION 1. (Continued)

d. No person shall target practice in the Town of Arkwright while, during the same time period, he or she is consuming alcoholic beverages, or any other person is serving or consuming alcoholic beverages within one hundred (100) feet of the place the firearm is being discharged.

e. No person under the guise of target practicing shall discharge a firearm in the Town of Arkwright in a direction where no designated target is located.

f. All litter resulting from target practicing on public lands or real property owned by a person or other legal entity, who is not discharging the firearm, shall be cleaned up and removed from the premises so as not to create a nuisance or hazard to any other person or persons.

SECTION 2. This Local Law shall take effect from the date of its filing in the office of the New York State, Secretary of State.

City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. ..... of 19 ..... of the City of ..... having been submitted to referendum pursuant to the provisions of §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 .... 19..... 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 19..... of the County of ....., State of New York, having been submitted to the Electors at the General Election of November ....., 19....., 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 of 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.

Carol S. Gizowski

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

Date: Nov. 20 1995

Carol S. Gizowski, Town Clerk
Town of Arkwright

(Seal)

(Certification to be executed by ~~County Attorney or Corporation Counsel~~ Town Attorney, ~~Village Attorney or other authorized attorney of locality~~)

STATE OF NEW YORK
COUNTY OF CHAUTAUQUA

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.

Albert W. Foley
Signature

Attorney, Town of Arkwright
Title

Date: November 20 1995

~~County~~ ~~City~~ Town ~~Village~~ of Arkwright