



2. Article XI, Section 1110 of the Zoning Law of the Town of Cohocton is hereby amended to include the following Subdivision 3:

3. Certificate of Compliance

a) The Applicant(s) shall allow the Code Enforcement Officer of the Town of Cohocton or such enforcement officer duly empowered by the Town of Cohocton to inspect from time to time, at the discretion of the Code Enforcement Officer, any windmill(s) or windmill facility(ies) during the construction phase thereof to insure such windmill(s) or windmill facility(ies) are in compliance with the building permit and special use permit issued therefore.

b) Upon completion of construction of any authorized windmill(s) or windmill facility(ies) the Applicant shall obtain a Certificate of Compliance from the Code Enforcement Officer of the Town of Cohocton, which certificate shall be issued by said officer upon a satisfactory final inspection that such windmill(s) or windmill facility(ies) have been completed in accordance with the building permit and special use permit.

3. The opening paragraph of Article XI, Section 1120 (3) of the Zoning Law of the Town of Cohocton is hereby amended to read as follows: "For Industrial Windmills and Industrial Windmill Facilities, the applicant in consultation with the Planning Board will prepare:"

4. Article XI, Section 1130 (1) (b) of the Zoning Law of the Town of Cohocton is amended as follows:

- a) subdivision (i) shall allow a maximum height limit no greater than 150 feet.
- b) subdivision (ii) shall allow a kilowatt limit of 100 kw.
- c) subdivision (iv) shall allow a solid tube structure or a lattice type structure.
- d) subdivision (ix) is amended to delete "Only upwind design windmills are allowed in the Town" and the following is added in its place, "Design must be approved by NYSERDA."

5. Article XI, Section 1130 subsection (e) subdivision (i) is hereby deleted and subdivision (ii) shall now be subdivision (i); subdivision (iii) shall now be subdivision (ii); and subdivision (iv) shall now be subdivision (iii).

6. Article XI, Section 1130 (f) (i) is hereby amended to delete "Bond" from the title and deleting the first paragraph of said subdivision that reads as follows: "The owner of a windmill, after such application has been approved and before a building permit is issued, shall submit a letter of credit or other acceptable surety sufficient to ensure the removal if the use of the windmill is discontinued."

7. This Local Law No. 1 of 2011 shall take effect upon filing with the Secretary of State.

(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. 1 of 2011 of the ~~(County)(City)~~(Town)(Village) of COHOCTON was duly passed by the Cohocton Town Board on February 21 2011, 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 1 above.

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

Date: February 21, 2011

(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 STEUBEN

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.

Patrick F. McAllister  
Signature **Patrick F. McAllister**  
Cohocton Town Attorney  
Title

~~County~~  
~~City~~ of COHOCTON  
Town  
~~Village~~

Date: February 21, 2011