

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 of Wayland
- Town
- Village

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED
AUG 14 2008

MISCELLANEOUS
& STATE RECORDS

Local Law No. 1 of the year 20 08

A local law amending Local Law No. 1 of the year 1998 referred to as the "Town of Wayland"
(Insert Title)
Protection, Conservation, and Development Law.

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

- County
- City of Wayland as follows:
- Town
- Village

(Delete this line of text and enter text of local law here)

Local Law No. 1 of 1998 is hereby amended as follows:

1. Section 2.1.1 (1) is hereby amended to read as follows: "The Town of Wayland is hereby divided into seven areas."
2. Section 2.1.1(2) is hereby amended to include subparagraph "(g)" which shall read as follows: "Agricultural-Commercial (Ag-C) area. To provide for future development of non-farm commercial use."
3. The schedules in Sections 2.2.2 and 2.2.3 are hereby deleted and replaced in their entirety by the attached schedules:
4. Section 2.2.3 is hereby amended to delete "Salvage Operations and Junk Yards" as a principal use under Industrial uses.

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

5. **Section 6.4.2 (2)** is hereby amended to read as follows: "At least two of the members of the Planning Board may be an agricultural member, as provided by Town Law Section 271 (11). Each such agricultural member must derive ten thousand dollars or more annual income from agricultural pursuits in the Town of Wayland."

6. **Section 4.2.1** is hereby amended to read as follows:

(1) Except as specifically otherwise provided by this Law, no building, other structure or land that is erected or altered in its use, or building, other structure, or land shall be used or occupied, until the Code Enforcement Officer shall have issued a Certificate of Occupancy or Certificate of Compliance, in which he states that such land, building, or structure and the proposed occupancy or use, are found to be in conformity with the provisions of this Law, and that any construction or other work has been completed in conformity with, if applicable, the Uniform Code, the Flood Damage Prevention Law, the Building and Mobile Home Permit Law, and the other laws of the Town.

(2) No change shall be made in the occupancy of an existing building or structure unless a certificate of occupancy shall have been issued by a Code Enforcement Official. A Code Enforcement Official shall have the right to request a building permit application be submitted, outlining said change in occupancy, to verify that the requested change is in compliance with the New York State Uniform Fire Prevention and Building Code and other applicable state and local laws, rules and regulations.

7. The Area Plan Map as adopted pursuant to Section 2.1.2 and amended by Local Law No. 3 of 1998 is further amended to designate certain areas in the Town of Wayland as an Agricultural-Commercial (Ag-C) Area, which map as amended shall be duly certified and maintained on file by the Town Clerk.

8. **Section 4.3.2(3)** is hereby deleted in its entirety.

9. **Section 6.4.3(1)** is amended to read as follows: The Planning Board shall consider and act upon application for Special Permits, as provided in Section 4.3.

10. This Local Law shall take effect upon filing with the Secretary of State.

2.2.2 GENERAL USES

PRINCIPAL USE	AG-R	AQ	C	I	CEA	AG-C
Adult Book Store	N	N	S	N	N	N
Adult Entertainment Establishment	N	N	S	N	N	N
Commercial Towers	P	N	P	P	S	P
Communications Towers	S	N	S	S	S	S
Construction & Demolition Debris Landfill	S	N	N	S	S	N
Essential Services	S	S	S	S	S	S
Hazardous Waste or radioactive Material Treatment, Storage or Disposal Facility	N	N	N	N	N	N
Municipal Park, Playground	S	S	S	S	S	S
Public Water Supplies, including Public Wells and surface Water Intakes	S	S	S	S	S	S
Solid Waste Landfill, Transfer Station or Disposal Facility, or other Solid Waste Management Facility	N	N	N	S	N	N
Treatment Works	N	N	N	S	S	N
Utility Distribution Lines	S	S	S	S	S	S
Utility Facilities	S	S	S	S	S	S

2.2.3 INDUSTRIAL USES

PRINCIPAL USE	AG-R	AQ	C	I	CEA	AG-C
Excavating & Mining Operations	S	N	S	S	S	N
Manufacturing, Fabrication, Assembly	S	N	S	S	S	S
Salvage Operations & Junk Yards	S	N	S	S	S	S
Oil & Gas Wells	S	N	S	S	S	S
Warehouse Storage	S	N	S	S	S	S

(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 20 08 of the ~~(County)(City)(Town)(Village)~~ of Wayland was duly passed by the Wayland Town Board on 8/11/2008, 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) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20 _____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

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) (repassed after disapproval) by the _____ on _____ 20 _____.
(Name of Legislative Body)
(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) (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.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

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

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20 _____, became operative.

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

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20 _____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____, above.

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

(Seal)

Date: 8-11-2008

(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 STEUDBEN

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
Wayland Town Attorney
Title

~~County~~
~~City~~ of Wayland
Town
~~Village~~

Date: 8-11-2008