

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(select one:)

of New Lebanon

Introductory Local Law No. 2 of the year 2023

**A LOCAL LAW TO AMEND AND CORRECT THE ZONING MAP OF THE TOWN OF
NEW LEBANON**

Be it enacted by the Town Board of the Town of New Lebanon as follows:

See attached.

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

TOWN OF NEW LEBANON

INTRODUCTORY LOCAL LAW NO. 2 OF THE YEAR 2023

**A LOCAL LAW TO AMEND AND CORRECT THE ZONING MAP OF
THE TOWN OF NEW LEBANON**

SECTION 1

This local law shall be referred to as “A Local Law to Amend and Correct the Zoning Map of the Town of New Lebanon”.

SECTION 2

The purpose of this local law is to correct an error on the current zoning map of the Town of New Lebanon, which was last amended by adoption of Local Law No. 1 of 2020, entitled “A Local Law to Update and Amend Chapter 205 of the Code of the Town of New Lebanon” (hereinafter “Local Law No. 1 of 2020”).

Prior to adoption of Local Law No. 1 of 2020, a certain portion of the parcel of real property designated as Tax Map Parcel No. 20.-1-5, and in particular extending for a depth of 500 feet on the eastern side of Old Route 20 on said parcel (such certain portion of the parcel hereinafter referred to as the “Subject Land”), was situated in the General Commercial (C) zoning district. By adoption of Local Law 1 of 2020, the zoning map of the Town of New Lebanon was amended in various respects. At the time of the adoption of Local Law No. 1 of 2020, the intent was not to change the zoning district within which the Subject Land was situated, however, due to an error that occurred during the production of the final zoning map, the Subject Land was inadvertently included in the Residential-Agricultural/Conservation (RA-5) zoning district rather than the General Commercial (C) zoning district. The purpose of this law is to correct the zoning map to reflect the intent to maintain the zoning of the Subject Land as General Commercial (C).

SECTION 3

The zoning of the Subject Land, which is depicted in the outlined area on Exhibit A hereto, is hereby changed and corrected from Residential-Agricultural/Conservation (RA-5) to General Commercial (C) as shown on

Exhibit A, and the appropriate officials of the Town of New Lebanon are hereby authorized to amend the Town of New Lebanon Zoning Map accordingly.

SECTION 4

If any word, phrase, sentence, part, section, subsection, or other portion of this Law or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the proscribed application thereof, shall be severable, and the remaining provisions of this Law, and all applications thereof, not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.

SECTION 5

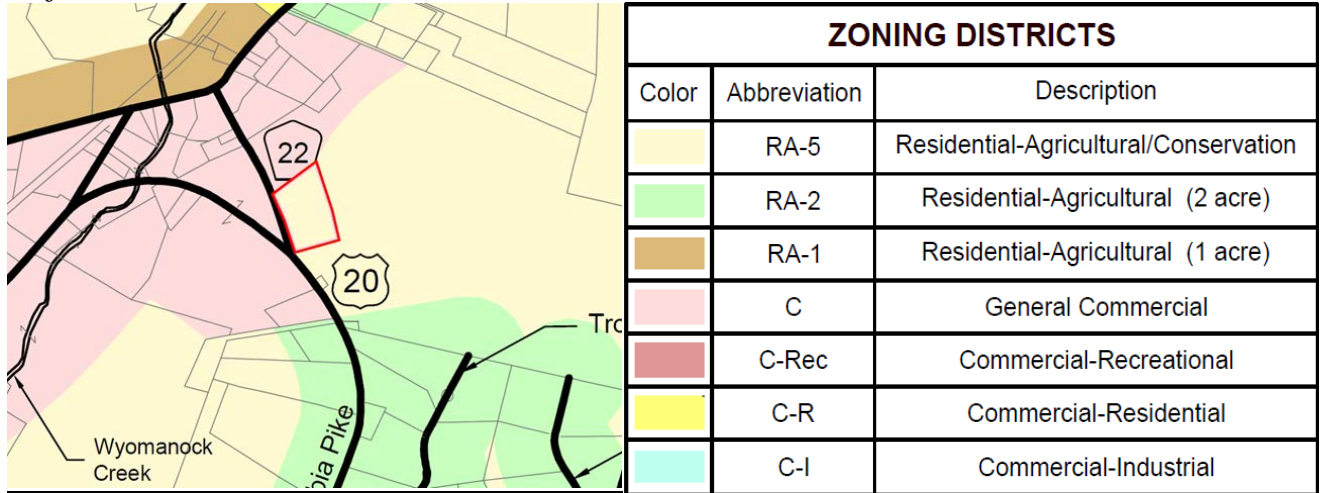
This Local Law is enacted pursuant to the New York Municipal Home Rule Law.

SECTION 6

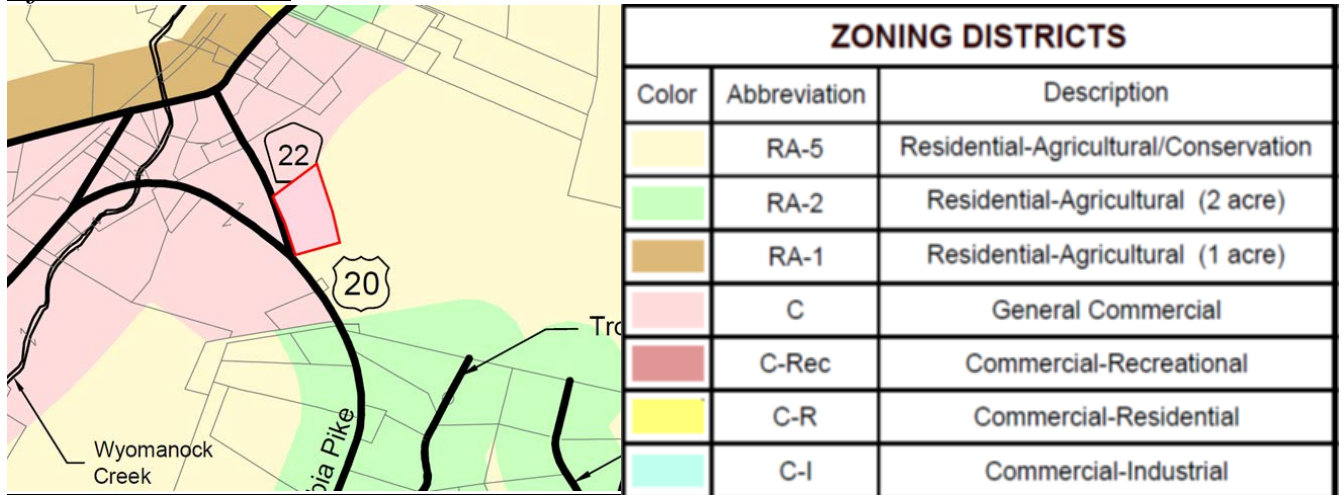
This Law shall become effective upon filing with the New York Secretary of State.

Exhibit A

Before Correction



After Correction



(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. ___ of 2023 of the (County)(City)(Town)(Village) of New Lebanon was duly passed by the Town Board of the Town of New Lebanon on _____, 2023 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 (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.

~~**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____.

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.

* 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 _____ 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 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.

Marcie Robertson, Town of New Lebanon Town Clerk
Clerk of the county legislative body, City, Town or Village
Clerk or officer designated by local legislative body

(Seal)

Date: _____