

Local Law Filing

DEPARTMENT OF STATE
41 STATE STREET
ALBANY, NY 12231

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

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

~~County~~

~~City~~ of

Lumberland

Town

~~Village~~

Local Law No. 1 of the year 2009

A local law Amending Local Law No. 1 of 2007
(Insert Title)

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

~~County~~

~~City~~ of

Lumberland

Town

~~Village~~

as follows:

See Attached.

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

Section 4, subparagraph (i) of Local Law No. 1 of 2007, entitled "The Administration and Enforcement of the NYS Uniform Fire Prevention and Building Code" shall be amended to read as follows:

(i) Time limits. Building permits shall become invalid unless the authorized work is commenced within twelve (12) months following the date of issuance. All Building Permits, except those issued for demolition, shall expire twenty-four (24) months after the date of issuance, with a maximum of two (2) six (6) month extensions for good cause shown. A Building Permit which has become invalid or which has expired pursuant to this subdivision may be renewed upon application by the Permit Holder, payment of the application fee, and approval of the application by the Code Enforcement Officer.

A new subparagraph (l) shall be added to Section 4 of Local Law No. 1 of 2007, entitled "The Administration and Enforcement of the NYS Uniform Fire Prevention and Building Code" as follows:

(l) Building Permits issued for demolition shall expire six months after the date of issuance with one three month extension permitted for good cause shown. A Building Permit which has become invalid or which has expired pursuant to this subdivision may be renewed upon application by the Permit Holder, payment of the application fee, and approval of the application by the Code Enforcement Officer.

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 09 of the (County)(City)(Town)(Village) of Lumberland was duly passed by the Town Board on 20, 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 (Elective Chief Executive Officer*) 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 (Elective Chief Executive Officer*) 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 (Elective Chief Executive Officer*) 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.

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.

Virginia V. Harris
Clerk of the ~~county legislative body, City, Town or Village Clerk or~~
~~officer designated by local legislative body~~

(Seal)

Date: *April 9, 2009*

(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 Sullivan

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]
Signature

Attorney for the Town
Title

~~County~~
~~City~~ of Lumberland
Town
~~Village~~

Date: *4/11/09*

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 LUMBERLAND

Town

~~VILLAGE~~

Local Law No. 2 of the year 2009

A local law ZONING LAW AMENDMENTS
(Insert Title)

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

~~COUNTY~~

~~CITY~~ of LUMBERLAND

Town

~~VILLAGE~~

as follows:

If your property qualifies for a detached garage with a dwelling unit above it the property where the garage and dwelling unit are must remain with the original piece of property.

SEE FURTHER ATTACHED:

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

Changes to Zoning Law:

2.0 Definitions

studio apartment- a dwelling unit with a kitchen or kitchenette and private bathroom facilities which is subordinate to the principal use on the lot. The area of the private bathroom is permitted to be walled off and separated from the living space, no other wall exceeding four (4) feet in height are permitted in the living space. The studio apartment may be attached to a dwelling as part of its structure, or may be in a separate structure, such a portion of a garage which is accessory to a dwelling. The studio apartment may not be occupied as a residence for more than two permanent occupants and must be not less than 720 usable square feet in size, nor greater than 840 usable square feet. A studio apartment is a permitted use in all zones as an accessory use to a single family dwelling unit. The structure containing the studio apartment shall conform to the front and side yard setback requirements for a residence within the zone in which it is located. The size of the parcel upon which it is located must conform to the requirements of the district as set forth in the Schedule of District Regulations without grand-fathering. There shall be not less one on-site parking space provided for the studio apartment.

To Schedule of District Regulations:

Private Garage- shall be a permitted use on lands not contiguous to dwelling unit for which it is to serve as an accessory use in the hamlet and lake districts provided the structure is within 300 feet of the lands containing the dwelling unit. It may not be used by any person except persons who actually occupy the dwelling unit to which it is an accessory. Outside storage is not permitted at this location.

Accessory Building - shall be a permitted use on lands not contiguous to dwelling unit for which it is to serve as an accessory use in the hamlet and lake districts provided the structure is within 300 feet of the lands containing the dwelling unit. It may not be used by any person except persons who actually occupy the dwelling unit to which it is an accessory. The structure shall not exceed 200 square feet. Outside storage is not permitted at this location.

Studio Apartment- A studio apartment is a permitted use in all zones as an accessory use to a single family dwelling unit.

7.3.11 At least five (5) days before such hearing, the applicant shall mail notices thereof by certified mail return receipt requested or by first class mail with a certificate of mailing to be submitted in lieu proof of certified mailing to: the parties; to the regional state park commission having jurisdiction over any state park or parkway with five hundred (500) feet of the property affected by such appeal; and to the Sullivan County Planning Department, as required by Section 239-m of the General Municipal Law. Notwithstanding the foregoing, for applications for variances within the Lake District and Hamlet District, notices to be sent to owners of nearby properties shall to be sent to the property owners of lands lying within three hundred (300) feet of the premises which are the subject of the application. No Board of Appeals decision shall be made except in conformance with such 239-m procedures including requirements for an affirmative vote of not less than four (4) members of the Board if it shall determine to approve an application which the County has recommended it disapprove or modify.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

(Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 2009 of the ~~(County)(City)(Town)(Village)~~ of LUMBERLAND was duly passed by the TOWN BOARD on March 11, 2009, 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 (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 _____1_____, above.

Virginia V. Horn
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: *March 12, 2009*

(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 SULLIVAN

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.

BTE
Signature

Attorney for the Town of Lumberland
Title

~~County~~
~~City~~ of Lumberland
Town
~~Village~~

BTE
Date: *3/12/09*