

## 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.

### Village of Clayton

### Local Law No. 2 of the year 2019

#### A Local Law to amend Chapter 132 of the Code of the Village of Clayton- Zoning

(Insert title)

**Be it enacted by the Board Trustees of the Village of Clayton as follows:**

(Name of Legislative Body)

Section 1. Statutory Authority. This local is enacted pursuant to the authority of Article 7 of the Village Law and Sections 10 and 20 of the Municipal Home Rule Law of the State of New York.

Section 2. Purpose and Findings. The Board of Trustees of the Village of Clayton has determined that it is in the best interest of the Village to enhance the pedestrian and bicycling areas throughout the Village of Clayton in an effort to promote bicycling and walking for health, exercise, transportation and recreation. It is the purpose of this law to accomplish the same.

Section 3. Enactment. §132-10 of the Code of the Village of Clayton is hereby amended by adding the following definition thereto:

Bicycle/Pedestrian Trail Facilities. An improved path or trail that is physically separated from motor vehicle traffic by an open space or barrier and either within the street right of way or within an independent right of way which is intended for pedestrian use or use by bicycle or other non-motorized means of transportation.

Section 4. Article IX of Chapter 132 of the Code of the Village of Clayton is hereby amended by adding the following section thereto:

§132-71. Bicycle/Pedestrian Trail Facilities shall be a permitted use in all zoning districts within the Village of Clayton.

Section 5. Separability. This local law is adopted subject to a permissive referendum, and shall become effective upon filing with the Department of State as required by the Municipal Home Rule Law following the expiration of the permissive referendum period, in the event a referendum is held following the approval thereof by the voters of the Village of Clayton.

Section 6. Effective Date. This Law shall take effect after filing with the New York Secretary of State by the provision of the Municipal Home Rule Law.

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

5  
(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 20\_\_\_ of the Village of Clayton was duly passed by the Village 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)

(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. 1 of 2015 of the Village of Clayton was duly passed by the Board of Trustees on February 9, 2015. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of March 10, 2015, 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 town 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.

\_\_\_\_\_  
Joanne Lenhard-Boye  
Clerk, of the Village Clayton

Date:

(seal)

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

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

\_\_\_\_\_  
Joseph W. Russell, Village Attorney  
Village of Clayton

Date: