

# 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 Plattsburgh

Local Law No. 5 of the year 2020

A local law amending Chapter 300 "Subdivision of Land" and Chapter 360 "Zoning" of the City Code  
(Insert Title)  
of the City of Plattsburgh to provided exemptions for City Projects.

This Local Law is enacted pursuant to the provisions of Section 10 of the Municipal Home  
Ruule Law of the State of New York.

Be it enacted by the Common Council of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one:)

of Plattsburgh

as follows:

Be it enacted by the Common Council of the City of Plattsburgh as follows:

1. The City Code of the City of Plattsburgh is amended by adding Section 300-36 "City Exemption" to the City Code of the City of Plattsburgh to read as follows:

Chapter 300 "Subdivision of Land"... Section 36 "City Exemption"

A. Purpose and Intent; Authority

It is the intent of this Local Law to specifically provide for the exemption of City projects and activities from the City's Subdivision of Land Regulations. It is adopted pursuant to New York Municipal Home Rule Law.

B. City Exemption

Notwithstanding any other provision of this chapter, any action or subdivision proposed or undertaken by the City of Plattsburgh, or on behalf of the City with the City's written authorization, shall be exempt from the provisions of this chapter. Notwithstanding this exemption, the Common Council may seek non-binding advisory review from the City Planning Board and/or Zoning Board of Appeals for any such proposed City action. This exemption specifically does not apply to the provisions of the State Environmental Review Act (SEQRA) or other State or Federal requirements, but is limited only to requirements of the City of Plattsburgh.

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

2. The City Code of the City of Plattsburgh is amended by adding Section 360-62 "City Exemption" to the City Code of the City of Plattsburgh to read as follows:

Chapter 360 "Zoning"... Section 62 "City Exemption"

A. Purpose and Intent; Authority

It is the intent of this Local Law to specifically provide for the exemption of City projects and activities from the City's Zoning Code. It is adopted pursuant to New York Municipal Home Rule Law.

B. City Exemption

Notwithstanding any other provision of this chapter, any action, including but not limited to site plan review, subdivision approval, planned unit development review, special use permit application, use variance or area variance application, which is proposed or undertaken by the City of Plattsburgh, or on behalf of the City with the City's written authorization, shall be exempt from the provisions of this chapter. Notwithstanding this exemption, the Common Council may seek non-binding advisory review from the City Planning Board and/or Zoning Board of Appeals for any such proposed City action. This exemption specifically does not apply to the provisions of the State Environmental Review Act (SEQRA) or other State or Federal requirements, but is limited only to requirements of the City of Plattsburgh.

3. Severability

The invalidity of any clause, sentence, paragraph or provision of this Local Law shall not invalidate any other clause, sentence, paragraph or part thereof.

4. Repealer

Any Local Laws or Ordinances or parts of Local Laws or Ordinances in conflict with any part of this Local Law are hereby repealed.

5. Effective Date

This Local Law shall take effect upon approval by the Mayor and filing with the New York Secretary of State. However, this City Exemption does not apply to any previous application pending review before the City Planning Board and/or Zoning Board of Appeals as of the effective date of this Local Law.

(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 (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ 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. 5 of 20 20 of the ~~(County)(City)(Town)(Village)~~ of Plattsburgh was duly passed by the Common Council on December 10 20 20, and was (approved)(~~not approved~~) (Name of Legislative Body) (repassed after disapproval) by the Mayor (Elective Chief Executive Officer\*) on December 10 20 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 2 above.

*Silvia Panatta*

\_\_\_\_\_  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 12/11/2020

(Seal)