

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 Lyme
 Town
 Village

Local Law No. 4 of the year 20 07

A local law to amend Local Law #1 of 1993 regarding unsafe buildings and structures.
(Insert Title)

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

County
 City of Lyme as follows:
 Town
 Village

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

Article 1. - Statement of Authority. The Town Board of the Town of Lyme, pursuant to the authority granted it under Article 4 of the Town Law and Section 130(16) of the Town Law and Sections 10 and 20 of the Municipal Home Rule Law of the State of New York, hereby enacts as follows:

Article 2. - Statement of Purpose and Findings. The Town Board of the Town of Lyme has found that the administration of its current unsafe building and structures law known as Local Law #1 of 1993, has provided some difficulties in administration. It is the purpose of this local law to provide for additional due process for owners and more expedient notification provisions to ease in the administration of that law.

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

Article 3. - Enactment. The Town Board of the Town of Lyme hereby amends Local Law #1 of 1993 as follows:

A. Section 3 of Local Law #1 of 1993 is hereby amended and as amended restated as follows:

"The Town Board shall consider any report rendered under Section 2 hereof in and if its opinion the reports so warrants that the buildings are unsafe and dangerous, may order that it may be made safe and secure or removed and further, order that a notice be served upon the property owners and any occupants of the building to the same effect providing a period of thirty (30) days in which to remedy such conditions. Such notice shall also provide a date at which the Town Board shall conduct an evidentiary hearing to determine whether the building is unsafe or dangerous within the meaning of this law at which time evidence may be present and participate in such evidentiary hearing, cross examine witnesses, present their own witnesses or evidence on their own behalf. Owners or occupants may also be represented by counsel at such hearing.

B. Section 6 of Local Law #1 of 1993 is hereby repealed.

C. Section 7 of Local Law #1 of 1993 is hereby amended to remove reference to \$5,000 and replaced with a reference to \$10,000.

Article 4. - Severability. If any part of this local law shall be found to be void, voidable, or unenforceable for any reason whatsoever, it shall not affect the validity or enforceability of any remaining section or provision of this local law.

Article 5. Effective Date. This local law shall take effect immediately upon filing with the Secretary of State.

(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. 4 of 20 07 of the ~~(County)(City)(Town)(Village)~~ of Lyme ~~Town Board~~ was duly passed by the Town Board on July 11 20 07, 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 _____ (Name of Legislative Body) on _____ 20 _____, and was (approved)(not approved) (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 _____ (Name of Legislative Body) on _____ 20 _____, and was (approved)(not approved) (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 _____ (Name of Legislative Body) 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 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.

Kim Wallace
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: July 23, 2007

(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 _____ Jefferson _____

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 _____
Town Attorney

Title _____

City of _____
Town _____
Village _____

Date: July 23, 2007