

# 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. 3 of the year 20 07

A local law to amend Section 920 of the Zoning Law to allow alternate  
(Insert Title)  
members to the Zoning Board of Appeals.

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 Section 267(11) of the Town Law and Sections 10 and 10 of the General Municipal 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 finds that it is sometimes difficult for members of the Zoning Board of Appeals to reach a quorum because of the schedules of its members, including some members who may be absent from the Town for extended periods of time and conflicts. The Town Board hereby finds that by allowing alternate members, the work of the Zoning Board of Appeals can continue uninterrupted despite the temporary absence of one or more of the regular members. It is the purpose of this local law to allow for alternate members.

(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 enacts amends Section 920 of the Zoning law of the Town of Lyme to add a new subdivision "D" as follows:

D. Alternate Members.

"The Town Board of the Town of Lyme may appoint two (2) alternate members to the Zoning Board of Appeals in accordance with Section 267(11) of the Town Law. Such member shall be appointed by resolution of the Town Board for terms to be established by the Town Board. Alternate members shall be allowed to participate in any absence of regular members or in the event of a conflict of interest. The Chairperson of the Zoning Board of Appeals may designate alternate members to substitute for a member under those circumstances. When so designated, the alternate member shall possess all the powers and responsibilities of the member for whom they are substituting. Such designation shall be entered into the minutes of the Zoning Board of Appeals meeting at which the substitution is made. Any alternate appointed shall be subject to all training and education, attendance and conflict of interest requirements as regular member and shall also have to meet all other criteria for eligibility.

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. 3 of 20 07 of the ~~(County)(City)(Town)(Village)~~ of Lyme was duly passed by the Town Board on June 13 20 07, 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) (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. \_\_\_\_\_ 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 in person 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: June 14, 2006

(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

\_\_\_\_\_, 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

~~County~~  
~~City~~ of Lyme  
Town  
~~Village~~

Date: June 14, 2007