

**TOWN OF LEBANON**  
**TOWN BOARD RESOLUTION # 63-2020**

**August 10, 2020**

**TOWN OF LEBANON LOCAL LAW A OF 2020**

("A Local Law to Amend the Land Management Local Law of the Town of Lebanon  
to Reduce the Front Yard Setback Requirement")

The following resolution was offered by Councilor Marie Margaw,  
who moved its adoption, seconded by Councilor AC, to wit:

**WHEREAS**, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled Local Law No. A-2020, "A Local Law to Amend the Land Management Local Law of the Town of Lebanon to Reduce the Front Yard Setback Requirement," was presented and introduced at a regular meeting of the Town Board of the Town of Lebanon held on March 9, 2020; and

**WHEREAS**, a public hearing was held on such proposed local law on this 10<sup>th</sup> day of August, 2020, by the Town Board of the Town of Lebanon and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed local law having been heard, and said proposed local law having been in the possession of the members of the Town Board of the Town of Lebanon in its final form in the manner required by Section 20 of the Municipal Home Rule of the State of New York; and

**WHEREAS**, the enactment of Proposed Local Law No. A-2020 has previously been determined to be an unlisted action and will have no significant effect on the environment thus concluding the SEQR review process; and

**WHEREAS**, it is in the public interest to enact said Proposed Local Law No. A-2020.

**NOW, THEREFORE**, it is

**RESOLVED**, that the Town Board of the Town of Lebanon, Madison County, New York, does hereby enact proposed Local Law No. A-2020 as Local Law No. 1-2020 as follows:

**“TOWN OF LEBANON  
PROPOSED LOCAL LAW 1-2020**

**A LOCAL LAW TO AMEND THE LAND MANAGEMENT LOCAL LAW OF THE  
TOWN OF LEBANON TO REDUCE THE FRONT YARD SETBACK REQUIREMENT**

Be it enacted by the Town of Lebanon Town Board, as follows:

**SECTION 1.            AUTHORITY.**

This Local Law is enacted pursuant to the New York State Constitution and New York Municipal Home Rule Law §10.

**SECTION 2.**

Article III, Section 3.3, Subsection (d) of the Land Management Local Law of the Town of Lebanon is hereby amended to read in its entirety as follows:

“d. Minimum front yard setback shall be forty (40) feet from the edge of the road.”

**SECTION 3.            SEVERABILITY**

If any clause, sentence, paragraph, section, article or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operations to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

**SECTION 4.            EFFECTIVE DATE**

This Local Law shall take effect upon its filing with the New York Secretary of State.”

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

<b>Marie Morgan</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes/No</b>
<b>Patricia Matson</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes/No</b>
<b>Adam Carvell</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes/No</b>
<b>Chadwick Nower</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes/No</b>
<b>James Goldstein</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes/No</b>

The foregoing resolution was thereupon declared duly adopted.

**DATED: August 10, 2020**

**CERTIFICATE**

**STATE OF NEW YORK    )**

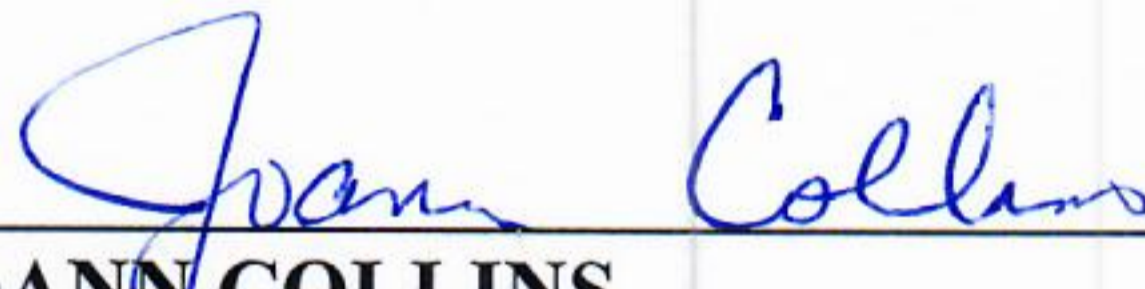
**COUNTY OF MADISON    )**

I, the undersigned Town Clerk of the Town of Lebanon, Madison County, New York, **DO  
HEREBY CERTIFY:**

That I have compared the foregoing Resolution with the original thereof on file in the Office of the Town Clerk of the Town of Lebanon, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

**I FURTHER CERTIFY** that all members of said Board had due notice of said meeting and that, pursuant to Section 103 of the Public Officers Law, said meeting was open to the general public.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of said Town on August 10, 2020.

  
\_\_\_\_\_  
**JOANN COLLINS**  
**Town Clerk**

**(SEAL)**



# 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 Lebanon

Local Law No. 1 of the year 2020

**A Local Law to Amend the Land Management Local Law of the Town of Lebanon to Reduce the Front Yard Setback Requirement**

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

County    City    Town    Village  
(Select one:)

of Lebanon as follows:

**TOWN OF LEBANON  
LOCAL LAW NO. 1 of 2020**

**A LOCAL LAW TO AMEND THE LAND MANAGEMENT LOCAL LAW OF THE  
TOWN OF LEBANON TO REDUCE THE FRONT YARD SETBACK REQUIREMENT**

Be it enacted by the Town of Lebanon Town Board, as follows:

**SECTION 1.      AUTHORITY.**

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“d. Minimum front yard setback shall be forty (40) feet from the edge of the road.”

**SECTION 3.      SEVERABILITY**

If any clause, sentence, paragraph, section, article or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operations to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

**SECTION 4.      EFFECTIVE DATE**

This Local Law shall take effect upon its filing with the New York Secretary of State.

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

1. **(Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2020 of the **Town of Lebanon** was duly passed by the **Town Board** on **August 10, 2020**, 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 **Town of Sullivan** was duly passed by the **Town Board** on \_\_\_\_\_, 20\_\_, and was (approved/not approved/ repassed after disapproval) by the **Town Board** 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 **Town of Sullivan** was duly passed by the **Town Board** on \_\_\_\_\_, 20\_\_, and was (approved/not approved/ repassed after disapproval) by the **Town Board** 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 **Town of Sullivan** was duly passed by the **Town Board** on \_\_\_\_\_, 20\_\_, and was (approved/not approved/ repassed after disapproval) by the **Town Board** 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.~~

5. ~~**(City local law concerning Charter revision proposed by petition.)**~~

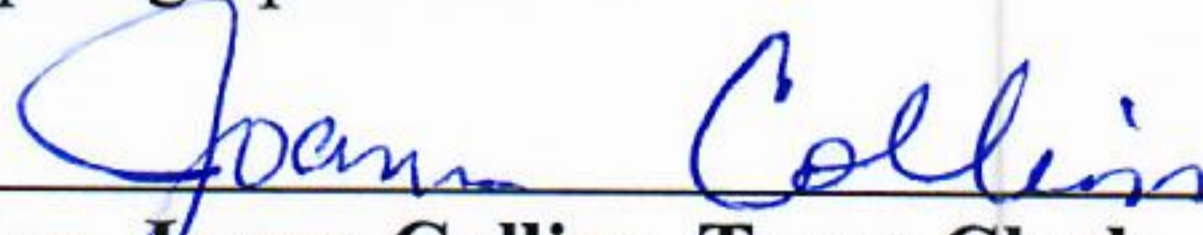
~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_ of 20\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36/37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the 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.

  
\_\_\_\_\_  
**Hon. Joann Collins, Town Clerk**  
**Town of Lebanon**

(Seal)

Date: August 10, 2020