

# Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
162 WASHINGTON AVENUE, ALBANY, NY 12231

(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~~

X

of Lebanon .....

Local Law No. 3 of the year 2003

A local law to amend the Land Management Local Law of the Town of Lebanon  
(Insert Title)

.....

.....

.....

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

~~COUNTY~~

~~CITY~~

Town

~~VILLAGE~~

of Lebanon ..... as follows:

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

1. Section 3.3 a – Amend minimum lot size from “ $\frac{3}{4}$ ” acre to “1” acre.
2. Section 3.4 – Delete the phrase “in separate ownership from any adjoining land”.
3. Section 3.4 – Add “on February 22, 1999” after “prior to adoption of this Local Law”.
4. Section 3.5 – Add “All single family residences shall be a minimum of 840 square feet on the ground floor, or for a two-story residence, a minimum of 600 square feet on the ground floor.”
5. Section 3.10 a. – Add “The location of a new driveway for ingress and egress to town, county and state roadways shall be cleared with the appropriate highway department for approval of the location in compliance with its recommendations and requirements, and such recommendations or requirements concerning appropriate storm water management structures must be complied with as well”.
6. Section 4.2 a. – Delete the phrase “in separate ownership from any adjoining land”.
7. Section 4.2 a. – Add the phrase “prior to adoption of this Local Law on February 22, 1999” in place of the phrase “prior to this Local Law”.
8. Section 4.2 b. – Add the phrase “on February 22, 1999” after the words “prior to the passage of this Local Law”.
9. Section 7.2 – Delete the phrase “other than on a replacement basis”.
10. Section 7.2 – At the end of the paragraph add the phrase “and is no more than twelve (12) years old unless on a farm and used for farm labor, or used as a temporary residence under Section 7.3.”
11. Section 7.3 a. – Delete the current language and replace it with “Upon the issuance of Site Plan Approval, a used mobile home more than twelve (12) years old may be parked or placed within the Town for use as a temporary residence, while the owner of the subject lot constructs a permanent residence, so long as it meets the inspection requirements of Section 7.4 b.”
12. Section 7.3 b. – Delete the word “used” and replace it with “such”.
13. Section 7.3 b. – Add “Such a permit shall be issued for a period of two (2) years from date of issuance or up to ninety (90) days after the permanent residence becomes legally habitable, whichever occurs first” after the first sentence of said paragraph.
14. Section 7.3 b. – Add the word “maximum” between “such” and “two-year period”.

15. Section 7.4 b. – Delete the word “and” at the end of (6).
16. Section 7.4 b. – Delete the period at the end of (7) and insert “; and”.
17. Section 7.4 b. – Add “(8) The mobile home can be no more than twelve (12) years old unless on a farm and used for farm labor, or used as a temporary residence under Section 7.3”.
18. Section 7.5 a. – Delete “the effective date of this Local Law” and replace it with “February 22, 1999”.
19. Section 7.5 a. – Delete “the effective date” and replace it with “February 22, 1999”.
20. Section 7.5 b. – Delete “the effective date of this Article” in both places and replace it with “February 22, 1999” in both places.
21. Section 7.5 c. – Delete the entire second sentence, which begins with “Except as provided hereafter in paragraph d. of this Section...”, and replace with “Any mobile home considered non-conforming may hereafter be replaced with a mobile home only if it conforms with this Article”.
22. Section 7.5 d. – Delete entire provision.
23. Section 7.6 a. – Add “nonconforming” between “adjoining” and “lots”.
24. Section 7.6 b. – Delete “\$250.00” and replace it with “\$1,000.00”
25. Section 7.6 b. – Delete “\$10.00” and replace it with “\$25.00”.
26. Section 7.6 – Add “f. Any licensed mobile home park in the Town of Lebanon shall be a minimum of five (acres) and may have a maximum of three (3) mobile homes per acre.”
27. Section 9.3 h. – Delete “two (2) years “ and replace with “one (1) year”.
28. Section 9.3 – Add “l. The Codes Enforcement Officer may require electrical inspections, by licensed inspectors. The landowner shall arrange for such inspections and shall be responsible for the cost thereof”.

29. Section 9.5 – Delete the current text and replace it with:

“a. A violation of this law is hereby declared to be an offense, punishable by a fine not exceeding \$350, or imprisonment for a period not to exceed six months, or both, for conviction of a first offense; for conviction of a second offense, both of which were committed within a period of five years, punishable by a fine not less than \$350 nor more than \$700 or imprisonment for a period not to exceed six months, or both; and upon conviction for a third or subsequent offense, all of which were committed within a period of five years, punishable by a fine not less than \$700 nor more than \$1,000 or imprisonment for a period not to exceed six months, or both. Each week’s continued violation shall constitute a separate additional violation. Any and all fines levied will be increased by the costs to the township for that legal action.

b. If any building or structure is erected, constructed, reconstructed, altered, converted or maintained or any building or structure of land is used or any land is divided into lots, blocks, or sites in violation of this article or of any ordinance or other regulation made, under authority conferred thereby, the proper local authorities of the town, in addition to other remedies, may institute any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance, use of division of land, to restrain, correct or abate such violation, to prevent the occupancy of such building, structure or land or to prevent any illegal act, conduct, business or use in and about such premises”.

30. Section 9.6 – Delete the current text and replace it with:

“a. Any person may file a complaint about a violation of this law. Such complaints should be in writing, signed and filed with the Code Enforcement Office. The Code Enforcement Officer shall investigate within ten (10) business days and take the appropriate action to satisfy the complaint.

b. Any violation of this law as determined by the Code Enforcement Officer must be reported to the offender by the Code Enforcement Officer with the date by which the violation must be corrected”.

(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 19\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_, 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. \_\_\_\_\_<sup>3</sup> of 19~~2003~~ of the (County)(City)(Town)(Village) of Lebanon was duly passed by the Town Board on August 11, 2003 and was (approved)(not approved)(repassed after ~~disapproval~~) by the Supervisor and was deemed duly adopted on August 11, 2003 in accordance with the applicable provisions of law.  
*(Elective Chief Executive Officer\*)*

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_. 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 \_\_\_\_\_ 19\_\_\_\_, in accordance with the applicable provisions of law.  
*(Elective Chief Executive Officer\*)*

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 19\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 19\_\_\_\_, in accordance with the applicable provisions of law.  
*(Elective Chief Executive Officer\*)*

\* 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.)

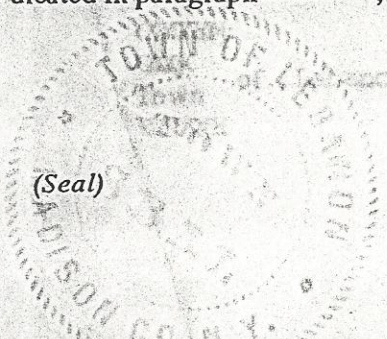
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 19\_\_\_\_, 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 19\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 19\_\_\_\_, 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.



Dee A Keller Jane Clark  
Clerk of the County legislative body, City, Town or Village Clerk  
or officer designated by local legislative body

Date: August 15, 2003

(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 MADISON

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.

Steven R Jones  
Signature Steven R. Jones, Esq.

Town Attorney  
Title

~~County~~  
~~City~~ of Lebanon  
~~Town~~  
~~Village~~

Date: August 26, 2003

(If additional space is needed, attach pages to this sheet, and number each.)