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~~ x**Village**
(Select one:)

of Hewlett Neck

Local Law No. 3 **of the year 20**18

A local law to amend the Code of the Village of Hewlett Neck to
(Insert Title)
regulate the preservation and protection of trees in the Village of Hewlett Neck.

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

☐ ~~County~~ ☐ ~~City~~ ☐ ~~Town~~ x**Village**
(Select one:)

of Hewlett Neck **as follows:**

Section 1. Chapter 137 of the Village Code of the Village of Hewlett Neck, entitled "Tree Preservation and Protection", is added to read as follows:

ARTICLE I

General Provisions

§ 137-101. Short title.

This chapter shall be known and may be cited as the "Tree Preservation and Protection Law of the Village of Hewlett Neck."

§ 137-102. Legislative findings and purpose.

The Board of Trustees hereby finds that there is a direct relationship between preservation and planting of trees and associated vegetation in sufficient quantity in the Village of Hewlett Neck and the health, safety and welfare of Village residents, and that the Village has an obligation to facilitate the stewardship of air, water, land and living resources, and to sustainably protect the environment for the use of this and future generations. Trees and associated vegetation promote natural, scenic, environmental, and aesthetic values, stabilize soil, control water pollution by preventing soil erosion and flooding, absorb air pollution, enhance air quality, yield microclimatic effects, offer a natural noise barrier, provide a natural habitat for wildlife, provide

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shade to Village residents, and create a bucolic atmosphere. The removal and destruction of trees in the Village deprives the Village residents of these benefits, disrupts fundamental ecological systems and adversely affects the health, safety and welfare of the residents of the Village. The Board also recognizes that recent weather events, including wind, snow and rain events, have impacted trees on Long Island greatly and that some members of the public have become more concerned about the safety of trees in relation to property protection and the relationship between trees and the hillside. The purpose of this chapter is to strike a balance between property protection and personal safety concerns and prevention of the indiscriminate destruction or removal of trees within the boundaries of the Village and to provide for the replacement of trees that may be destroyed or removed.

ARTICLE II

Definitions

§ 137-201. Definitions.

As used in this chapter, the following terms have the meanings indicated:

ANNUALLY or ANNUAL — A one-year period commencing on the date of the removal of a Class B or Class C tree.

APPLICANT — The owner, lessee, occupant or contract vendee of real property in the Village, or any agent thereof.

BOARD — The Board of Trustees of the Village of Hewlett Neck.

CERTIFIED ARBORIST — An individual who has obtained knowledge and competency in arboriculture or forestry through an accredited body such as the International Society of Arboriculture (ISA) Arborist Certification Program, the American Society of Consulting Arborists, or the New York State Cooperating Consultant Forester Program, or equivalent program as determined by the Tree Commission.

COMMISSION — The Tree Commission.

DESTROY — Shall include such practices as topping, girdling, trenching near tree roots, applying herbicides or pesticides, poisoning, ringing a tree, excessive pruning, damaging, compacting or overburdening the roots, or cutting, in a manner as to bring about, or which may reasonably be expected to bring about, the ultimate death of such tree, either immediately or within the course of time; shall also include any destructive pruning practices.

DESTRUCTIVE PRUNING PRACTICES — Pruning of a mature tree in ways that are in violation of best practices, as defined by the American National Standards Institute Guidelines for Tree Pruning [ANSI A300, Part 1]. Destructive pruning practices include, but are not limited to, tree topping, defined as cutting back large-diameter branches to stubs, and removal of more than 25% of a tree's canopy.

DIAMETER — The measurement of the diameter of a tree taken at a point 4.5 feet above ground level. If a tree splits into multiple trunks below such point, then the measurement is

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taken at the most-narrow point beneath the split.

EMERGENCY — Any condition in which the failure to remove a tree, or any portion thereof, shall represent an imminent danger to the health, safety and general welfare of Village residents or property in the Village.

GROUND LEVEL — The average of the ground level at the base of a tree.

HABITAT — The natural growing characteristics of any tree, which includes branch spread and distribution, branch height above ground and root spread and distribution below ground.

PERSON — Any individual, firm, partnership, association, corporation, company, public agency, public utility, organization or entity of any kind, or agent thereof.

PREFERRED SPECIES LIST — A list of tree or shrub species for various sites and conditions, including land characteristics, existence of utility lines or facilities, and proximity to buildings, structures or paved surfaces maintained by the Village.

SUBSTANTIAL ALTERATION — Any cutting or drastic pruning or elevating the habitat of a tree that impairs or endangers the life of such tree or destroys its natural symmetry; and shall include, but not be limited to, heavy or unnecessary cutting of top branches and cutting of top and side branches and limbs (commonly called "topping").

TREE — A woody perennial plant, typically having an elongated trunk, or trunks, that bear lateral branches and leaves at a distance from the ground.

ARTICLE III

Tree Commission

§ 137-301. Tree Commission.

A. The Commission shall consist of three members, each appointed by the Mayor, subject to the approval of the Board of Trustees. The members of the Commission shall serve without compensation and be residents of the Village. The term of each member shall be a one-year term, each commencing at 12:00 noon of the first Monday in April. Any Commission member appointed at any time other than as aforesaid shall be appointed for a term set to expire on the immediately forthcoming first Monday in April at 11:59 a.m. If a vacancy occurs during the term of any member, a successor may be appointed, and such appointment shall be for the unexpired portion of the member's existing term.

B. The Mayor shall appoint one of the Commission members to serve as Chair during the term of the member's term. In the absence of the Chair, the Commission shall designate an Acting Chair to serve as Chair during a meeting at which the Chair is unavailable.

C. The Mayor may appoint, subject to approval of the Board of Trustees, up to two alternate members who may serve in the absence of a Commission member. The alternate members shall be Village residents and shall serve without compensation. The terms of each alternate member shall be for a one-year period, commencing at 12:00 noon of the first Monday in April. The alternate members shall be designated respectively as "first alternate member" and "second alternate member." In the absence of a Commission member at any Commission meeting, the first alternate member, if available, may serve in the place of the absent member; and if the first alternate member is not available or two Commission members

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are not available, the second alternate member shall serve in the place of an absent member.

D. A member of the Board of Trustees shall serve as a liaison to the Commission and may attend meetings of the Commission. The Superintendent and/or Administrator also may attend meetings of the Commission and, if requested by the Commission, may offer advice concerning any matter within the jurisdiction of the Commission.

E. The Commission shall hold regular meetings at the call of the Chair.

§ 137-302. Power and authority.

The Commission shall have the following powers and authority:

A. Tree removal permit applications. The Commission shall review all tree removal applications in accordance with the review procedure provided herein. The Commission shall either grant or deny the application in accordance with the standards provided herein. No tree removal permit application shall be required for trees in the public right-of-way to be removed by the Village. Notwithstanding that no application is required, the Village, after consultation with the Commission, may, by resolution, adopt policy guidelines for the care and maintenance of Village trees.

B. Upon written request by the Building Inspector, the Commission may provide advice concerning the removal and/or replacement of any trees in the Village, including any trees in the public right-of-way.

C. Upon written request by the Board of Trustees or the Board of Appeals, the Commission may provide advice concerning the removal or planting of any tree.

D. The Village may maintain and update a preferred species list. The Commission may provide the Village with recommendations for inclusion on the preferred species list.

ARTICLE IV

Classification of Trees

§ 137-401. Classification.

Trees shall be classified as follows, and the requirements pertaining to each class of tree shall be as provided in Articles V, VI and VII herein.

A. Class A: trees with a diameter up to and including 10 inches.

B. Class B: trees with a diameter of more than 10 inches and less than 20 inches.

C. Class C: trees with a diameter of 20 inches or more.

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ARTICLE V

Tree Removal Guidelines

§ 137-501. When no notice to Village and no permit application required.

Any person, who owns property in the Village, may remove any Class A tree that is located solely on the person's property. Such removal may be completed without providing either notice to the Village or making application to the Village for such removal.

§ 137-502. When notice to the Village but no permit application required.

Subject to the notice requirement set forth in § 137-601, any person, who owns property in the Village, may remove annually up to three Class B trees that are located solely on the person's property. Such removal is subject only to the notice requirement set forth in § 137-601 and shall not be subject to making an application to the Village for such removal.

§ 137-503. When application required.

No person may remove: (i) a Class C tree or (ii) annually four or more Class B trees, without first applying for, and obtaining, a tree removal permit, in accordance with the procedure set forth in Article VII of this Chapter. For Class B trees, a tree removal permit is not required for the first three trees removed in an annual period.

ARTICLE VI

Notice Requirements

§ 137-601. Notice requirements.

A person may remove up to three Class B trees subject to the provisions of § 137-502 after first providing notice to the Village in accordance with this section. The Village website will contain a form for such purpose; and prior to the removal of any such tree, the person removing the tree shall complete the notice form and submit the form online, by mail or in person to Village Hall. Completion of the notice form on the Village website shall be deemed sufficient for compliance with the notice provisions in this chapter. One such form may be used for all trees proposed to be removed at the same time. This notice provision will provide the Village with an opportunity to continue to maintain an inventory of trees in the Village.

ARTICLE VII

Tree Removal Permit and Tree Replacement

§ 137-701. Tree removal permit.

A. Except as otherwise provided in this chapter, no person shall perform, or cause to be performed, the removal, destruction, or substantial alteration of a tree that is subject to permit removal requirements pursuant to § 137-503 except in compliance with this chapter and

DOS-0239-f-l (Rev. 06/12)

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without first obtaining a tree removal permit from the Commission as hereinafter prescribed. No tree removal permit shall issue for any activity that is a destructive pruning practice.

B. The application shall be made on such forms as may be prescribed by the Commission or the Building Inspector and shall include, but not be limited to, the following:

(1) The name and address of the applicant.

(2) The purpose of the proposed removal, destruction or substantial alteration.

(3) A sketch or plan depicting the location of the property (including all cross streets) that contains information sufficient to identify the exact tree(s) that are identified for removal on the application. Such information may include references to buildings, structures, other trees and/or roadway locations. Additionally, applicants must mark the trees proposed for removal with tape, ribbon or a large tag before the site visit by the Commission members.

(4) The name of the tree company to perform the work under the permit.

(5) Written consent of the owner or owners of the real property if the applicant is not the owner.

(6) Any additional information that the Commission may deem necessary for evaluation of the application by the Commission.

C. The application shall be filed with the Building Department; and upon receipt of an application to remove a tree, the Building Department shall refer the application to the Commission for its review in accordance with this chapter.

D. Criteria for Commission determination. The decision of the Commission

will be based on the following criteria:

(1) The condition of the tree or trees the applicant seeks to remove with respect to disease and danger of falling, proximity to existing or proposed structures and interference with utility services.

(2) The necessity of the removal or alteration of the tree or trees.

(3) The potential for impact of the removal upon ecological systems, including any impact on a hillside, if the tree or trees are located on a hillside or impact a hillside.

(4) The character established at the proposed site of removal with respect to existing vegetation management, impact on stormwater runoff, and/or impact on the stability of the hillside in the area of the tree or trees.

(5) The impact of any removal or alteration on the existing screening of any public street, public property or private property bordering the real property that is the subject of the application.

E. Tree removal permit. If the Commission determines, in writing, that a tree removal permit should be issued, within 10 business days after receiving such written notification from the Commission, the Building Inspector shall issue such tree removal permit, subject to any conditions recommended by the Commission, including provision for replanting as provided in § 21-702 herein. Such permit shall be valid for a period of time as determined by the Board of

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Trustees from time to time, as adopted by resolution of the Board of Trustees.

F. Fees.

1. The application fee shall be as prescribed from time to time by resolution of the Board of Trustees and may not be waived except on application to, and grant by, the Board of Trustees. Such resolution may include an automatic fee waiver for any tree confirmed by the Commission to be dead.

2. The Commission, in making a determination concerning the removal of any trees on real property in the Village, may, upon notice to the applicant, obtain the services of a professional certified arborist or landscape architect regarding the advisability of removal or the viability of the existing tree. The cost of this professional evaluation shall be borne by the Village.

§ 137-702. Tree replanting program.

A. For each tree removed pursuant to a tree removal permit as provided in § 137-701, the applicant either shall replant a tree on the property from which the permitted tree is being removed or shall deposit in the Village Tree Releaf Fund a sum as prescribed from time to time by resolution of the Board of Trustees, in accordance with the provisions in this chapter.

B. Except where otherwise authorized by the Commission, any tree replanted pursuant to this section shall be subject to the following requirements:

(1) Be of a size and species as approved by the Commission;

(2) Be planted in a location approved by the Commission;

(3) Be balled and burlapped and shall not be less than two inches in diameter nor less than eight feet high. Trees shall be nursery-grown, and a nursery inspection certificate shall be available covering all trees;

(4) Be planted using the best current, commercial practices for successful tree planting;

(5) Be consistent with the preferred species list; and

(6) Any other reasonable requirements of the Commission.

C. Upon the planting of the tree or trees the applicant shall request that the Tree Commission certify that the tree or trees have been planted. Failure to obtain such certification within the time provided in the permit shall be deemed a violation of this chapter and shall be subject to the penalties provided in this chapter.

D. An applicant may request a waiver of these requirements from the Board of Trustees by submitting in writing the request and setting forth the reasons for the request. The Board of Trustees may consider such waiver application at any scheduled meeting of the Board and may waive the requirements in full or in part.

§ 137-703. Emergency tree removal.

In the event of an emergency, all necessary and proper action may be taken with regard to the removal of trees by a resident to ensure the safeguarding of family and property. In this event, there shall be no fee charged for the removal of any tree subject to the provisions of § 137-503

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or Article VII herein, but the replacement provisions set forth in § 137-702 shall still apply. The burden shall be on the resident to demonstrate to the Building Department that an emergency existed, that appropriate, measured and necessary action was taken and that professional and expert services were utilized. Failure to show an emergency existed and that fair, necessary and appropriate action was taken will subject the action taken to any applicable requirements in the Village Code. In determining whether an emergency exists, in addition to the general considerations set forth in this section, the Board of Trustees may adopt, from time to time, guidelines applicable for determination as to whether the removal of a tree constitutes an emergency.

§ 137-704. Removal or alteration of trees endangering the public.

Any tree growing on private property which, in the opinion of the Superintendent, is endangering or constitutes a danger to a public street or public places or the members of the public using the same, or which in any way endangers the usefulness of a public utility or sewer, or which, by reason of infestation or blight, endangers other trees in the Village, shall be removed or the habitat thereof altered by the owner of the real property as directed in writing by the Building Inspector. If the property owner fails to comply with the written directive of the Building Inspector within the time specified by the Building Inspector, the Village may then take the action directed by the Superintendent and assess the cost thereof against the property owner. Such assessed costs shall be a lien against the real property and shall be collected by the Village in the same manner as a real estate tax or assessment. The directive from the Building Inspector shall clearly state the source of the danger, the action to be taken, and the date by which such action must be taken and shall be served on the owner of the real property personally or by certified or registered mail, addressed to said owner at the last known address for said owner on the tax records of the Village. If served by mail, the notice shall be deemed received three days after the notice is deposited in a depository maintained by the United States Postal Service. Any such tree shall not be subject to the requirements of § 137-702 of this article.

ARTICLE VIII

Land Development

§ 137-801. Land development procedures.

A. Board of Appeals or Board of Trustees review.

(1) Simultaneously with the submission of an application to the Board of Appeals for one or more variances or other approval or to the Board of Trustees for approval of any site plan or subdivision plan, an applicant shall submit four sets of the plan and a landscape plan showing all Class B and Class C trees on the real property and any public or private right-of-way adjoining the real property and indicating thereon:

(a) Existing Class B and Class C trees, identifying the size and species.

(b) Identification of such trees proposed to be removed or retained.

(c) All such diseased, dead or damaged trees.

(d) The size, species and planting method of all proposed plans for replanting, replacement or remediation.

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(e) Any proposed grade changes.

(2) The removal of any tree that otherwise would be subject to the notice or permit requirements set forth in Article VI or VII of this chapter may be permitted in accordance with site plan or subdivision approval and will not also require notice pursuant to Article VI or a tree removal permit approval pursuant to Article VII.

B. Street trees. If the site plan or subdivision plan does not propose, or depict existing, sidewalks or curbs, the applicant may plant shade trees in the unpaved area of the right-of-way, in locations to be determined by the Building Inspector.

C. Restoration fees. For Class C and four or more Class B trees to be removed due to new construction that are not subject to Article VII herein, a fee, as determined from time to time by resolution of the Board of Trustees, shall be paid by the applicant and deposited into the Village Tree Releaf Fund.

D. Inspection. After: (a) the granting of site plan approval and prior to issuance of a certificate of occupancy by the Building Department; or (b) the granting of subdivision approval and execution of a subdivision map by the Mayor, the Building Inspector shall inspect the real property to determine whether all trees proposed to be preserved shall in fact remain in existence. If the Building Inspector determines that any tree that was to be preserved has been removed, damaged, destroyed, or substantially altered, the applicant shall be required to replace the tree or trees with trees of equal kind to the satisfaction of the Board of Trustees. The Board of Trustees may make such determination at any meeting of the Board without the requirement that a public hearing be held for such purpose.

§ 137-802. Applicant's responsibility.

A. Where the Board of Appeals has granted variances or other approvals or the Board of Trustees has granted final approval to a subdivision or site plan, that contains as a condition of such approval the preservation, planting and/or replacement of trees, the applicant shall be responsible for the preservation of the trees so designated in the applicant's plans and the planting or replacement of trees pursuant to this chapter.

B. Where an applicant cannot timely plant trees in accordance with this chapter, due to the season, weather conditions or other circumstances that make it impossible to perform such planting, the applicant may deposit in escrow with the Village Clerk an amount to be determined by the Board of Trustees to cover the cost of purchasing and planting the trees.

§ 137-803. Tree specifications.

A. Trees to be planted as required by a subdivision or site plan approval shall be balled and burlapped and shall not be less than two inches in diameter nor less than eight feet high. Trees shall be nursery-grown and planted using the best current, commercial practices for successful tree planting.

B. All debris associated with the planting shall be removed from the property. The property must be left in a neat and orderly condition in accordance with good and accepted planting practice.

C. At least three days prior to the start of planting, notice of the date of such planting shall be given to the Building Inspector.

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D. All planting work shall be subject to the general supervision and approval of the Board of Trustees and Building Inspector.

E. Any other requirements of the Building Inspector shall be met.

ARTICLE IX

Village Tree Releaf Fund

§ 137-901. Village Tree Releaf Fund.

The Village Treasurer is hereby directed to establish a separate line item under the Village's general fund which will be designated as the "Village Tree Releaf Fund." All permit fees and other fees collected under this chapter shall be delivered to the Village Treasurer and segregated into said separate line item of the general fund. The money in the Village Tree Releaf Fund may be used for the planting and maintaining of trees by the Village or the education of the public concerning tree preservation and safety, as directed by the Board of Trustees in consultation with the Commission.

ARTICLE X

Appeals/Penalties

§ 137-1001. Appeals.

Any person aggrieved by any act or determination of the Commission, the Building Department or Board of Trustees, after first exhausting all procedures provided in this chapter, shall have the right to appeal to the Zoning Board of Appeals. Such appeal must be taken within 60 days after the filing of the determination, specifying the grounds thereof and the relief sought.

§ 137-1002. Penalties for offenses.

Any person who violates any provision of this chapter, fails to comply with any conditions imposed by the Superintendent, Planning Board or Board of Trustees, or fails to comply with any written directive made pursuant to this chapter, or causes any of the aforesaid violations, shall be deemed guilty of a violation and, upon conviction thereof, shall be subject to a fine as follows:

A. For removing, destroying or substantially altering the habitat of a single

tree, a minimum fine of $500, with a maximum fine not to exceed $2,000.

B. Where more than one tree is removed, destroyed or substantially altered in violation of any provision of this chapter, within a one-year period, the fines shall be as follows:

(1) For the first such tree, a minimum fine of $500, with a maximum fine not to exceed $2,000;

(2) For the second such tree, a minimum fine of $2,500, with a maximum fine not to

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exceed $5,000;

(3) For three or more such trees, a minimum fine of $3,000 and a maximum fine of $5,000 for each tree in excess of two trees.

C. A tree company or any person not an owner of real property who performs an act in violation of this chapter shall also be subject to the same fine schedules provided in Subsections A and B of this section. Such company or person shall be subject to the fines provided in Subsection B of this section regardless of the location of the real property where the trees are or were located.

D. For each tree not replanted as required by this chapter, a fine of $5,000.

§ 137-0103. Suspension of permit or approval.

A. If a real property owner or any other person performing work with the consent, expressed or implied, of the real property owner shall violate any provision or condition of any permit or other approval of an application from any department, board, or commission of the Village by removing, destroying, or substantially altering the habitat of a tree, or by suffering, permitting, or allowing the removal, destruction, or substantial alteration of the habitat of a tree on such real property, such permit or other approval shall be suspended. Such suspension shall continue and no further action shall be taken pursuant to such approval until such person shall apply to the department, board, and/ or commission which granted such permit or approval for modifications thereof based upon the removal, destruction or substantial alteration of the habitat of such tree or trees. Upon such application, such department, board, and/or commission may modify such permit or approval by implementing such conditions, including, but not limited to, the requirement that one or more new trees, with a diameter and height as determined by the commission, shall be planted to replace the removed tree(s) and that the new tree(s) shall be maintained for a specific period of time, not to exceed five years, or such other condition or conditions as such department, board and/or commission might deem appropriate. Such conditions also may include a prohibition of any further work on such real property until the replacement tree or trees have been planted and that a declaration or covenants and restrictions be recorded by the owner of the real property, running with the land, to assure that such conditions with regard to such replacement trees shall be enforceable against all future owners.

B. Notwithstanding anything to the contrary in this chapter, the Building Inspector shall have the authority to authorize and/or direct that the real property owner and/or any other person performing work with the consent, expressed or implied, of the real property owner take such actions as, in the sole discretion of the Building Inspector, are reasonable and/or necessary to maintain the real property in a safe condition and to assure that all relevant stormwater, sediment and erosion control, and tree protection measures are implemented and maintained and that such other actions as the Building Inspector may determine to be in the best interests of the Village are implemented and maintained until such application has been made, a decision thereon has been rendered by such department, board, and/or commission, and the additional conditions, if any, of such department, board or commission have been implemented.

Section two. Any local law, ordinance, or resolution of the Village of Hewlett Neck in conflict with this local law is hereby repealed to the extent of such conflict, except that such repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of such local law, ordinance or resolution prior to the effective date of

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this local law.

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

Section four. This local law shall take effect immediately upon adoption and filing of such law pursuant to the Municipal Home Rule Law.

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

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(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 2018 of the ~~(County)(City)(Town)~~(Village) of Hewlett Neck was duly passed by the Board of Trustees on March 27, 2018, in accordance with the applicable
(Name of Legislative Body)
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 _____ 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
(Elective Chief Executive Officer)*
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.

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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.

Michelle Phanda
~~Clerk of the county legislative body, City, Town or~~ Village Clerk ~~or officer designated by local legislative body~~

(Seal)

Date: March 27, 2018

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