

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 North Castle

Town

Village

Local Law No. 10 of the year 2006

A local law A local law to adopt Westchester County Greenway Compact Plan, *The Greenprint for a Sustainable Future...the Westchester Way*.
(Insert Title)

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

County

City

of North Castle as follows:

Town

Village

Section 1. Adoption of Westchester County Greenway Compact Plan

1. Pursuant to the provisions of Section 44-0119 of the Environmental Conservation Law of the State of New York, the Town of North Castle hereby adopts the statement of policies, principles and guides detailed in ***The Greenprint for a Sustainable Future...the Westchester Way***, the Westchester County Greenway Compact Plan, by which the Town of North Castle becomes a participating community in the Greenway Compact.
2. Proposals to amend the Compact Plan may from time to time be made by the Hudson River Valley Greenway Communities Council (hereinafter referred to as "Greenway Council") in response to requests from participating communities. Within 90 days of receipt of any such proposal from the Greenway Council, the Town Board of the Town of North Castle shall determine by resolution whether to accept or to reject such proposed amendment. Any proposed amendment so accepted shall be considered an amendment of the Compact Plan as adopted by the Town of North Castle. Any proposed amendment rejected by the Town of North Castle will not be considered to be an amendment of the Greenway Plan for the Town of North Castle, and notice of such rejection shall promptly be provided to the Greenway Council.

3. It is stated policy of the Town of North Castle that, to the extent the Town amends its current, or enacts new, land use laws and regulations, such new or amended laws and regulations, where appropriate, should be designed to be consistent with the Compact Plan.

Section 2. The Town Code shall be amended to add the following Section 213-1.1 in its proper numerical order:

Westchester County Greenway Compact Plan. By Local Law No. _____ of the Year 2006 the Town of North Castle has adopted the Compact Plan, as amended from time to time, as a statement of policies, principles, and guides to supplement other established land use policies in the Town. In its discretionary actions under this zoning code, the reviewing agency should take into consideration said statement of policies, principles and guides, as appropriate.

Section 3. The Town Code shall be amended to add the following Section A216-3.1 in its proper numerical order:

Westchester County Greenway Compact Plan. By Local Law No. _____ of the Year 2006 the Town of North Castle has adopted the Compact Plan, as amended from time to time, as a statement of policies, principles, and guides to supplement other established land use policies in the Town. In its discretionary actions under this subdivision code, the reviewing agency should take into consideration said statement of policies, principles and guides, as appropriate.

Section 4. Home Rule of Authority

Nothing in this Local Law adopting the Compact Plan, or in becoming a participating community in the Compact Plan is intended, or shall be construed (a) to limit the home rule authority of the Town/Village/City under State Law to make local land use and zoning decisions, (b) to authorize any other entity to supersede the Town/Village/City's land use laws and regulations or to impose any requirements on the Town/Village/City, or (c) to prevent the Town/Village/City in its sole discretion from adopting a local law at a later date for the purpose of withdrawing from the Greenway Compact or Westchester County Greenway Compact Plan.

Section 3. Severability.

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any other part of this local law that can be given effect without such invalid part or parts.

Section 4. Effective Date.

This Local Law shall take effect immediately upon its adoption and filing with the Secretary of State.

Dated: June 8, 2006

(Complete the certification in the paragraph that applies to the filing of this local law and strikeout 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. 10 of 2006 of the (County) (City) (Town) (Village) of North Castle was duly passed by the Town Board on June 8, 2006, 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 2006 of the (County) (City) (Town) (Village) of _____ was duly passed by the _____ on _____ 2006, and was (approved) (not approved) (repassed after

(Name of Legislative Body)

disapproval) by the _____ and was deemed duly adopted on _____ 2006,
(Elective Chief Executive Officer)*

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 2006 of the (County) (City) (Town) (Village) of _____ was duly passed by the _____ on _____ 2006, and was (approved) (not approved) (repassed after

(Name of Legislative Body)

disapproval) by the _____ on _____ 2006. Such local law was submitted
(Elective Chief Executive Officer)*

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 _____ 2006, 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 2006 of the (County) (City) (Town) (Village) of _____ was duly passed by the _____ on _____ 2006, and was (approved) (not approved) (repassed after

(Name of Legislative Body)

disapproval) by the _____ on _____ 2006. Such local law was subject to
(Elective Chief Executive Officer)*

permissive referendum and no valid petition requesting such referendum was filed as of _____ 2006, 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 2006 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 _____ 2006, 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 2006 of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 2006, 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.

Ann Leber, Town Clerk

(Seal) Date: June 8, 2006

(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 WESTCHESTER

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
Roland Baroni, Town Attorney
Title

County
City of North Castle
Town
Village
Date: _____