

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. _____ of the year 2006

A local law Local Law to Amend Section 213-21 of the Town of North Castle Town Code to permit Auto Impound (Tow Storage) Lots as a special use within the IND-A Zoning District and to amend Section 213-33R of the Town of North Castle Town Code to create appropriate special use permit standards for Auto Impound Lots
(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. Amend Section 213-21 of the Town of North Castle Town Code to add the following permitted principal use to the IND-A Zoning District:

* Auto Impound (Tow Storage) Lot pursuant to Section 213-33R of the Town Code

Section 2. Add the following new section to Section 213-33 of the Town Code:

R. Automobile Impound (Tow Storage) Lots. In zones where permitted, Auto Impound Lots shall be subject to the following additional requirements:

- (1) Towed vehicles shall be stored within a secured vehicle storage area that is not accessible to the public.

- (2) Car storage areas shall be effectively screened as not to be visible from adjoining property or public rights-of-way.
- (3) Indoor bays shall be located at the rear of the structure not facing the public right-of-way and as far as possible from adjoining residential uses.
- (4) All site lighting shall be stationary and directed away from adjoining properties and the public right-of-way.
- (5) Trucks shall not be dispatched from the Auto Impound Lot between the hours of 7 PM and 8 AM.
- (6) Impounded or damaged vehicles shall not be brought to the Auto Impound Lot between the hours of 7 PM and 8 AM.
- (7) Vehicles shall not be retrieved from the Auto Impound Lot storage area after 7 PM.
- (8) Repair activity of any kind shall be prohibited.
- (9) The entire site shall be paved with an asphalt or concrete surfacing or an oil and aggregate mixture to prevent emulsion of dust or tracking of mud onto public rights-of-way.
- (10) The site shall be provided with adequate drainage provisions satisfactory to the Town Engineer.
- (11) The Automobile Impound Lot shall require one (1) off-street parking space for each three thousand (3,000) square feet of site area. All required off-street parking shall be located outside of any secured vehicle storage area.
- (12) One (1) off-street loading area for each acre of site area or fraction thereof shall be located within the secured vehicle storage area.
- (13) Required off-street parking spaces shall not be used for the parking of vehicles used directly in the conduct of the Auto Impound Lot.
- (14) No wrecked or dismantled vehicles shall be placed or allowed to remain outside the enclosed yard area.
- (15) No wrecked or dismantled vehicles shall be stored at a height greater than that of the surrounding fence or wall.

(16) The crushing, smashing, baling or reduction of metal shall not be permitted.

Section 3. Add the following use and off-street parking requirement to Section 213-34A of the Town Code:

Auto Impound (Tow Storage)

One (1) off-street parking space for each three thousand (3,000) square feet of site area. All required off-street parking shall be located outside of any secured vehicle storage area.

Section 4. Conflicting Standards.

Where the requirements of this Local Law impose a different restriction or requirement than imposed by other sections of the Code of the Town of North Castle, the Town Law of the State of New York or other applicable rules or regulations, the requirements of this Local Law shall prevail.

Section 5. 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 6. Effective Date.

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

Dated: _____, 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. _____ of 2006 of the (County) (City) (Town) (Village) of North Castle was duly passed by the Town Board on _____ 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
Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body

(Seal) Date: May 10, 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: May 10, 2006