

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 Salem

FILED
STATE RECORDS

APR 16 2018

DEPARTMENT OF STATE

Local Law No. 4 of the year 2018

A LOCAL LAW AMENDING THE ZONING LAW OF THE TOWN OF SALEM.

Be it enacted by the Town Board of the Town of Salem as follows:

See Attached

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

TOWN OF SALEM

LOCAL LAW NO. 4 OF THE YEAR 2018
AMENDING THE TOWN OF SALEM ZONING LAW

Be it enacted by the Town Board of the Town of Salem, Washington County, New York, as follows:

SECTION I – ENACTMENT

- A. The Zoning Law of the Town of Salem, as most recently amended by Local Law No. 3 of 2017, adopted July 12, 2017, is hereby amended as follows:

Article IV is hereby amended as follows:

4.10 is amended as follows:

With the exception of the commercial districts, off-street parking spaces shall be provided in any district in accordance with the specifications in this section whenever any new use is established or existing use is enlarged. In the commercial districts, the parking requirements may be waived where it can be demonstrated that public on-street parking is available and adequate.

For Mixed Use and Retail businesses the Planning Board may reduce the total number of parking spaces required if it can be demonstrated that the required number of spaces is excessive for that use or to provide for more open space.

Article IV § 4.31 is amended and shall repeal the following minimum yard dimensions for the Mixed Use District:

Zoning District	Front Yard	Side Yard	Rear Yard
M	50	50	50

SECTION II – AUTHORITY

This Local Law is enacted pursuant to the authority of Section 10 of the New York State Municipal Home Rule Law.

SECTION III – SEVERABILITY

If any part or provision of this local law is judged invalid by any Court of competent jurisdiction, such judgment shall be confined in application to the part of provision directly on which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this law or the application thereof to other persons or circumstances. The Town hereby declares that it would have enacted the remainder of this law even without such part of provision or application.

SECTION IV - EFFECTIVE DATE

This local law shall become effective immediately upon the filing in the office of the New York Secretary of State pursuant to Section 27 of the New York State Municipal Home Rule Law.

(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. 4 of 2018 of the (County)(City)(Town)(Village) of Salem was duly passed by the Town Board on March 14, 2018, 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 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____, 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ and was deemed duly adopted on _____, 20____ in accordance with the applicable provisions of law.
(Name of Legislative body)
(Elective Chief Executive Officer)*~~

~~**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) (repassed after disapproval) by the _____ on _____, 20____.
(Name of Legislative body)
(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) (repassed after disapproval) by the _____ on _____, 20____.
(Name of Legislative body)
(Elective Chief Executive Officer)*
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.~~

* 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 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 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.

Patricia A. Culchrist
Clerk of the county legislative body, City, Town or Village
Clerk or officer designated by local legislative body

Date: *March 15 2018*

(Seal)