

(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 Rockville Centre

Town

Village

Local Law No. 11 of the year 2010

A local law to amend the Code of the Village of Rockville Centre, in relation to applications
(Insert Title)
for amendment of zoning regulations.

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

County

City

of Rockville Centre **as follows:**

Town

Village

Section one. Sections 340-144, 340-145 and 340-146 of the Code of the Village of Rockville Centre are hereby amended, to read as follows:

"§ 340-144. Amendments, changes and modifications.

A. This chapter or any part thereof may be amended, supplemented, modified or repealed from time to time by the Village Board of Trustees, acting on its own motion or upon petition, as provided by law.

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

B. The Board of Trustees may in connection with the consideration of any action specified in Subsection A of this section enact by resolution a moratorium on the issuance of building permits by the Building Department of the Village of Rockville Centre; provided, however, that said moratorium shall be effective for a limited and reasonable period of time and shall be limited to the issuance of building permits pertaining only to those sections of this chapter which are the subject of such action.

§ 340-145. Petitions; Fees..

A. Each petition for a zoning amendment shall be in writing, and shall be accompanied by payment of the applicable fee and deposit as prescribed by resolution of the Board of Trustees. In addition, the applicant shall be responsible to mail any legal notices required by law.

B. If the petition is withdrawn before publication of notice of a public hearing thereon, the fee may be refunded, in whole or in part, at the discretion of the Board of Trustees. No fee shall be required for a petition filed in favor of or against a pending application.

C. Upon written request from an applicant upon or after the completion of processing any application for which a deposit was made, and upon the payment of all expenses to which that deposit may be applied, the Village Administrator may return any unexpended balance of such deposit.

D. Each such petition shall be in writing and shall contain the items and information required for an application for a zoning variance.

§ 340-146. Notice of application for change or amendment.

If the Board of Trustees determines to entertain a petition pursuant to this article, notice of public hearing shall be published and posted by the Village, and mailed by the applicant, in the same manner as provided for applications for a zoning variance, except that in the case of an amendment made by the Board of Trustees on its own motion, no notice shall be required except by publication and posting as required by law. Proof of such mailing shall be filed with the Village Administrator at least three business days prior to such hearing. "

Section two. Severability. In the event that any provision of this law shall be determined by a court of appropriate jurisdiction to be illegal or otherwise unenforceable, then only that particular provision shall not be enforced, and all other provisions of this law shall remain in full force and effect.

Section three. This local law shall take effect immediately upon adoption and filing pursuant to the 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.)

(Name of Legislative Body)
I hereby certify that the local law annexed hereto, designated as local law No. 11 of 2010 of the ~~(County)~~(City)(Town)(Village) of Rockville Centre was duly passed by the Board of Trustees on June 8, 2010, in accordance with the applicable 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)(repassed after disapproval) by the _____ and was deemed duly adopted 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)(repassed after disapproval) by the _____ on _____ 20__. 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__. 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.

5. (City local law concerning Charter revision proposed by petition.)

*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.

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 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.

Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body.

Date: June 8, 2010

(Seal)

(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 NASSAU

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

Village Attorney
Title

County

City

of Rockville Centre

Town

Village

Date: June 8, 2010