

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

of Prattsville

STATE OF NEW YORK
DEPARTMENT OF STATE

FILED

JAN 14 2005

MISCELLANEOUS
& STATE RECORDS

Local Law No. 3 of the year 2004

A local law Amending the Subdivision Regulations, adopted September 1986 and last revised August 9, 1999, to reflect the availability of a municipal sewage disposal system and the need to obtain confirmation of a sewer allocation if the proposed project intends to connect to the municipal sewage disposal system

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

County

City

Town

Village

of Prattsville as follows:

The Subdivision Regulation for the Town of Prattsville, as last revised August 9, 1999, is revised as follows:

1. *Article I, Declaration of Policy, is revised to add a new Section 4:*

Section 4. WASTEWATER TREATMENT FACILITY CAPACITY

No subdivision proposed to be connected to the wastewater treatment facility will be approved without a valid Wastewater Treatment Allocation Approval from the Town Board as required by Section 1301 of the Sewer Use Law.

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

2. ***Paragraph A.2 of Section 2 of Article V, Documents to be Submitted, is repealed and a new Paragraph A.2 added as follows:***

2. For all subdivisions proposed to connect to the wastewater treatment facility, the subdivider shall submit an application for a Wastewater Treatment Allocation Permit per the requirements of Article 13, Section 1301 of the Sewer Use Law. All on-site sanitation and water supply facilities shall be designed to meet the minimum specifications of the State Department of Health and the NYC Department of Environmental Protection, and a note to this effect shall be stated on the Plat and signed by the subdivider's engineer. If individual septic systems are proposed, soil percolation tests shall be performed for each building lot. A minimum of one deep-hole soil test per lot is required for each Minor Subdivision. The location and results of the soil tests shall become part of the Minor Subdivision Plat. Septic system designs may be required by the Planning Board, prior to Plat approval.

3. ***Paragraph B of Section 2 of Article V, Documents to be Submitted, is repealed and a new Paragraph B added as follows:***

B. If the application covers only a part of the subdivider's entire holding, a map of the entire tract drawn at a scale of not less than 400 feet to the inch showing an outline of the platted area with its proposed streets and indication of the probable future street system with its grades and drainage in the remaining portion of the tract and the probable future drainage layout of the entire tract shall be submitted. The part of the subdivider's entire holding submitted shall be considered in the light of the entire holdings.

In the case of the minor subdivision of a parcel of land that is in excess of 100 acres in total size and where the newly created parcel(s) are comprised of not more than two and one-half (2.5) acres, then the plat need only reflect that portion of said property affected by the subdivision and all other features required by this Section within 250 feet of the boundary of the proposed newly created parcels. All other bulk requirements including minimum set backs and lot sizes shall be applicable to parcels of the Subdivision. This exception may be utilized one time only for any individual parcel.

4. ***Section 3 of Article V is revised to add a new paragraph A.16 as follows:***

16. For all subdivisions proposed to connect to the wastewater treatment facility, the subdivider shall submit an application for a Wastewater Treatment Allocation Permit per the requirements of Article 13, Section 1301 of the Sewer Use Law.

5. ***Section 4 of Article V is revised to add a new paragraph A.12 as follows:***

12. For all subdivisions proposed to connect to the wastewater treatment facility, the subdivider shall submit an application for a Wastewater Treatment Allocation Permit per the requirements of Article 13, Section 1301 of the Sewer Use 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. 3 of 20 04 of the ~~(County)~~(City)(Town)(Village) of Prattsville was duly passed by the Town Board on December 13 2004, 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.

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 there from and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

Michael Harkness
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

(Seal)

Date: 01-10-05

(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 Greene

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.

Kemi M. H.
Signature

Special Counsel
Title

County
City of Prattsville
Town
Village

Date: 1/6/05