

**(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.

**Town of New Scotland  
Local Law 4 of the year 2009**

A local law Providing a Third Extension of Local Law No. 3 of the Year 2008, to February 1, 2010.

**Be it enacted by the** Town Board of the Town of New Scotland as follows:

**SECTION I.**

**PURPOSE**

On May 7, 2008 the New Scotland Town Board enacted Local Law No. 3 of 2008 (the "Moratorium"), which temporarily suspended large scale commercial development in the Commercial Zone. The Moratorium has been extended by Local Law No. 6 of 2008 and Local Law No. 1 of 2009 to September 1, 2009. During the period of the Moratorium the Town Board, Planning Board, and Citizen Zoning Advisory Committee ("CZAC") have undertaken substantial work to bring the Town's Zoning Law into conformance with the Town's Comprehensive Plan. Recently, substantial work has been done on a proposed Local Law, which would limit the scale of certain commercial development in the Commercial Zone. The purpose of this Local Law is to maintain the status quo while that proposal is being reviewed and considered.

**SECTION II. AUTHORITY**

This local law is enacted by the Town Board of the Town of New Scotland pursuant to its authority to adopt local laws under Article IX of the New York State Constitution and Municipal Home Rule Law Section 10.

**SECTION III. EXTENSION**

Local Law No. 3 of 2008 of the Town of New Scotland is extended until February 1, 2010 and all provisions thereof shall remain in effect until that date.

**SECTION IV. VALIDITY**

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 which can be given effect without such invalid part or parts.

**SECTION V. REPEAL OF OTHER LAWS**

All local laws in conflict with the provisions of this local law are hereby superceded and suspended until February 1, 2010 and for any other additional period that Local Law No. 3 of 2008 may hereafter be extended.

**SECTION VI.**

**EFFECTIVE DATE**

This local law shall take effect immediately, as provided by law, upon filing with the Secretary of State and shall remain in force and effect until February 1, 2010.

**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 2009 of the Town of New Scotland was duly passed by the New Scotland Town Board on August 31, 2009, 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 Town of New Scotland was duly passed by the New Scotland Town Board 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 Town of New Scotland was duly passed by the New Scotland Town Board. \_\_\_\_\_ 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 Town of New Scotland 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.

**\* 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 therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph one, above.

  
New Scotland Town Clerk

(Seal)

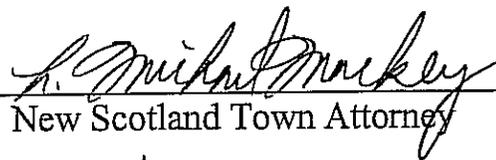
Date:

8/31/09

**(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 ALBANY

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   
New Scotland Town Attorney

Date:

8/31/09