

TOWN



PLANS

SECTION

CONCRETE

(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 Burke
Town
~~Village~~

Local Law No. #2 of the year 19 91

A local law Subdivision Control Law of the Town of Burke
(Insert Title)

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

County
City of Burke as follows:
Town
Village

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ARTICLE 1: ENACTMENT, AUTHORIZATION, PURPOSE, WAIVER

Section 110 Enactment and Authorization

Pursuant to the authority granted to the Town in Articles 2 and 3 of the Municipal Home Rule Law and Article 16 of the Town Law, the Town Board of the Town of Burke is authorized and empowered to approve plats within that part of the Town of Burke outside the limits of the incorporated Village of Burke, New York.

Section 120 Title

This law shall be known as the "Subdivision Control Law of the Town of Burke.

Section 130 Purpose

The purposes of this law is to ensure that when a land subdivision is created it will not be detrimental to the future health, safety or general welfare of the community; and to afford adequate facilities for the transportation, housing, comfort, convenience, safety, health and general welfare of its population.

Section 140 Administration

This subdivision Control Law shall be administered by the Town Board.

Section 150 Fees

Application review and inspection fees shall be set by Town Board resolution.

ARTICLE 2: DEFINITIONS

For the purpose of this law words and terms used herein are defined as follows:

- Plat** Means a drawing, in final form, showing a proposed subdivision containing all information or detail required by any state or Local law and by this law to be presented to the Town Board for approval, and which after final plat approval, may be duly filed or recorded by the applicant in the Office of the County Clerk.
- Comprehensive Plan** Means a long range or master plan for the development of the Town.
- Conditional Approval of Plat** Approval of a plat subject to conditions set forth by the Town Board in a resolution conditionally approving such plat. Conditional approval does not qualify a plat for recording nor authorize issuance of building permits prior to final plat approval.

Final Plat Approval	Signing of a plat by a duly authorized Town Official appointed by the Town Board after a resolution granting final approval to the plat, or after conditions specified in a resolution granting conditional approval of the plat are completed. Such final approval qualifies the plat for recording in the Office of the County Clerk.
Official Submission Date	Means the date on which an application for plat approval, complete and accompanied by all required information, endorsements and fees, has been filed with the Town Board.
Road, Major	Means a road intended to serve heavy flows of traffic from minor roads or as a business road providing access to business properties.
Road, Minor	Means a road intended to serve primarily as an access to abutting residential properties.
Sketch Plan	Means a sketch of a proposed subdivision to enable the subdivider to save time and expense in reaching general agreement with the Town Board as to the form of the layout and objectives of this law.
Subdivision	<p>(a) Any division of a parcel of land into three (3) or more lots, blocks, or sites for the purpose of conveyance, transfer of ownership, improvement, building, development or sale. A tract of land shall constitute a subdivision upon the sale, rental, offer for sale or lease, or building development of the third lot thereof within any consecutive three-year period.</p> <p>(b) Also, any division of land into two or more parcels for similar purposes is considered to be a subdivision if new public improvements (such as a road) are required.</p> <p>(c) The term subdivision shall include resubdivision.</p>
Undeveloped	Those plats where twenty (20) percent or more of the lots within the plat are unimproved unless existing conditions, such as poor drainage, have prevented their development.

ARTICLE 3: REVIEW AND APPROVAL PROCEDURE

Section 310 Review Procedure for Subdivisions

Major subdivisions shall be processed in the following steps:

1. Sketch plan conference. (optional)
2. Application for plat approval.

2. Application for plat approval.
3. Town Board review.
4. Public hearing.
5. Town Board action on plat.

Section 315 Sketch Plan Conference

The subdivider may request an appointment with the Town Board for the purpose of reviewing a sketch plan. The Town Clerk shall notify the subdivider of the time, date, and the place that the Town Board will meet to consider and review such sketch plan as it relates to the Comprehensive Plan, design standards, and improvement requirements. This meeting is intended to assist the subdivider in the planning and preparation of the plat to save both time and money in preparing maps and plans.

This step does not require a formal application, any fee or filing with the Town Board.

Section 320 New York State Department of Health

New York State Department of Health approval may be required for any subdivision containing five (5) or more lots. Early contact by the subdivider with this department is advised.

Section 325 County and State Highway Permits

A permit from the County Highway Superintendent or the State Department of Transportation is required for any new entries (including driveways) onto county or state highways.

Section 345 Application for Plat Approval

The subdivider shall file an application for plat approval on forms available from the Town Clerk, and accompanied by documentation as specified in Article 4 herein, to the Town Board. Such application shall be submitted at least ten (10) days prior to the meeting at which it is to be considered by the Town Board.

Section 350 Public hearing

A public hearing shall be held by the Town Board after a complete application is filed and prior to rendering a decision. This hearing shall be held within forty-five (45) days of the official submission date of the plat. The subdivider shall attend the hearing. The hearing shall be advertised at least once in a newspaper of general circulation in the town at least five (5) days before the hearing.

Section 360 Guarantees for Required Improvements

In order that the town has the assurance that construction and installation of public improvements

1. Construct all improvements as required by this law and by the Town Board prior to final approval of the plat, or
2. In lieu of the completion of the improvements prior to final plat approval, furnish guarantee as provided in Article 6 of this law.

Section 365 Action on Plat

The Town Board shall by resolution conditionally approve, with or without modifications; disapprove; or grant final approval to the plat within forty-five (45) days of the public hearing. The time in which the Town Board must take action on such plat may be extended by mutual consent of the subdivider and the Town Board. The subdivider shall be notified of the final action of the Town Board by mail within five (5) days. If disapproved, the grounds for disapproval shall be stated in writing in the Town Records, including reference to the provision violated by the Plat.

Section 370 Conditional Approval of Plat

Upon conditional approval of such plat, the Town Board shall empower a duly authorized Town official appointed by the Town Board to sign the plat and grant final approval upon completion of such requirements as may be stated in the conditional approval resolution. The plat shall be certified by the Town Clerk. A certified statement of the requirements shall accompany the plat which, when completed, will authorize the signing of the conditionally approved plat. Upon completion of the requirements the plat shall be signed by said duly authorized official of the Town Board. Conditional approval of a plat shall expire one hundred eighty (180) days after the date of the resolution granting conditional approval. The Town Board may, however, extend the expiration time not to exceed two additional periods of ninety (90) days each.

Section 375 Filing of Plats in Sections

Prior to granting conditional or final approval of a plat in final form , the Town Board may permit the plat to be subdivided into two or more sections and may in its resolution granting conditional or final approval state that such requirements as it deems necessary to insure the orderly development of the plat be completed before such sections may be signed by the duly authorized officer of the planning board. Conditional or final approval of the sections of a plat, subject to any conditions imposed by the board, shall be granted concurrently with the conditional or final approval of the plat.

Section 380 Recording of Plat

The subdivider shall record the Plat, or section thereof, in the Office of the Clerk of the County, of New York, within sixty (60) days after the date of approval; otherwise the plat shall be considered void and must again be submitted to the Town Board for approval before recording in the Office of the Clerk of Franklin County.

Section 410**Documents to be submitted**

1. One (1) copy of the plat to be submitted to the County Clerk, drawn with ink on suitable material to qualify it for filing with the County Clerk, plus two (2) copies. The map scale shall be one (1) inch to one hundred (100) feet unless otherwise specified by the Town Board. Questions on County Clerk's requirements for filing should be resolved with the County Clerk prior to submission.
2. Proposed subdivision name and address of record owner and subdivider; name, address, license number and seal of the surveyor and/or engineer.
3. Road line, pedestrian ways, lots, easements and areas to be dedicated to public use.
4. A detailed soil survey map of the property, together with a description of the suitability of the soils for land development and septic systems. If a detailed soil survey is unavailable for the area in question, then the results of a percolation test on each proposed lot in the subdivision is required. The tests shall be certified to the satisfaction of the Town Board.
5. Sufficient data acceptable to the Town Board to determine readily the location, bearing and length of every road line, lot line, boundary line; such data shall be sufficient to allow for the reproduction of such lines on the ground.
6. The length and bearing of all straight lines, radii, length of curves and central angles of all curves; tangent bearings shall be given for each road. All dimensions of the lines of each lot shall also be given. The plat shall show the boundaries of the property, locations, graphic scale, and true north point.
7. All offers of cession and any covenants governing the maintenance of unceded open space shall bear the certificate of approval of an Attorney retained by the Town, as to their legal sufficiency.
8. Permanent reference monuments shall be shown and constructed in accordance with Town Board specifications.
9. Approval of the State Health Department of water supply systems and sewage disposal systems proposed or installed.
10. An approved Environmental Impact Statement, if required.
11. Construction drawings including plans, profiles, and typical cross sections, as required, showing the proposed location, size, and type of road sidewalks, road lighting standards, roadside trees, curbs, water mains, sanitary sewer or septic systems, storm drains or

12. Evidence of legal ownership of property.
13. Deed restrictions, existing and proposed in form suitable for recording.
14. Any other data such as certificates, affidavits, endorsements or other agreements as may be required by the Town Board in enforcement of this law.

Section 420 Waiver of Submission Requirements

When an application concerns a subdivision of uncomplicated nature, such as a small subdivision along an existing road that requires no installation of public facilities, the Town Board may waive certain submission requirements.

ARTICLE 5: DESIGN, STANDARDS AND REQUIRED IMPROVEMENTS

Section 505 Road Design Standards

General Standards. Roads should conform to the recommendation of the Town Board based on existing and planned roads, topography, public safety, convenience and proposed uses of land. The Town Highway Superintendent shall be consulted by the Town Board for an advisory opinion before the approval of any new road.

Arrangement. Residential minor roads shall be designed to discourage through traffic, whose origin and destination is not within the subdivision.

Location. When a proposed subdivision is adjacent to or has a State highway passing through it, the Town Board may seek information from the New York State Department of Transportation as to the status of said highway in reference to right-of-way and direction. The Town Board may require a marginal road approximately parallel to and on each side of such a right-of-way at a distance suitable for an appropriate use of the intervening land as for park purposes in residential districts, or for commercial or industrial purposes. Such distance shall also be determined with due regard for the requirements of approach and future grade separation.

Intersections. Roads shall intersect one another at angles as near to a right angle as possible, and no intersections of roads at angles less than sixty (60) degrees shall be approved. Road intersections shall be rounded with a radius of twenty-five (25) feet measured at right-of-way line when said intersection occurs at right angles. If an intersection occurs at an angle other than a right angle, it shall be rounded with a curve of radius acceptable to the Town Board. Road jogs with center line offsets of less than one hundred twenty-five (125) feet shall be avoided.

Dead End Roads. Each dead end road shall be provided with a turn around deemed sufficient by the Town Highway Superintendent for snow plowing. Dead end roads designed to be so permanently shall not be permitted unless provided with such a turn around.

Half Roads. Dedication of a half road shall be prohibited.

Access. In commercial and industrial districts, definite and assured provision shall be made for service access such as off road parking, loading and unloading consistent with and adequate for the uses proposed.

Names and Numbers. Names of new roads shall not duplicate existing or platted roads. New roads which are extended or in alignment with existing roads shall bear the name of the existing roads.

Road Signs. The subdivider shall provide and erect road signs of a type to be approved by the Town Board at all road intersections prior to acceptance of the constructed roads.

Trees. If roadside trees are provided, they should be outside of the road right-of-way and planted in such a manner as not to impair visibility at any corner or corners.

Standards For Road Design

	<u>Minor Road</u>	<u>Major Road</u>
Minimum width Right-of Way	50 feet	60 feet
Minimum width of Pavement	18 feet	24 feet
Minimum width	5 feet	5 feet
Minimum radius of Horizontal Curve	150 feet except for road intersection corners	400 feet
Minimum length Vertical Curves	Shall be such that at least 100 feet line of sight exists measured 3 feet above the road surface	200 feet
Minimum length of Tangents between Reverse Curves	100 feet except where excessive grades may be reduced to reasonable grades by shortening tangent	200 feet
Maximum Grade	10% except that grades up to 14% may be approved on short runs	6%-8%
Minimum Grade	1%	1%
Minimum Braking Sight Distance	200 feet	300 feet

Section 510

Road Construction Standards

1. Road improvements shall be installed at the expense of the subdivider.
2. Roads shall be built with:
 - a. Subgrade, which shall be rough graded the full width of the road right-of-way and compacted the full width between the outer edges of the curbs and gutter. The sub-base shall consist of a suitable gravel and stone material approved by the Town Highway Superintendent and compacted to a depth approved by the Town Highway superintendent.
 - b. Base course, consisting of a suitable gravel and stone material approved by the Town Highway Superintendent at least eighteen (18) inches in depth after compaction.
 - c. Surface course, consisting of an approved bituminous material.

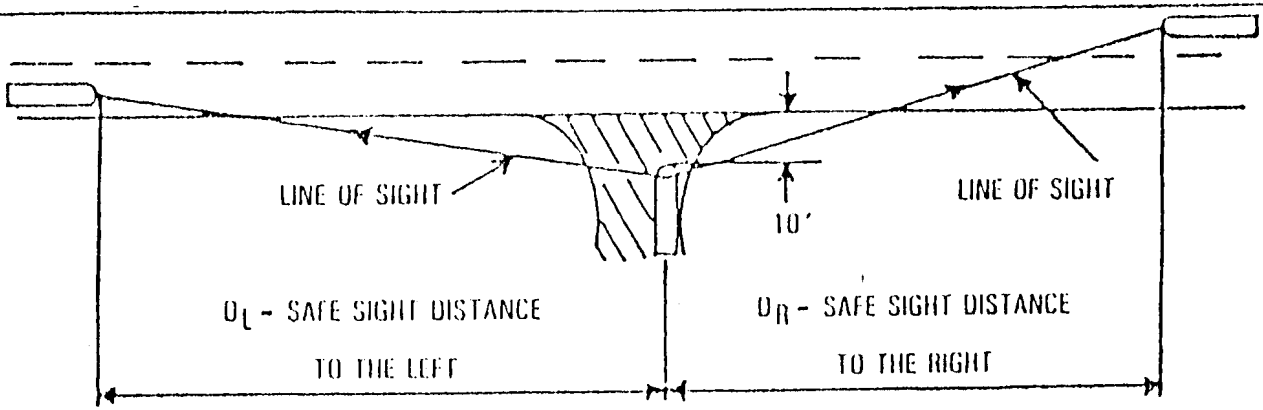
Section 512

Sight Distance Standards

All intersections and driveways should be designed so that a safe sight distance is maintained along all existing and planned roads.

SIGHT DISTANCE ALONG A MAJOR ROAD
FROM A DRIVEWAY OR MINOR ROAD
TO ALLOW A PASSENGER CAR
TO ENTER OR EXIT SAFELY

<u>Design Speed of Highway</u>	<u>Left Turn</u>	<u>Right Turn</u>
30 mph	396 feet	286 feet
40 mph	583 feet	484 feet
50 mph	814 feet	770 feet



Section 520

Utilities

Public utility improvements may be required and shall be installed as follows:

Utility Services: Shall be located from six (6) to eight (8) feet from the front property line to the center line of the utility service between the sidewalk and curb line.

Section 525

Water Supply

1. The Town Board may require evidence that an adequate and portable water supply be accessible to each lot.
2. If, in the opinion of the Town Board, it is feasible and desirable to require a public water supply system, such system shall be installed at the expense of the subdivider to the approval of the Town Board.

Section 530

Sewage Disposal

1. If, in the opinion of the Town Board, it is feasible and desirable to require a sanitary sewer system, such system shall be installed at the expense of the subdivider to the approval of the Town Board in accordance with plans approved by the N.Y.S Department of Environmental Conservation.
2. All sanitary sewage disposal systems shall meet the requirements of the N.Y.S. Department of Environmental Conservation to the satisfaction of the Town Board.

Section 532

Drainage

The Town Highway Superintendent shall review all planned ditching, culvert and other drainage facilities to ensure that they are adequate, and that flooding or ponding will not be created on the site. Adverse impacts upon other properties shall not be created.

Section 535

Lots

Access. Each lot shall have at least 150 feet frontage directly abutting a public or private road in order to ensure adequate access by emergency vehicles. Easements across a private lot may be considered access. A private road constructed to Town standards may be required.

Buildable Area. Each lot shall consist of an area of at least forty thousand (40,000) square feet. There shall be no foreseeable difficulties in providing an adequate septic leach field or drywell system as required by building codes. There shall be a buildable area on the lot free from restrictions such as wetlands, floodplains, steep slope, rock outcrops, or unbuildable soils.

Corner Lots. Lots for residential use shall have extra width to permit appropriate building setback from and orientation to both roads.

Double Frontage Lots. Frontings on two roads other than corner lots, shall be discouraged.

Driveway Locations. Lot layout shall be such that it is possible to locate a safe driveway on each lot. The driveway shall not be too steep where it intersects with a road (no greater than 12% slope) and there should be adequate sight distance in both directions along the road (see Section 512).

Lot Lines. Side lot lines shall be approximately at right angles to the road or radial to curved roads. On large size lots and except when indicated by topography, lot lines shall be straight.

Lot Shape. Extremely elongated lots ("bowling alley" or "spaghetti" lots) will not be permitted.

Section 540 Unique and Natural Features

Unique physical features such as historic landmarks and sites, rock outcrops, hill top lookouts, desirable natural contours, and similar features shall be preserved where possible. Also streams, lakes, ponds, and wetlands shall be left unaltered and protected by easements. All surfaces must be graded and restored within six (6) months of completion of subdivision so no unnatural mounds or depressions are left. Original topsoil moved during construction shall be returned and stabilized by approved methods. **Damage to existing trees should be avoided.**

Section 545 Public Open Spaces and Sites

In subdivisions of twenty (20) or more lots, the Town Board may determine that an area of land, of adequate size, be set aside for use as a park or recreation area or use by the subdivision community. such land may be deeded to the Town upon approval of the Town Board, in such case said recreational area may be used by all residents of the town.

Section 550 Unsuitable Land For Subdivisions

As a safety measure for the protection of the health and welfare of the people of the Town, that portion of a proposed lot which is found to be unsuitable for subdivision due to harmful features (e.g., drainage problems), shall not be subdivided until adequate methods are formulated by the subdivider and approved by the Town Board.

Section 555 Waiver

The Town Board may waive, subject to appropriate conditions, the provision of any or all of such improvements as in its judgment of the special circumstances of a particular plat or plats are not required in the interest of the public health, safety and general welfare, or which in its judgment are inappropriate because of inadequacy or lack of connecting facilities adjacent or in proximity to the subdivision.

Section 560 Modification of Designs

If at any time before or during construction of the public improvements it is demonstrated that unforeseen conditions make it necessary to modify the location or design of public

improvements, the Town Board may authorize such modifications, provided these modifications are within the spirit and intent of the Town Board's approval and do not substantially alter the function of any such improvement required by the Board. Any such authorization issued under this section shall be in writing.

ARTICLE 6: FINANCIAL GUARANTEES FOR PUBLIC IMPROVEMENTS

Section 610 Required Public Improvements

- A. The construction or installation of any improvements or facilities, other than roads, for which a financial guarantee has been made pursuant to this Article shall be completed within one (1) year from the date of the posting of the guarantee. Road improvements shall be completed within two (2) years from the date of the posting of the guarantee.
- b. The applicant may request an extension of time to perform required public improvements provided he can show reasonable cause for inability to construct and install said improvements within the required time. Such extension of time shall not exceed six (6) months. At the end of such extension of time, if the required public improvements are not completed and accepted by the Town, the Town may use as much of the financial security required by this Article to construct and install, maintain, or perfect the improvements as necessary to meet all applicable state and local laws, ordinances, rules, and regulations.
- c. At least five (5) days prior to commencing construction of required public improvements the applicant shall pay to the Town Clerk the inspection fee required, and shall notify the Town Board or a Town Official designated by the Town board in writing of the time when the construction of such improvements will be commenced so that the Town Board may cause inspection to be made to assure that all applicable specifications and requirements shall be met in the construction of such improvements, and to assure the satisfactory completion of public improvements required by the Town Board.

Section 620 Required Financial Security

If required by the Town Board pursuant to Section 360 of this law, applicants for subdivision plat approval shall provide the Town with acceptable financial security in an amount sufficient to guarantee the installation of basic public improvements. Such public improvements may include public water supply, sewage disposal systems, storm drains and sewers, roads, pavement markings and traffic signs and signals, sidewalks, and other public improvements commonly required of applicants for subdivision plat approvals.

Acceptable financial security shall be provided to the Town in one of the following ways:

- A. The applicant shall furnish a bond executed by a surety company in an amount equal to the cost of construction of the public improvements required by the Town Board pursuant to this law.

- B. The applicant shall present to the Town Clerk a certified check in an amount equal to the cost of construction of the public improvements required by the Town Board pursuant to this law.
- C. The applicant shall present to the Town Clerk an irrevocable letter of credit drawn in favor of the Town in an amount equal to the cost of construction of the public improvements required by the Town Board pursuant to this law.

Section 630 Review of Proposed Financial Security

For each of the above options, the required public improvements shall be shown on subdivision plats, and the total amount of the required financial security shall be based thereon. Such estimates shall be certified by a licensed professional engineer, and shall be reviewed by the Town Board for financial adequacy as a guarantee of construction and of reasonable performance during a warranty period. The Town Board and the Attorney for the Town shall jointly review the guarantee agreement for sufficiency of form and execution and for the soundness of the financial guarantee offered by the applicant.

Section 640 Schedule of Improvements

When a guarantee agreement has been approved by the Town Board and the required surety bond, certified check, or letter of credit has been received by the Town Clerk, the Town and the applicant shall enter into a written agreement itemizing the required public improvements, establishing a schedule for the construction and installation of such improvement, and itemizing the cost of construction and installation for each improvement. Whenever feasible, costs shall be organized by logical phases of work completion in order to facilitate the partial release of funds held as a financial guarantee by the municipality to the applicant as work is satisfactorily completed.

Section 650 Staged Refunding of Financial Guarantees

At such times as the applicant wishes to have guarantee funds released in consideration of work performed and accepted, the applicant shall cause to be prepared an accurate statement of the work performed and accepted as of a date certain. This statement shall use the same item structure as was employed in the written agreement itemizing the required public improvements.

The applicant, after preparing such statements, shall submit it for review, approval, and signature by an engineer acting on behalf of the Town, by the appropriate municipal inspectors, and by the Town fiscal officer. If the statement is approved by the Town fiscal officer, the statement shall be forwarded promptly to the Town Clerk, together with a recommendation that the amount approved on said statement be released from the financial guarantee provided by the applicant. Where the financial guarantee provided by the applicant makes staged refunding possible, the Town Clerk will then direct in writing to the surety company of financial institution having custody of the guarantee funds to release the approved amount of those funds to the applicant.

Section 660 Acceptance of Required Public Improvements

When the project inspector, following final inspection of the project, certifies to the Town Board that all required public improvements have been completed in accordance with all applicable requirements, the Town Board may act by resolution to accept the public improvements.

ARTICLE 7: MISCELLANEOUS PROVISIONS

Section 710 Penalty Provisions

- A. Any person, firm or corporation who commits an offense against, disobeys, neglects or refuses to comply with or resist the enforcement of any of the provisions of the Subdivision Control Law of the Town of Burke shall, upon conviction, be deemed guilty of a violation. Each week an offense is continued shall be deemed a separate violation of this law.
- B. In addition to the penalties provided by statute, the Town Board may also maintain an action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with or to restrain by injunction the violation of this law.

Section 720 Certification and Filing with County

The Town Clerk is hereby directed to forthwith file a certified copy of this local law with the Clerk of Franklin County.

Section 730 Severability

If any clause, paragraph, section, or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate any other clause, sentence, paragraph, section or part of this local law.

Section 740 Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

Section 750 Misrepresentation

Any permit or approval granted under this law, which is based upon or is granted in reliance upon any material misrepresentation or failure to make a material fact or circumstance known by or on behalf of an applicant, shall be void.

Section 760 New York State Uniform Building and Fire Code

No Sub-Division Permit shall affect the obligation of an applicant to obtain any necessary permit under the New York State Uniform Building and Fire Code, or other State, Local Law, Ordinance or Regulation.

(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. 2 of 1991 of the ~~(County)(City)~~(Town)(Village) of Burke was duly passed by the Town Board on December 30, 1991, 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 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 19____, in accordance with the applicable provisions of law. (Elective Chief Executive Officer*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19____. 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 _____ 19____, 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 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 19____, 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 chairman 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.

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

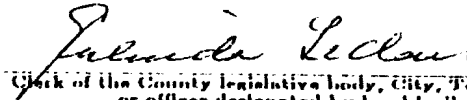
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19 _____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 19____, 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 19 _____ of the County of _____, State of New York, having been submitted to the electors at the General Election of November _____ 19____, 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 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.



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

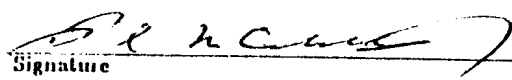
(Seal)

Date: December 30, 1991

(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 Franklin

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

Attorney For Town
Title

~~County~~
~~City~~ of Burke
Town
~~Village~~

Date: January 2nd, 1992