

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of the law should be given as amended. Do not include matter being eliminated and do not use italics or underling to indicate new matter.

FILED
STATE RECORDS

AUG 03 2018

DEPARTMENT OF STATE

County City Town Village
(Select One:)

of LAKE GEORGE

Local Law No. 8 of the year 20 18

A local law Amending Chapter 220-42 ARCHITECTURAL STANDARDS AND GUIDELINES and 220-85 ZONING BOARD OF APPEALS

Be it enacted by the BOARD OF TRUSTEES of the
(Name of Legislative Body)

County City Town Village
(Select one:)

of LAKE GEORGE as follows:

LOCAL LAW NO. 8, 2018
Amending Chapter 220-42 'Architectural Standards and Guidelines'
and 220-85 'Zoning Board of Appeals'
Of the Code of the Village of Lake George

BE IT ENACTED by the Village Board of the Village of Lake George, New York as follows:

§220-42. Architectural standards and guidelines

A. Applicability; word usage.

- (1) The architectural guidelines are applicable to all new construction projects requiring site plan review in the CMU and CR Districts.
- (2) The guidelines and standards stated herein may be applied to renovation projects.
- (3) All statements containing the word "shall" are considered mandatory standards.
- (4) All statements containing the word "should" or "is encouraged" are considered guidelines.
- (5) The mandatory provisions of this section may be waived by the Planning Board through Site Plan Review, where it can be proven that there will not be an adverse impact on the 'architectural character' of the neighborhood. Criteria for assessing such waivers shall be the same criteria used for area variance reviews.

§220-85. Zoning Board of Appeals

E. Referrals planning agencies.

(1) The Zoning Board of Appeals shall refer all completed variance applications, where required to do so by § 239-m of the General Municipal Law, to the County Planning Agency having jurisdiction for its report and recommendation. In no case shall final action be taken until said County Planning Agency (if appropriate) has submitted its report, or until 30 days have passed since the date of referral, whichever occurs first.

(2) The Zoning Board of Appeals shall refer all completed use variance applications to the Planning Board for its review and recommendation. In no case shall final action be taken until said Planning Board has submitted its advisory opinion, or until 30 days have passed since the date of referral, whichever occurs first. The failure of the Planning Board to submit such opinion shall be interpreted as a neutral opinion on the appeal.

(3) In the case of any variance application involving the shoreline restrictions, the Zoning Board of Appeals shall submit a copy of the application to the Adirondack Park Agency, together with such pertinent information as the Agency reasonably shall deem necessary.

§220-93. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this chapter or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this chapter, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

§220-94. Effective Date.

This local law shall take effect upon filing with the office of the New York State Secretary of State.

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

(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. _____ of 20 _____ of the (County) (City) (Town) (Village) of _____ was duly passed by the *(Name of Legislative Body)* _____ on _____ 20 _____, 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. 8 of 2018 of the (County) (City) (Town) (Village) of LAKE GEORGE was duly passed by the BOARD OF TRUSTEES on JULY 16, 2018 and was (approved) ~~(not approved)~~ ~~(repassed after disapproval)~~ by the MAYOR and was deemed duly adopted on January 8, 2018 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 _____ (Elective Chief Executive Officer*) on _____ 20 _____, and was (approved) (not approved) (repassed after disapproval) by the (Name of Legislative Body) _____ 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 (Name of Legislative Body) _____ on _____ 20 _____, and was (approved) (not approved) (repassed after disapproval) by the _____ (Elective Chief Executive Officer) 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.)

I hereby certify that the local law annexed hereto, designated as local law _____ 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 of the General Election of November _____ 20 _____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received 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 and 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 correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph, _____ 2 _____ above.

Debra J. McKinney, Village Clerk
Clerk of the county legislative body, City, Town or Village
Clerk or Officer designated by local legislative body

(Seal)

Date: July 26, 2018

*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.