

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 of BRIARCLIFF MANOR
- Town
- Village

Local Law No. 3 of the year 20 09

A local law TO AMEND CHAPTER 220, ZONING, SCHEDULE LIMITING THE USE OF BUILDINGS
(Insert Title)
AND LAND AND LOCATION, ARRANGEMENT, BULK AND SIZE OF BUILDINGS”
PERTAINING TO “PERMITTED PRINCIPAL USES” IN THE “RETAIL BUSINESS B1”
ZONING DISTRICT

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

- County
- City of BRIARCLIFF MANOR as follows:
- Town
- Village

SEE ATTACHED

(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. 3 of 20 09 of the (County)(City)(Town)(Village) of BRIARCLIFF MANOR was duly passed by the BOARD OF TRUSTEES on February 19, 20 09, 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 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: _____

(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 WESTCHESTER

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.

Wormser, Kiely, Galef + Jacobs LLP
By: [Signature]

Signature
Village Attorney, Wormser, Kiely, Galef & Jacobs
Title

County _____
City of Briarcliff Manor
Town _____
Village _____

Date: 2/19/09

A LOCAL LAW TO AMEND CHAPTER 220 OF
THE VILLAGE OF BRIARCLIFF MANOR
CODE “SCHEDULE LIMITING THE USE OF
BUILDINGS AND LAND AND LOCATION,
ARRANGEMENT, BULK AND SIZE OF
BUILDINGS” PERTAINING TO “PERMITTED
PRINCIPAL USES” IN THE “RETAIL
BUSINESS B1” ZONING DISTRICT

Be it enacted by the Village Board of Trustees of the Village of Briarcliff Manor, as follows:

Section 1. Chapter 220 (Zoning) of the Village of Briarcliff Manor Code, “Schedule Limiting the Use of Buildings and Land and the Location, Arrangement, Bulk and Size of Buildings” pertaining to “Permitted Principal Uses” in the “Retail Business B1” Zoning District, Schedule 220:A7/ 220:A8, Column 2, number 1 is hereby amended by deleting “**and no operation shall be permitted which would be offensive, obnoxious, or detrimental by reason of vibration, dust, fumes, odor, noise, lights or traffic generation and resultant congestion**” to read as follows:

“1. A fully enclosed structure for sale of goods at retail, or performance of customary personal service or services clearly incident to retail sales, primarily for the convenience of the inhabitants of the Village and the immediate locality, but no fabricating, manufacturing, converting, altering, finishing or assembling shall be permitted except as incident to such retail sales, provided, however, that no retail establishment, or a designed group of establishments, shall be permitted to have a floor area used for merchandising or personal service in excess of that which, under this chapter, requires 100 off-street parking units.”

Section 2. Severability. The invalidity of any word, section, clause, paragraph sentence, part or provision of this local law shall not affect the validity of any part of this local law which can be given effect without such invalid part or parts.

Section 3. Effective Date. This local law shall take effect immediately upon filing in the Office of the Secretary of State of New York in accordance with the provisions of the Municipal Home Rule Law.

AFFIDAVIT OF PUBLICATION

from

The Journal News

Florence Bonilla

_____ being duly sworn says that he/she is the principal clerk of The Journal News, a newspaper published in the County of Westchester and State of New York, and the notice of which the annexed is a printed copy, was published in the newspaper area(s) on the date(s) below:

Note: the code to the left of the run dates indicates the zone(s) that the ad was published. (See legend below)

Zone **Dates**

AC 1/24/2009

PUBLIC NOTICE
NOTICE IS HEREBY GIVEN that the Board of Trustees of the Village of Briarcliff Manor will hold a public hearing at 7:30 p.m. on the 5th day of February, 2009 in the Municipal Building, 1111 Pleasantville Road, Briarcliff Manor, New York to hear and discuss amendments to Chapter 220, Schedule Limiting the Use of Buildings and Land and the Location, Arrangement, Bulk and Size of Buildings Pertaining to Permitted Principal Uses in the Retail Business B1 Zoning District.

Christine Dennett,
Village Clerk

Dated: January 23, 2009

Signed _____ *fb*

Sworn to before me

This 3rd day of February 2009

JULIA KYLE
Notary Public, State of New York
No: 01KY6198797
Qualified in Westchester County
Commission Expires January 5, 2013

Julia Kyle
Notary Public, Westchester County

Legend:

Northern Area (AN):
Amawalk, Armonk, Baldwin Place, Bedford, Bedford Hills, Briarcliff Manor, Buchanan, Chappaqua, Crompond, Cross River, Croton Falls, Croton on Hudson, Goldens Bridge, Granite Springs, Jefferson Valley, Katonah, Lincolndale, Millwood, Mohegan Lake, Montrose, Mount Kisco, North Salem, Ossining, Peekskill, Pound Ridge, Purdys, Shenorock, Shrub Oak, Somers, South Salem, Verplanck, Waccabuc, Yorktown Heights, Brewster, Carmel, Cold Spring, Garrison, Lake Peekskill, Mahopac, Mahopac Falls, Putnam Valley, Patterson

Central Area (AC):
Ardsley, Ardsley on Hudson, Dobbs Ferry, Elmsford, Greenburg, Harrison, Hartsdale, Hastings, Hastings on Hudson, Hawthorne, Irvington, Larchmont, Mamaroneck, Pleasantville, Port Chester, Purchase, Rye, Scarsdale, Tarrytown, Thornwood, Valhalla, White Plains

Southern Area (AS):
Bronxville, Eastchester, Mount Vernon, New Rochelle, Pelham, Tuckahoe, Yonkers

Greater Westchester (GW):
Includes Northern area, Southern area and Central area. (See details below each area)

Rockland Area (JN or RK):
Blauvelt, Congers, Garnerville, Haverstraw, Hillburn, Monsey, Nanuet, New City, Nyack, Orangeburg, Palisades, Pearl River, Piermont, Pomona, Sloatsburg, Sparkill, Spring Valley, Stony Point, Suffern, Tallman, Tappan, Thiells, Tomkins Cove, Valley Cottage, West Haverstraw, West Nyack

Review Press (BVW):
Bronxville, Eastchester, Scarsdale, Tuckahoe

Putnam Express (XPU)
Baldwin Place, Brewster, Carmel, Mahopac, Putnam Valley, Patterson

Sound Shore Express (XSS)
Purchase, Port Chester, Rye, Harrison, Mamaroneck, Larchmont, New Rochelle, Pelham

White Plains Express (XWP)
Elmsford, Hawthorne, Valhalla, White Plains

Yorktown and Cortlandt Express (XYC)
Buchanan, Cortlandt Manor, Crompond, Croton-on-Hudson, Crugers, Jefferson Valley, Lincolndale, Mohgan Lake, Montrose, Ossining, Peekskill, Shenorock, Shrub Oak, Verplank, Yorktown Heights

Northern Westchester Express (XNW)
Armonk, Bedford, Bedford Hills, Chappaqua, Katonah, Mount Kisco, Pleasantville, Thornwood

7690160