

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.



Village of Copenhagen  
Local Law No. 1 of the year 2019

FILED  
STATE RECORDS  
FEB 11 2019  
DEPARTMENT OF STATE

A Local Law to establish a moratorium on land use activities involving hardscape, buildings or fencing within five (5) feet of a property line for land use activity within the Village of Copenhagen to allow the Board of Trustees of the Village of Copenhagen sufficient time to review its laws and to revise regulations that need more specificity to ensure the health, safety and welfare of the residents of the Village of Copenhagen.

Be it enacted by the Board of Trustees of the Village of Copenhagen as follows:

**Section 1. AUTHORITY.** This local law is adopted pursuant to Article 7 of the Village Law, the New York State Executive Law, §10 of the Municipal Home Rule Law; and Section IX of the New York State Constitution.

**Section 2. INTENT and PURPOSE.** The Board of Trustees of the Village of Copenhagen hereby determines that the Laws of the Village of Copenhagen relative to hardscape, buildings or fencing as currently written may inadequately address certain conditions and regulations relative to such land use activities. The Board of Trustees intends to review and revise its laws to be more specific and

protect the health, safety and welfare of its residents. In order to allow the Village sufficient time to conduct such a review and make appropriate revisions, it is the finding of the Board of Trustees that it is necessary to provide a moratorium of six (6) months on such land use activities pending the adoption of said regulations.

**Section 3.** The Board of Trustees of the Village of Copenhagen hereby enacts a moratorium on all land use activities involving hardscape, buildings or fencing within the Village. Such land use activities are prohibited and shall be suspended for six (6) months as of the effective date of this law while the Board of Trustees considers the adoption of further laws with respect to such uses.

**Section 4. SEVERABILITY.** If any section, paragraph, subdivision, clause or provision of this local law shall be adjudged invalid, such judgment shall apply only to such section, paragraph, subdivision, clause or provision so adjudged, and shall not affect, impair, or invalidate any other part or portion of this local law.

**Section 6. EFFECTIVE DATE.** This local law shall take effect upon filing with the Secretary of State.

(Complete the certification in the paragraph that applies to the filing of this local law and

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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. 1 of 2019 of the Village of Copenhagen was duly passed by the Board of Trustees on January 31, 2019, in accordance with the applicable Board of Trustees provisions of law.

2. (Repassed 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)(Village)(Copenhagen) 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)(Village)(Copenhagen) 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)(Village)(Copenhagen) of \_\_\_\_\_ was duly passed by \_\_\_\_\_ 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 or the supervisor of a Village where such officer is vested with the power to veto local laws or ordinances.

5. (Local law concerning Charter revision proposed by petition.)

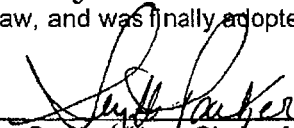
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (66)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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 \_\_\_\_\_, 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 \_\_\_\_\_ 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.

  
\_\_\_\_\_  
Sue Parker Village Clerk, of the  
Village of Copenhagen

(seal)

Date: January 31, 2019

**(Certification to be executed by County Attorney, Corporation Counsel, Village Attorney, Copenhagen Attorney or other authorized attorney of locality.)**

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 \_\_\_\_\_  
\_\_\_\_\_  
Title Joseph W. Russell, Attorney  
Village of Copenhagen

Date: January 31, 2019