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STATE OF NEW YORK
DEPARTMENT OF STATE
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MISCELLANEOUS
& STATE RECORDS

~~County~~

~~City~~ of Richford

Town

~~Village~~

Local Law No. 1 of the year 2004

A local law of the Town of Richford Site Plan Review Law
(Insert Title)

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

~~County~~

~~City~~ of Richford

Town

~~Village~~

as follows:

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

TOWN OF RICHFORD SITE PLAN REVIEW LAW

ARTICLE I INTRODUCTORY PROVISIONS

Section 1.01 Enactment.

The Town Board of the Town of Richford, Tioga County, New York, does hereby enact the Town of Richford Site Plan Review Law pursuant to the authority and provisions of Section 10 of the Municipal Home Rule Law and Section 274-a of the Town Law.

1.02 Title.

This local law shall be known as the "Town of Richford Site Plan Review Law". The Town of Richford is hereinafter referred to as the "Town".

1.03 Intent and purpose.

Through site plan review, it is the intent of this local law to promote and protect the health, safety, general welfare, and environmental quality of the Town. A clean, wholesome, attractive environment is declared to be of importance to the health and safety of the inhabitants of the Town and, in addition, such an environment is deemed essential to the maintenance and continued development of the economy of the Town and the general welfare of its inhabitants.

It is further the intent of this local law to ensure the optimum overall conservation, protection, and preservation of the natural and human-related resources of the Town, by regulating land use activity within the Town through review and approval of site plans.

1.04 Authorization of the Planning Board to review site plans.

The Planning Board is hereby authorized to review and approve or disapprove site plans for land uses within the Town as hereinafter designated pursuant to and in accordance with the standards and procedures set forth in this local law.

ARTICLE II APPLICABILITY AND DEFINITIONS

Section 2.01 Applicability of review requirements.

All new land use activities within the Town shall require site plan review and approval before being undertaken, **except** the following:

1. Construction or alteration of a one- or two-family dwelling and ordinary accessory structures, and related land use activities, on an individual parcel.
2. Landscaping or grading which is not intended to be used in connection with a land use reviewable under the provisions of this local law.
3. Ordinary repair or maintenance or interior alterations to existing structures or uses.
4. General Farming uses in an agricultural district.
5. Sign(s) that total twenty (20) square feet or less.

Any person, corporation, limited liability company or other type of entity uncertain of the applicability of this local law to a given land use activity may apply in writing to the Planning Board for a written jurisdictional determination.

2.02 Effect on existing uses.

This local law does not apply to uses and structures which are lawfully in existence as of date this local law becomes effective. Any use which would otherwise be subject to this local law that has been discontinued for a period of one year or more shall be subject to review pursuant to the terms of this local law before such use is resumed. Any use or structure shall be considered to be in existence provided the same has been lawfully commenced as of the effective date of this local law, and fully constructed and completed within one year from the effective date of this local law.

2.03 Relationship of this local law to other laws and regulations.

This local law in no way affects the provisions or requirements of any other federal, state, or local law or regulations. Where this local law is in conflict with any other such law or regulations, the more restrictive shall apply.

2.04 Words and terms defined.

For the purposes of this local law, the language set forth herein shall be interpreted by reference to the words and meanings as defined below. Any term used in this local law which is not defined below shall carry its customary meaning unless the text otherwise dictates. For the purposes of this local law, the singular includes the plural; the plural includes the singular; the masculine includes the feminine; the present tense includes the future. The words "shall" and "will" mean the action is mandatory; the words "may" and "should" mean the action is elective. "Building" or "structure" includes any part thereof. The word "person" includes an individual, person, firm, corporation, co-partnership, or any other agency of voluntary action.

Family -- A person or persons related to each other by blood, marriage or adoption, or domestic partners, or any number of persons, irrespective of any such relationship, which nonetheless functions as the equivalent of such a family, living together as a single housekeeping unit.

Land use activity -- Any construction or other activity which changes the use or appearance of land or a structure or the intensity of use of land or structure. "Land use activity" shall explicitly include, but not be limited to, the following: new structures, expansions to existing structures, new uses, changes in or expansion of existing uses, roads, driveways, and excavations for the purpose of extracting soil or mineral deposits.

One-family dwelling -- A complete self-contained residential unit for permanent habitation by one family only, and containing one or more rooms and facilities for living including cooking, sleeping, and sanitary needs.

Two-family dwelling -- Two complete, but separate, self-contained residential units each intended for permanent habitation by one family only in a single structure having a common roof, wall, or ceiling and containing one or more rooms and facilities for living including cooking, sleeping, and sanitary needs.

Planning Board -- The Town of Richford Planning Board.

Site Plan -- A rendering, drawing or sketch prepared to specifications and containing necessary elements as set forth in this local law, which shows the arrangement, layout and design of the proposed use of a single parcel of land as shown on said plan. Plats showing lots, blocks or sites, which are subject to review pursuant to authority provided for the review of

subdivisions, shall continue to be subject to such review and shall not be subject to review as site plans under this section.

Structure -- Any object constructed, installed or placed on land to facilitate land use and development or subdivision of land, such as buildings, sheds, signs, tanks, paving, decks, docks and any fixture, additions and alterations thereto.

Structure, accessory -- Any structure designed to accommodate any accessory use but detached from the principal structure.

ARTICLE III SITE PLAN REVIEW

Section 3.01 Procedures – Generally.

Prior to undertaking any new land use activity except as specifically excepted in section 2.01 of this local law, a site plan approval by the Planning Board is required. Applicants for site plan approval should follow the recommended procedures related to the Sketch Plan Conference as hereinafter set forth. Applicants must comply with all other procedures and requirements of this local law.

3.02 Sketch plan.

The applicant shall request a Sketch Plan Conference, such request to be made in writing to the Planning Board Chair by the applicant at least 14 (fourteen) days prior to a regularly scheduled meeting of the Planning Board. If the Chair determines that there is insufficient time at the meeting to hold a Sketch Plan Conference, the Chair shall arrange with the Applicant to hold a Sketch Plan Conference at a mutually agreed upon time within 45 days of receiving the request for a conference. This period may be extended upon agreement of both parties.

A Sketch Plan Conference shall be held between the Planning Board, Town Code Enforcement Officer, and applicant, prior to the preparation and submission of a formal site plan. The intent of such a conference is to enable the applicant to inform the Board of his or her proposal prior to the preparation of a detailed site plan, and for the Planning Board to review the basic site design concept, advise the applicant as to potential problems and concerns, and to generally determine the information to be required on the site plan. In order to accomplish these objectives, the applicant shall provide seven (7) copies of the following to the Planning Board Chair at least 14 (fourteen) days prior to a regularly scheduled meeting of the Planning Board:

1. A statement and rough sketch showing the locations and dimensions of principal and accessory structures, parking areas, access and other proposed signs (with descriptions), existing and proposed vegetation, and other planned features; anticipated changes in the existing topography and natural features; and, where applicable, measures and features to comply with flood hazard and flood insurance regulations; and such other information deemed necessary by the Code Enforcement Officer.
2. An area map showing the parcel under consideration for site plan review, and all properties, subdivisions, streets, rights of way, easements and other pertinent features within 500 (five hundred) feet of the boundaries of the parcel; and
3. A topographic or contour map of adequate scale and detail to show site topography and drainage.

Section 3.03 Applicant requirements.

Following the Sketch Plan Conference, an application for site plan approval shall be made in writing to the Chair of the Planning Board and shall be accompanied by seven (7) copies of the information contained on the following checklist. Changes to this checklist (additions and/or deletions) may be made as determined necessary by the Planning Board at said Sketch Plan Conference.

Site Plan checklist:

1. Title of drawing, including name and address of applicant and person responsible for preparation of such drawing;
2. North arrow, scale and date;
3. Owner, tax identification number, and boundaries of the property plotted to scale, and names of owners of adjoining parcels;
4. Existing buildings, structures and streets on site and within 500 (five hundred) feet of the boundaries of the site;
5. Location, width and purpose of all existing and proposed easements, set-backs, rights-of-way, reservations, and areas dedicated to public use within and adjoining the property.
6. Description of all existing and proposed deed restrictions or covenants applying to the property.
7. Grading and drainage plan, showing existing and proposed contours, rock outcrops, depth to bedrock, soil characteristics, and watercourses;
8. Location, design, type of construction, proposed use and exterior dimensions (including height) of all buildings and structures;
9. Location, design and type of construction of all parking and truck loading areas, showing access and egress including all driveways;
10. Provision for pedestrian access, sidewalks, and bike paths if any;
11. Location of outdoor storage, if any;
12. Location, design and construction materials of all existing or proposed site improvements including drains, culverts, retaining walls and fences.
13. Description of the method of sewage disposal and location, design and construction materials of such facilities;
14. Description of the method of securing water and location, design and construction materials of such facilities.
15. Description of the method for snow removal and location of snow storage.
16. Location of fire and other emergency zones, including the location of fire hydrants or other water source(s) for emergencies;
17. Location, design, and construction materials of all energy distribution and storage facilities, including electrical, gas, wind and solar energy.
18. Location, size, design, lighting, hours of operation, and type of construction of all proposed signs;
19. Description of adjacent land uses;
20. Location and proposed development of all buffer areas to protect adjacent land use, including existing vegetation covers.
21. Location, size, and design of outdoor lighting facilities;
22. Identification of the location and amount of building area proposed for retail sales or similar commercial activity;
23. General landscaping plan and planting schedule;
24. An estimated project construction schedule;
25. Record of application for and status of all necessary permits from other government bodies;
26. Identification of any permits from other governmental bodies required for the project's execution;
27. An Agriculture Data Statement (ADS) must be submitted if the proposed project occurs on property within an agricultural district containing a farm operation or on property with boundaries within 500 feet of a farm operation within an agricultural district;

28. Environmental Assessment Form, if required: For projects classified as Type 1 under the State Environmental Quality Review Act (SEQRA), a Full Environmental Assessment Form (EAF) is required. For projects classified as Unlisted under SEQRA, a Short Environmental Assessment Form (EAF) is required. After review of these documents the Planning Board may require additional information;
29. DEC stormwater threshold form if required: All projects that meet DEC Stormwater thresholds must comply with current DEC regulations;
30. Other elements integral to the proposed development as may be considered necessary in the particular case by the Planning Board.

3.04 Required Fee.

An application for Site Plan Review shall be accompanied by a nonrefundable fee determined by the Town Board of Richford and paid to the Town Clerk. See the Town Clerk for an application form and fee schedule.

3.05 Retention of Expert Assistance and Reimbursement by Applicant.

1. The Planning Board may retain any consultant and/or expert deemed necessary to assist the Board in reviewing the Site Plan Review.
2. If such assistance is deemed necessary, the Planning Board shall so inform the Applicant. The Planning Board will give the Applicant an estimate of the cost(s) of the consultant or expert. The Applicant will agree in advance to these cost(s) and will pay all such cost(s) directly to the consultant or expert. The total amount of the cost(s) for consultants and/or experts may vary with the scope and complexity of the project, the completeness of the Site Plan Review application and other information as needed by the Planning Board or its consultant/expert to complete the necessary review and analysis. Additional costs, as reasonably required and requested by the Planning Board, shall be paid by the applicant.

ARTICLE IV REVIEW STANDARDS

Section 4.01 General standards and considerations.

The Planning Board's review of the site plan shall include, as appropriate, but is not limited to, the following general considerations:

1. Compatibility of the proposed activity with the Town of Richford Comprehensive Plan.
2. Location, arrangement, size, design and general site compatibility of buildings, structures, lighting, and signs.
3. Adequacy and arrangement of vehicular traffic access and circulation, including intersections, road widths, pavement surfaces, dividers and traffic controls.
4. Location, arrangement, appearance, impact, and sufficiency of: off-street parking and loading; lighting; and signs.
5. Adequacy and arrangement of pedestrian traffic access and circulation, walkway structures, control of intersections with vehicular traffic and overall pedestrian convenience, and sidewalks and bicycle paths, if any.
6. Adequacy of storm water and drainage facilities.
7. Adequacy of water supply and sewage disposal facilities.
8. Adequacy, type and arrangement of trees, shrubs and other landscaping constituting a visual and/or noise and/or light buffer between the applicant's and adjoining lands, including retention of existing vegetation, and fencing.
9. Adequacy of fire lanes and other emergency zones and the provision of fire hydrants or other water source for emergencies.

10. Special attention to the adequacy and impact of structures, roadways and landscaping in areas susceptible to ponding, flooding/or erosion.
11. Special attention to the procedures and facilities, and handling, storing, disposing and transporting of hazardous and/or toxic materials, to ensure such measures are more than adequate to protect surface and ground water resources, air quality, and health of Town residents.
12. Impact upon wetlands and watercourses located on, near, within sight of, or downhill from the applicant's lands, including water quality, visual, aesthetic and environmental impacts.
13. Overall impact on the neighborhood including compatibility of design considerations, noise, light, and aesthetics.
14. Overall impact on maintaining safe and adequate visibility for motorists.
15. Overall impact on surface and groundwater quality resources, air quality, and health of Town residents.
16. Overall impact on Town water supply and sewage disposal facilities, particularly within the hamlet of Richford.
17. Overall impact on scenic, aesthetic, recreational, wildlife, historic, ecological and natural resources of the Town.

Section 4.02 Specific standards and considerations.

All construction on any streambank lot shall be carried out in such manner as to minimize interference with the natural course of such waterway, to avoid erosion of the streambank, to minimize increased runoff of ground and surface water into the waterway, to remove only that vegetation which is necessary to the accomplishment of the project, and to generally maintain the existing aesthetic and ecological character of the streambank.

Any storage of petroleum products shall be in compliance with all applicable state and federal regulations.

All signs shall be on-premise.

All site plan projects shall be in compliance with all applicable state laws, regulations, and standards.

ARTICLE V PUBLIC HEARING AND PLANNING BOARD DECISION

Section 5.01 Public hearing.

The Planning Board shall conduct a public hearing on the Site Plan within 62 days of the receipt of a completed application for Site Plan Review. After the public hearing date is set by the Planning Board, the Applicant shall mail a letter to all property owners located within five hundred feet (500') of the perimeter boundary of the tract of land containing the proposed Site Plan, giving information about the time, date, place and purpose of the Public Hearing, and shall provide the Planning Board with proof of such mailing. Such letters shall be mailed no later than three (3) weeks prior to the public hearing. The public hearing shall be advertised in the Town's official newspaper at least five days before the public hearing. When required by General Municipal Law 239L & 239M, the Planning Board shall submit notice of the public hearing along with a complete description of the application to the Tioga County Planning Board for review. The time period in which the Planning Board must conduct the public hearing can be extended by mutual consent of the applicant and the Planning Board.

5.02 Planning Board decision.

Within 62 days of the public hearing the Planning Board shall render a decision. In its decision the Planning Board may approve, approve with modifications, approve with conditions or disapprove the site plan. The time period in which the Planning Board must render its decision can be extended by mutual consent of the applicant and the Planning Board.

1. **Approval.** Upon approval of the site plan, and payment by the applicant of all fees and reimbursable costs due the Town, the Planning Board shall endorse its approval on a copy of the site plan and shall immediately file it and a written statement of approval with the Town Clerk. A copy of the written statement of approval shall be mailed to the applicant by certified mail, return receipt requested. Upon receiving the written statement of approval, the applicant may apply for a building permit from the Code Enforcement Officer.
2. **Approval with modifications or conditions.** The Planning Board may conditionally approve the final site plan. A copy of written statement containing the modifications required by the conditional approval will be mailed to the applicant by certified mail, return receipt requested. After adequate demonstration to the Planning Board that all conditions have been met, and payment by the applicant of all fees and reimbursable costs due the Town, the Planning Board shall endorse its approval on a copy of the site plan and shall immediately file it and a written statement of approval with the Town Clerk. A copy of the written statement of approval shall be mailed to the applicant by certified mail, return receipt requested. Upon receiving the written statement of approval, the applicant may apply for a building permit from the Code Enforcement Officer.
3. **Disapproval.** Upon disapproval of the site plan the decision of the Planning Board shall immediately be filed with the Town Clerk and a copy thereof mailed to the applicant by certified mail, return receipt requested, along with the Planning Board's reasons for disapproval.
4. **Expirations and Extensions.** A Site plan approval shall expire one year after the date of final approval if actual construction has not been begun by the applicant. Actual construction is defined as the placing of construction materials in their permanent position fastened in a permanent manner, except that where a basement or cellar is being excavated such excavation shall be deemed to be actual construction.
 - A. The Planning Board may, in its sole discretion, upon the applicant's written request made at least 30 days prior to the expiration of the initial one year approval, grant an extension of time within which to implement the site plan, provided the applicant has made reasonable efforts to implement the site plan within the original one year period, and further provided that no such extension shall exceed one year. No further extensions shall be permitted.
 - B. An applicant whose site plan has expired may resubmit his/her application for a new site plan approval.

ARTICLE VI APPEAL OF PLANNING BOARD DECISION

Section 6.01 Appeal.

In the event of disapproval, the applicant may appeal the decision of the Planning Board to the Town Board of Appeals, prior to commencing a judicial proceeding. Such request for appeal shall be filed in writing with the Town Clerk within thirty days of the date of the decision of the Planning Board disapproving the application. The Town Board of Appeals upon receipt of such a request shall schedule a hearing. At the hearing both parties, the applicant and the Planning Board, shall have the right to present their case including relevant documentation, witnesses and the testimony of experts. Any party shall have the right to be represented by counsel.

ARTICLE VII MISCELLANEOUS PROVISIONS

Section 7.01 Enforcement officer.

The Code Enforcement Officer shall be responsible for the overall inspection of site improvements including coordination with the Planning Board and other officials and agencies, as appropriate.

7.02 Amendments.

The Town Board may on its own motion, on petition, or on recommendation of the Planning Board, after public notice and hearing, amend this local law pursuant to all applicable requirements of law.

All proposed amendments originating by petition, or by motion of the Town Board, shall be referred to the Planning Board for a report and recommendation thereon. The Planning Board shall submit its report within 30 days after receiving such referral. Failure of the Planning Board to report within the required time shall be deemed to constitute a recommendation for approval of the proposed amendment.

7.03 Integration of procedures.

Whenever the circumstances of proposed development require compliance with this Site Plan Review Law and with any other state and local law, ordinance or requirement of the Town, the Planning Board shall attempt to integrate, as appropriate, site plan review as required by this local law with the procedural and submission requirements for such other compliance.

7.04 Enforcement.

In case of any violation or threatened violation of any provision of this local law, in addition to other remedies herein provided, the Town may institute any appropriate action or proceedings to prevent such unlawful erection, structural alteration, reconstruction, occupancy, moving and/or use, to restrain, correct, or abate such violation, to prevent the occupancy of such building, structure or land, or to prevent any illegal act, conduct, business or use in or about such premises.

The Code Enforcement Officer is hereby granted administrative authority and responsibility to terminate any violation of this local law by posting a Stop Work Order on the premises wherein the violation has occurred. The Stop Work Order shall serve notice to the owner, builder, developer, agent and/or any other individual or business on the premises that all such actions specified on the Stop Work Order must be terminated immediately. If all provisions of this local law together with other conditions specified by the Code Enforcement Officer are met, then the Town Board or Code Enforcement Officer may authorize the termination of the Stop Work Order.

Whenever a violation of this local law occurs, any person may file a complaint in regard thereto. All such complaints shall be filed with the Code Enforcement Officer who may require such complaint to be in writing. The Code Enforcement Officer shall have the complaint properly investigated and report thereon to the Town Board.

A violation of this local law is declared to be an offense, punishable by a fine not exceeding three hundred fifty dollars (\$350.00) nor less than (\$100.00) or imprisonment for a period not to exceed six months, or both for conviction of a first offense; for conviction of a second offense both of which were committed within a period of five years, punishable by a fine of not less than

three hundred fifty dollars (\$350.00) nor more than seven hundred dollars (\$700.00) or imprisonment for a period not to exceed six (6) months, or both; and, upon conviction for a third term or subsequent offense all of which were committed within a period of five years, punishable by a fine not less than seven hundred dollars (\$700.00) nor more than one thousand dollars (\$1,000.00) or imprisonment for a period not to exceed six (6) months, or both. For the purpose of conferring jurisdiction upon courts and judicial officers generally, violations of this local law shall be deemed misdemeanors and for such purpose only all provisions of law relating to misdemeanors shall apply to such violations. Each week's continued violation shall constitute a separate additional violation. In addition thereto, the Town shall have such other remedies as are provided by law to restrain, correct or abate any violation of this local law.

7.05 Severability.

If any article, section, paragraph or provisions of this local law shall be invalid, such invalidity shall apply only to the article, section, paragraph or provision(s) adjudged invalid, and the rest of this local law shall remain valid and effective.

7.06 Effective Date.

This local law shall be effective as of the date of filing with the New York Secretary of State.

(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. 1 of ~~19x~~ 2004 of the (County)(City)(Town)(Village) of Richford was duly passed by the Town Board on October 12, 2004, 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 approved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 19____, in accordance with the applicable provisions of law.
(Elective Chief Executive Officer)*
(Name of Legislative Body)

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 approved)(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.
(Elective Chief Executive Officer)*
(Name of Legislative Body)

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 approved)(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)*
(Name of Legislative Body)

* 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 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 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 _____, above.

Judith Thurston

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

(Seal)

Date: November 11, 2004

(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 Broome

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.

Steven P. Krna

Signature
Steven P. Krna, Attorney for the Town of Richford

Title

~~County~~
~~City~~ of Richford
Town
~~Village~~

Date: November 15, 2004