

(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.

STATE OF NEW YORK  
DEPARTMENT OF STATE  
**FILED**  
AUG 04 2004  
MISCELLANEOUS  
& STATE RECORDS

~~XXXXXX~~

~~XXX~~ of RICHFIELD  
Town

~~XXXXXX~~

Local Law No. 1 of the year 2004.

A local law AMENDING THE ZONING LAWS  
*(Insert Title)*

IN CERTAIN DISTRICTS

Be it enacted by the TOWN BOARD of the  
*(Name of Legislative Body)*

~~XXXXX~~

~~XXX~~ of RICHFIELD as follows:  
Town

~~XXXXXX~~

**TOWN OF RICHFIELD**

**LOCAL LAW # 1 OF 2004**

**A LOCAL LAW AMENDING  
THE ZONING LAWS IN CERTAIN DISTRICTS**

**BE IT ENACTED BY** the Town Board of the Town of Richfield, Otsego County, State of New York

**SECTION 1.**

Article 4.1 One-acre Residence-Agriculture District-Commercial District is amended as follows:

a. Permitted uses:

1. One family dwellings.
2. Two family dwellings.
3. Farms and agriculture uses, including temporary stands for the sale of agriculture products only
4. Accessory uses to any permitted use
5. Mobile homes
6. Home occupations

b. All other uses must obtain a special permit per Section 7.3 Special Permits:

c. Lot areas and yard regulations pertaining to all structures:

1. Minimum lot area-1 acre (43,560 square feet) usable land, excluding right-of-ways
2. Minimum frontage on public highway-60 feet
3. Minimum front yard setback- 75 feet from the center of a public road or right-of-way or 50 feet from the edge of a public road or right-of-way, whichever is greater
4. Minimum side yard width- 25 feet
5. Minimum rear yard depth- 50 feet

d. Special Regulations:

1. Sewage disposal systems and water systems must conform to the New York State Department of Health Standards.

## SECTION 2.

Article 4.2 RSD Recreational and Seasonal Commercial District is amended as follows:

The following regulations shall apply in all RSCD Districts:

a. Permitted uses:

1. One family dwellings.
2. Two family dwellings.
3. Farms and agriculture uses, including temporary stands for the sale of agriculture products only
4. Accessory uses to any permitted use
5. Mobile homes
6. Home occupations

b. All other uses must obtain a special permit per Section 7.3 Special Permits:

c. Lot areas and yard regulations pertaining to all structures:

1. Minimum lot area- 22,000 square feet
2. Minimum frontage on a street -30 feet
3. Minimum front yard setback- 50 feet from the center of the nearest roadway or common right-of-way or 35 feet from edge of nearest public roadway or common right of way whichever is greater
4. Minimum side yard width- 10 feet

d. Special Regulations:

1. Building permits shall be required for all new construction
2. Sewage disposal systems and water systems must conform to the New York State Department of Health Standards.

### **SECTION 3.**

Article 7.2 Permits, Certificates and Licenses is amended as follows:

No building or structure shall be constructed, erected, altered, extended, or repaired unless a building permit is issued by the Enforcement Officer. No building permit shall be required for activity involving the improvement, repair or maintenance of an existing building or structure were such improvement does not enlarge the structure and the total amount expended within any twelve (12) month period for all such activity is less than six thousand dollars (\$6,000.00). All building permits shall expire either upon the completion of the project, or 24 months after issuance whichever is earlier.

### **SECTION 4.**

Article 7.4 Penalties for Violation is amended as follows:

a.) Violation of this ordinance is an offense punishable by a fine not exceeding \$100 a day for each day such violation exists. For the purposes of conferring jurisdiction upon courts and judicial officers generally, violations of this ordinance shall be misdemeanors, and for such purposes only, all provisions of laws relating to misdemeanors shall apply to violations of this ordinance.

### **SECTION 5.**

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

(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 2004 of the ~~(County)(City)~~(Town)(~~Village~~) of RICHFIELD was duly passed by the TOWN BOARD on June 21 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 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

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)(repassed after disapproval) by the \_\_\_\_\_ 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.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

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)(repassed after disapproval) by the \_\_\_\_\_ 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.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

\* 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 \_\_\_\_\_ of a town where such \_\_\_\_\_ is vested with the power \_\_\_\_\_ or veto local laws or \_\_\_\_\_ es.

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....., above.

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

(Seal)

Date: July 30, 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 OTSEGO

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.

David S. Merzig  
Signature **DAVID S. MERZIG**

Title **TOWN ATTORNEY**

XXXXXX  
XXXXXX of RICHFIELD  
Town  
XXXXXX

Date: 07/30/04