

# Local Law Filing

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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 Kinderhook  
Town  
Village

Local Law No. 1 of the year 2014

A local law amending sections of Chapter 250 of the Town of Kinderhook Code

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

County  
City of Kinderhook as follows:  
Town  
Village

## PURPOSE AND INTENT

The Town Board of the Town of Kinderhook hereby adopts amendments to Chapter 250 of the Town of Kinderhook Code in order to regulate and ensure orderly land use development within the Town of Kinderhook in such a manner that does not harm public health, welfare and safety.

## AUTHORIZATION

The Town Board of the Town of Kinderhook enacts this Local Law under the authority granted by:

1. Article IX of the New York State Constitution, §2 (c) (6) and (10).
2. New York Municipal Home Rule Law §10.
3. New York Town Law, Article 16 (Zoning).

## ENACTMENT

Be it enacted by the Town Board for the Town of Kinderhook that Chapter 250 of the Kinderhook Town Code be hereby amended as follows:

### **Amend §250-2. Word Definitions**

D. As used in this chapter, the following terms shall have the meanings indicated:

#### **Amend the definition of Accessory Apartment, Lot and Road Frontage as follows:**

ACCESSORY APARTMENT: A separate and complete dwelling unit that is incidental and subordinate to a single family dwelling unit and is located within the structure of that single family dwelling unit or is an accessory structure. An accessory apartment must obtain those approvals required in §250-30 of the Code.

LOT - A defined portion or parcel of land considered as a unit, devoted to a specific use or occupied by a building or a group of buildings that are united by a common interest, use or ownership, and the customary accessories and open spaces belonging to the same. Every Lot shall have a minimum of 50 feet of road frontage on a public or private roadway.

ROAD FRONTAGE - The linear distance between the side lots measured parallel and adjacent to the roadway on which the parcel fronts at the edge of the roadway at the location of the front yard setback.

### **Amend §250-19. Home Occupation.**

Every home occupation shall be subject to the following conditions:

A. Customary Home Occupations. The Town may regulate the siting of home occupations to promote the health, safety, and general welfare of the community. The purpose of this subsection is to provide an opportunity in Kinderhook to establish home occupations, in accordance with the character of the district, that conserve the value of buildings and the rural character of the Town and encourage appropriate land use and do not change the residential character of the residence or neighborhood in which they are located.

(1) Location. Home occupations are permitted in those zoning districts designated in §250-7.

(2) Extent of use. The home occupation shall not utilize more than 25% of the gross floor area of a residential dwelling unit or 1,500 square feet of an accessory residential structure. Not more than one home occupation use shall be permitted on a parcel.

(3) Residency and number of employees. In addition to the home occupant, no more than

two employees or assistants may be engaged on the premises at any given time. The person primarily conducting the home occupation shall reside as a permanent resident on the premises.

(4) Permitted Home Occupations. The Planning Board in considering site plan approval for a home occupation shall determine that the applicant has established by clear and convincing evidence that the impact of the proposed home occupation to the residential area is acceptable, in the sense that, although there is the possibility of generating some impact, the overall use of the lot will not have an adverse impact on the present character of the neighborhood. In addition, the granting of site plan approval for a home occupation is subject to the following requirements and provisions. The applicant must establish compliance with these requirements and provisions by clear and convincing evidence:

(a) Exterior alteration. The structure shall be residential in design. There shall be no exterior display or other exterior evidence of any home occupation except for signs and off-street parking.

(b) Environmental impacts. No home occupation shall produce any odor, noise, vibration, smoke, dust, heat, or glare that exceeds the average level in the immediate vicinity and is detectable beyond the property line of the parcel.

(c) Traffic. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in the neighborhood. In determining traffic conditions, the Planning Board shall consider both the character of the road on which the use is located, the volume of traffic typically generated by the proposed home occupation and the volume of traffic that would otherwise be generated by a typical residential use. The parking requirements of §250-20A(5)(c) shall be followed.

(d) Exterior signs or displays other than those permitted under §250-23 and exterior indication of the home occupation or variation from the residential character of the principal structure are not permitted.

(e) Not more than one commercially registered vehicle shall be permitted in connection with any home occupation, and it shall be stored in an enclosed garage.

(f) There shall be sufficient off-street parking for vehicles of all employees, transporters, customers and other persons involved with the home occupation. Whenever practical, and with consideration of the quantity and frequency of expected traffic, parking spaces shall be located so as to be screened from the public roadway by structures, fencing, landscaping or other acceptable screening. Front yard parking may be prohibited, if such would not be in keeping with the aesthetics and characteristics of the neighborhood.

(g) There shall be no outside storage of equipment or materials utilized in connection with the home occupation.

(h) Hours of operation utilizing nonresident employees will be from 7:00 a.m. to 6:00 p.m. unless the Board finds that longer or different hours of operation will not be

disruptive to the peace or harmony of the area in which the home occupation is located.

(i) Outdoor lighting shall be in accordance with this chapter.

B. Home Occupation in Qualified Structure.

(1) The residency requirement set forth in subdivision (A)(3) shall not apply to the use of qualified structures or accessory structure as defined herein. A home occupation use deemed appropriate by the Planning Board pursuant to §250-19(A)(4) shall be permitted within a non-residential structure or accessory structure constructed and existing prior to the enactment of the Town Code on July 10, 1978 ("qualified structure"). The extent of use within a qualified structure shall not exceed 1,500 square feet, and in accordance with §250-19(A)(2), no more than one home occupation use may occur on a single parcel of property. No residential structure may be converted to a non-residential home occupation use pursuant to this section.

**Amend §250-20 Off Street Parking**

In all districts, off-street automobile parking spaces and truck loading areas for the various permitted uses shall be required at the time any of the main buildings or structures of such uses are constructed or altered, as follows:

A. Required off-street automobile parking spaces. The minimum cumulative number of spaces shall be determined by the amount of dwelling units, bedrooms, floor area, members, equipment, employees and/or seats contained in such new building or structure or added by alteration of the building or structure, and such minimum number of spaces shall be maintained by the owners of such buildings or structures, as follows:

(1) Office, business and commercial uses.

(a) Required spaces:

[1] For a retail business or service, bank or post office: one space for each 200 square feet of customer floor area.

[2] For offices, including professional, personal service and public utility: one space for each 300 square feet of gross office floor area.

[3] For restaurants, bars or nightclubs: one space for every 3 seats within the establishment.

[4] For funeral homes: one space for each five seats of chapel or chapel's capacity.

[5] For any commercial use: one space for each company vehicle in addition to other required spaces.

[6] For hotels, motels and resort hotels, resort lodges, resort ranches: one space for each bedroom, plus one space for each four employees.

[7] One space for each 2,000 square feet of floor area devoted to storage.

[8] One space for each 7,000 square feet of floor area devoted to outside storage, including equipment rentals or sales yards.

(b) Spaces in municipal parking lots designed to serve nongovernmental uses, where provided, may be credited toward the parking requirements for these nonresidential uses, provided that:

[1] These spaces are within 400 feet of the uses to be served.

[2] The parking needs of existing facilities (within 400 feet and computed on the same basis as for new facilities) are satisfied first, and only excess capacity is used for this purpose.

[3] A special use permit for such use is obtained from the Planning Board.

(2) Industrial uses:

- (a) One space for each employee based upon highest expected employee occupancy.
- (b) One space for each 2,000 square feet of floor area devoted to storage.
- (c) One space for each 3,000 square feet of area devoted to outside storage, including equipment rentals or sales yards.
- (d) For any industrial use, one space for each company vehicle in addition to other required spaces.

(3) Public and semipublic uses:

- (a) For places of public assembly, including churches, theaters and concert halls: one space for each six seats of seating capacity.
- (b) For elementary schools or day nurseries: two spaces for each classroom.
- (c) For high schools or colleges: five spaces for each classroom.
- (d) For museums, art galleries, institutions or philanthropic use: one space for each 800 square feet of gross floor area.
- (e) For hospitals, sanatoriums, nursing or convalescent homes: one space for each two beds.
- (f) For clubs: one space for each 200 square feet of gross floor area or one space for four seats of seating capacity, whichever is greater.

(4) Recreational uses:

- (a) For golf courses and bowling alleys: four spaces for each tee or alley.
- (b) For skating rinks: one parking space for each 250 square feet of area available for skating.

(5) Residential uses:

- (a) For one- or two-family dwellings: two spaces per dwelling unit.
- (b) For multifamily dwellings: two spaces per dwelling unit.
- (c) Customary home occupation or professional office in a dwelling unit: one space for each 300 square feet devoted to such customary home occupation or professional office, plus the required space per dwelling unit.
- (d) Boardinghouse or bed-and-breakfast: one space for each bedroom.
- (e) For uses not listed herein: as established by the Planning Board.

- B. Calculation of required spaces. In the case of a combination of uses, the total requirements of off-street automobile parking spaces shall be the sum of the requirements for the various uses, unless it can be proven that staggered hours of use or other conditions would permit modification. Whenever a major fraction of a space is required, a full space shall be provided.
- C. Dimensions for off-street automobile parking space. Such space provided shall be at least nine feet wide and 20 feet long, and every space shall have direct and usable driveway access to a street or alley, with minimum maneuver area between spaces as follows:
- (1) Parallel curb parking: twelve-foot aisle width for one-directional flow and twenty-four-foot aisle width for two-directional flow.
  - (2) Thirty-degree parking: thirteen-foot aisle width for one-directional flow and twenty-six-foot aisle width for two-directional flow.
  - (3) Forty-five-degree parking: sixteen-foot aisle width for one-directional flow and twenty-six-foot aisle width for two-directional flow.
  - (4) Sixty-degree parking: twenty-one-foot aisle width for one-directional flow and twenty-six-foot aisle width for two-directional flow.
  - (5) Perpendicular parking: twenty-six-foot aisle width for one-directional and two-directional flow.
- D. Location of required spaces.
- (1) In any residential district, no open or enclosed parking area shall encroach on any required front yard or required open areas. Open parking areas may encroach on a required side or rear yard to within three feet of a property line.
  - (2) In business districts or industrial districts, such spaces shall be provided on the same lot or not more than 400 feet therefrom.
  - (3) No entrance and exit drives connecting the parking area and the street shall be permitted within 25 feet of the intersection of two public rights-of-way.
  - (4) Location of parking lots shall be to the side or rear, according to this chapter.
- E. Required off-street truck loading areas:
- (1) For funeral homes: one berth for each chapel.
  - (2) For hotels, motels and resort hotels, resort lodges, resort ranches: one berth for floor area in excess of 10,000 square feet.
  - (3) For office, business and commercial uses: one berth for 10,000 square feet to 25,000 square feet of floor area and one additional berth for each additional 25,000 square feet of floor area.
  - (4) For manufacturing and permitted industrial uses: one berth for the first 10,000 square feet of floor area and one additional berth for each additional 40,000 square feet of floor area.
  - (5) For other permitted nonresidential uses: one berth for 10,000 square feet to 25,000 square feet of floor area and one additional berth for each additional 25,000 square feet of floor area, unless it can be proven that truck deliveries shall not exceed one vehicle per day.
- F. Dimensions for off-street loading berths. Each required loading berth (open or enclosed) shall have the following minimum dimensions: 35 feet long, 12 feet wide and 14 feet high, except that

berths for funeral homes may be 20 feet long, 10 feet wide and eight feet high.

- G. Location of required berths. All off-street loading areas shall be located on the same lot as the use for which they are permitted or required. Open off-street loading areas shall not encroach on any required front or side yard, accessway or off-street parking area, except that, in business districts, off-street parking areas, where they exist, may be used for loading or unloading, provided that such spaces shall not be so used for more than three hours during the daily period that the establishment is open for business.
- H. Construction of parking areas. Required parking areas for more than five cars accessory to commercial, industrial or multifamily uses shall be paved with all-weather surface of asphalt or concrete and suitably drained. The individual spaces shall be visibly marked with paint or other durable material. Parking areas to be used at night shall be lighted. All lights shall be shaded or so directed as not to cause glare on adjoining residential properties and shall be so directed as not to cause a traffic hazard due to glare or color.
- I. Landscaping. At least 8% of the area of the lot usable for off-street parking shall be devoted to landscaping with lawn, trees, shrubs or other plant material. All loading berths and parking areas of three or more spaces that abut a residential lot line and any parking lot for more than 20 cars shall be screened by a six-foot-high solid masonry wall or a compact evergreen hedge or a landscaped strip of trees and shrubs so designed as to form a visual screen from the adjoining property. All parking areas and landscaping shall be properly maintained thereafter in a slightly and well-kept condition.
- J. Inclusion of additional land in certain site plan reviews.
- (1) In the B-1 (Business 1) Zone located in the Town of Kinderhook, the Planning Board, in its sole discretion, upon reviewing any application for a site plan, may allow the use of lands to the rear of any structure not zoned B-1, provided that a corresponding amount of land is set aside in the front of any structure in excess of any front yard setback requirement. This additional land located in the front yard shall not contain any improvements, with the exception of a driveway or approved sign.
- (3) The use of the lands in the non-B-1 Zone shall be only for off-street parking and the accessways to public highways from the parking areas; provided, however, that, as a condition of obtaining an approval for said use, the Planning Board shall require ample screening and shall find that the location of the parking area and any accessway thereto does not interfere with the surrounding non-B-1 neighborhood.
- K. Cross-access. In cases where two or more lots are adjacent, the Planning Board may require cross-easements between adjacent parking lots to provide for interconnected parking lots and to facilitate traffic and control access on the main road. Shared parking facilities may be required.
- L. Curb cuts. Access to the parking lot from the main road or thoroughfare is limited to one curb cut.

**Amend §250-30. Accessory apartment dwelling unit.**

A. The requirements of this section shall apply to all accessory apartments proposed, modified or constructed after the effective date of this local law. Accessory apartments existing as of the effective date of this local law shall be exempt from these regulations, however, future modifications to an accessory apartment which require the issuance of a Building Permit after the effective date of this local law shall be required to comply with this local law.

B. Permits

- (1) No Accessory Apartment shall be constructed, reconstructed, modified, or operated in the Town of Kinderhook without obtaining a special use permit from the Town of Kinderhook Planning Board.
- (2) Upon receipt of a special use permit from the Planning Board, no construction, reconstruction, or modification of an accessory apartment shall take place until the applicant has obtained a building permit in conformity with the NYS Building Code and this Zoning Law.
- (3) No individual shall reside, utilize or occupy an Accessory Apartment without a Certificate of Occupancy issued by the Town of Kinderhook.

C. Applications. Applications for a special use permit for an accessory apartment shall include:

- (1) Name, address, telephone number of the applicant. If the applicant will be represented by an agent, the name, address and telephone number of the agent, as well as an original signature of the applicant authorizing the agent to represent the applicant is required.
- (2) Dimensions, number of stories and square footage of the existing dwelling unit.
- (3) Dimensions, number of stories and square footage of the proposed accessory apartment.
- (4) The total number of bedrooms to be constructed in the accessory apartment.
- (5) The total number of bedrooms in the existing primary dwelling unit.
- (6) Scaled plot plan showing the location of the existing structure and the accessory apartment to be constructed, parking layout, square footage of the construction or alteration, floor plan of the accessory apartment, setback distance to adjacent parcels, and location and number of exits.
- (7) Applicant shall demonstrate that the proposed construction, alteration or modification meets all of the applicable regulations set forth in the NYS Building Code.
- (8) Such other reasonable information as may be requested by the Planning Board in review of the accessory apartment application.

- D. Development Standards. All Accessory Apartments shall comply with the following standards. Additionally, accessory apartments shall also comply with all the requirements established by other sections of this Zoning Law that are not in conflict with the requirements contained in this section:
- (1) The accessory apartment shall have a minimum of 500 square feet of net floor area and shall not exceed a maximum of seventy-five (75%) percent of the square footage of the primary dwelling unit, however, in no event shall the square footage of an accessory apartment exceed 1,500 square feet.
  - (2) Only one (1) accessory apartment per parcel shall be permitted.
  - (3) An accessory apartment may have no more than two (2) bedrooms.
  - (4) An accessory apartment does not require a minimum lot size, provided all setback requirements for a single-family residence are met.
  - (5) An accessory apartment shall be located within the primary single-family dwelling structure or as an accessory structure. An accessory apartment shall be created through the internal conversion of an existing housing structure or the addition of an accessory apartment to the principal dwelling structure or construction of an accessory structure.
  - (6) Either the principal dwelling unit or the accessory apartment must be occupied by the owner of the parcel of real property.
  - (7) Off street parking shall be provided as follows:
    - (a) a minimum of 2 spaces for the principal dwelling unit;
    - (b) a minimum of 1 space for the accessory apartment;
    - (c) Parking spaces must be surfaced in a manner consistent with the neighborhood;
    - (d) Parking spaces must not impede, impair and/or otherwise effect the maintenance or future development of public roadways, nor require the backing of an automobile onto a public roadway;
    - (e) Parking spaces must comply with all other parking design standards of the Town of Kinderhook;
  - (8) An Accessory Apartment must be serviced by a sewage disposal system approved by the Columbia County Board of Health, and have potable water. If both the Accessory Apartment and the Primary Residence are to be served by the same septic system, the applicant must demonstrate that there is sufficient capacity for both such uses.
  - (9) Adequate design and provision for dealing with stormwater and drainage issues.

- (10) No exterior changes shall be made to the primary dwelling unit or accessory apartment which do not conform with the character of the neighborhood.
- (11) Compliance with the applicable provisions of the NYS Building Code in relation to the design and construction of the accessory apartment.

**Amend §250-33(B) as follows:**

- B. The following General Standards are intended to provide a framework for development within which the site designer is free to exercise creativity, invention, and innovation while recognizing the general historic, scenic and visual qualities inherent to the Town of Kinderhook, with a particular emphasis on compatibility with the surrounding neighborhood. The General Standards set forth in subdivision (C) of this section should be considered by the Planning Board during the review of any application requiring site plan approval under this chapter, and the Planning Board is hereby authorized to use its discretion to determine whether one or more of these criteria apply to a particular application. The Planning Board is also authorized to use its discretion as to the applicability of these General Standards to redevelopment projects involving the conversion or the rehabilitation of existing structures and previously disturbed land areas. The specific application of one or more of the General Standards or any other standard established by this chapter to an application pending before the Planning Board shall be determined solely by the Planning Board. The following standards are in addition to any other site plan, special use permit, and subdivision requirements of this chapter and the Town Subdivision Regulations.

**Amend §250-33(E) as follows:**

E. Parking.

- (1) If parking is located to the front or side of structures, provide a dense, ten-foot-wide landscape buffer (wall, hedge, berm, or combination) to minimize visual prominence of parking areas.

**Amend §250-33H(4)(e) as follows:**

- (e) Hip roofs shall have pitches of 4/12 to 9/12, gable roofs shall have pitches 4/12 to 14/12 and gambrel roofs shall have pitches 5/12 and gambrel roofs shall have upper pitches of 5/12 to 8/12 and lower pitches of 18/12 to 20/12, unless it can be demonstrated by the applicant that such roof pitches are not in keeping with traditional design and architecture of a particular building, are incapable of being constructed or otherwise are not feasible for a particular proposed structure.

**Delete §250-33H(4)(h) (6).**

**Add §250-39 Private Roadway Specifications.**

- A. Applicability. Private road specifications are applicable to developments containing a maximum number of five building lots. For all developments containing six (6) or more building lots, the specifications concerning town roads shall be applicable.
- B. Dimensions. All private roads shall have a minimum width of 50 feet. For all developments containing three (3) building lots or less, the minimum travel surface in the right-of-way shall not be less than sixteen (16) feet in width. For all developments containing four (4) or five (5) building lots, minimal travel surface within right-of-way shall be a minimum of eighteen (18) feet. All private roads less than 18 feet in width shall have a turnoff or passing zone for every four hundred (400) feet of length of roadway. Each turnoff or passing zone shall be a minimum of thirty (30) feet in length and shall provide an additional eight (8) feet in width.
- C. Maintenance Agreements - Homeowners Association. The Developer shall provide a road maintenance agreement or create a Homeowners' Association with by-laws for the maintenance of a private road in connection with any application for subdivision approval involving service via a private roadway.
- D. Performance Bond. The Developer shall provide a performance bond by a surety or other security acceptable to the Planning Board to secure the complete construction of any private road in connection with any application for subdivision approval involving service via a private roadway.
- E. Maximum Length. The maximum length of a dead-end private road shall be one-half (1/2) mile, ending in a cul-de-sac with a fifty (50) foot radius or a shaped turnaround that meets with the approval of the Town Highway Superintendent.
- F. Maximum Number of Parcels. A maximum number of five (5) parcels shall be allowed on any private road with a single access to a public road. A development that is served by a series of private roads that have a single access to a public road may not serve more than five (5) parcels. The development of more than five (5) parcels would require additional direct access to a public road. This additional access must be at least fifteen hundred (1,500) feet from any other access road serving the development.
- G. Grades, Changes of Grade and Curves. The maximum grade for a private road shall be ten percent

(10%) averaged over a distance of 500 feet. In no case shall the grade exceed twelve percent (12%). The grade shall not exceed three percent (3%) for the first fifty (50) feet of roadway. All changes of grade in said roadway will be accomplished with a vertical curve of at least one hundred (100) feet in length. Radius of horizontal curves shall be one hundred (100) feet.

H. Dedication of Private Roads as Town Roads. Nothing herein shall be construed to require the Town of Kinderhook to accept private roads for dedication as a public roadway.

I. Private Road Specifications. Private roads must meet all other specifications for a Town Road except for the paving of the road surface.

J. Plan Review. Before any subdivision approval is granted, the Planning Board may elect to have the proposed private road design reviewed by the Highway Superintendent and/or the Town Engineer to determine that the private road, as designed, meets the town's design and construction standards as set forth herein. Each private road shall be built so as to have standard cross-sections generally in accordance with the town road cross-section.

K. Intersections. Where an unpaved private road intersects a paved road, it shall be paved for a distance of 50 feet from the edge of the intersection.

**Amend §250-66 (B-E) as follows:**

B. The Planning Board, Zoning Board of Appeals, Town Board or any board, agency or body with permitting authority is hereby authorized to charge to any permit applicant an amount for the estimated actual, reasonable and necessary engineering, legal or other consultant review services required in order to properly review an application before it.

C. Estimate and payment of fees. The board, agency or permitting authority to whom an application for approval has been submitted shall make an initial estimate of any actual and necessary reasonable engineering, legal or other consultant review fees required to be paid by it in order to properly review the application. Such estimate shall be provided to and paid by the applicant for permit approval before an application shall be considered complete for SEQR purposes and prior to any required review of a project by the board, agency or permitting authority. An applicant shall, as a part of any required application, undertake and agree to pay all such consultant review expenses incurred by the board, agency or permitting authority. If protracted or extended review of a project results in the initial estimate and payment of such consultant review fees being exceeded, the board, agency or permitting authority shall advise the applicant, who shall thereupon pay the additional estimate for such further actual and necessary expenses.

D. Payment before final approval. Any engineering, legal or other consultant review charges imposed on an applicant, pursuant to the provisions of this chapter, shall be paid in full by the applicant prior to the board, agency or permitting authority making, or being required to make, any final decision with regard to the application pending before it.

E. Refund of unused fees. Any fees or charges paid by an applicant, pursuant to the provisions of this chapter, which are not necessary to be expended by the board or agency that processed the application shall be refunded to the applicant at the completion of the application process.

## **Amend §250 Attachment 2 - Density Control Schedule**

The Density Control Schedule is hereby amended to add a column entitled "Road Frontage" which shall state the requirement of 50 feet of road frontage in each zoning district for both Residential and Nonresidential Uses.

### **SEVERABILITY**

In the event that any word, phrase or part of this local law shall be declared unconstitutional, the same shall be severed and separated from the remainder of this local law and shall not effect the remainder of said local law which shall remain in full force and effect.

### **EFFECTIVE DATE**

This Local Law shall take effect immediately upon filing in the Office of the New York State 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 2014 of the Town of Kinderhook was duly passed by the Town Board on October, 2014, in (Name of Legislative Body) 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. \_\_\_\_\_ of 20\_\_\_\_ of the (County) (City) (Town) (Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_, 20\_\_\_\_, and was (approved)(not approved)(repassed after (Name of Legislative Body) disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_, 20\_\_\_\_, (Elective Chief Executive Officer\*) 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)(repassed after (Name of Legislative Body) disapproval) by the \_\_\_\_\_ on \_\_\_\_\_, 20\_\_\_\_. Such local law was (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 (approved)(not approved)(repassed after (Name of Legislative Body) disapproval) by the \_\_\_\_\_ on \_\_\_\_\_, 20\_\_\_\_. Such local law was subject (Elective Chief Executive Officer\*) 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 chairman 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 \_\_\_\_\_, \_\_\_\_\_, 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.

\_\_\_\_\_  
Kim Pinkowski, Town Clerk

Date: October \_\_, 2014

(Seal)

(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 COLUMBIA

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 \_\_\_\_\_ Andrew B. Howard, Esq.  
Title: Counsel

County \_\_\_\_\_  
City of \_\_\_\_\_ Kinderhook \_\_\_\_\_  
Town \_\_\_\_\_  
Village \_\_\_\_\_

Date: October \_\_, 2014