

New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code
Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001

www.dos.state.ny.us/corps

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 underling to indicate new matter.

~~County~~

~~City~~ of

DUNKIRK

~~Town~~

~~Village~~

Local Law No. 1 of the year 2016

A local law amending the Zoning Law of the Town of Dunkirk, Chautauqua County, New York.

Be it enacted by the Town Board of the

~~County~~

~~City~~

of

DUNKIRK

~~Town~~

~~Village~~

Section One –Purpose

It has come to the attention of the Town Board of the Town of Dunkirk that a certain property on West Lake Road (New York State Route 5) and described on the Chautauqua County Tax Map as SBL 95.02-1-48 is now shown on the official Zoning Map of the Town of Dunkirk in the R-1 District. Heretofore on the official Town of Dunkirk Zoning Map of 1977, it was listed in HC— Highway Commercial District. The records of the Town of Dunkirk Building Office clearly indicate that the property has been in commercial use, and not residential use. The Town Board of the Town of Dunkirk now wishes to amend the district designation and map accordingly.

Section Two – Zoning District
Map Amendment

The following property situated in the Town of Dunkirk is hereby zoned and designated in the C-1 Commercial District, and the official Zoning Map of the Town of Dunkirk and the description of

the C-1 District in the Zoning Law of the Town of Dunkirk is hereby amended to include the property designated as SBL 95.02-1-48 with a property address of 4735 West Lake Road, Town of Dunkirk, Chautauqua County, New York, reputedly owned at the current time by Casella Waste Management of N.Y., Inc.

Section Three – Repeal

Any sections of the existing Town of Dunkirk Zoning Law and official Zoning Map inconsistent with this amendment of same by Local Law are hereby repealed.

Section Four – Separability

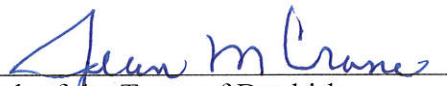
If any part or provision of this Local Law shall be declared invalid by any court of competent jurisdiction, it shall not render invalid or impair the validity of any and all of remaining parts of this Local Law.

Section Five- Effective Date

This Local Law shall take effect immediately upon filing the Local Law with the Secretary of State of the State of New York.

1. I hereby certify that the local law annexed hereto, designated as Local Law No. 1 of the year 2016 of the Town of Dunkirk was duly passed by the Town Board of the Town of Dunkirk on May 17, 2016, in accordance with the applicable provisions of law.

(Seal)


Clerk of the Town of Dunkirk

Date: 5-17-19

**TOWN BOARD
TOWN OF DUNKIRK
RESOLUTION ADOPTING LOCAL LAW NO. 1 FOR THE YEAR 2016**

MAY 17, 2016

WHEREAS, there has been proposed before the Town Board a Local Law to amend the official zoning map and District boundaries as it pertains to certain property known as 4735 West Lake Road in the Town of Dunkirk and designated as SBL 95.02-1-48 on the official tax map of the Town of Dunkirk and County of Chautauqua, and

WHEREAS, the Town Board previously called for a public hearing to be held May 17, 2016, which notice was posted and published as provided by law, and

WHEREAS, there has been a referral of said proposed Local Law to Chautauqua County Planning pursuant to Section 239 of the General Municipal Law and response from County Planning is that the issue is one of local option, and

WHEREAS, the Town Board of the Town of Dunkirk did hold public hearing and all parties interested in the matter having been heard, either in person or in writing,

NOW, THEREFORE, on motion of Councilman Walldorff, seconded by Councilman Penharlow, it is

RESOLVED, that the Town Board of the Town of Dunkirk does hereby adopt Local Law No. 1 for the year 2016 amending the Zoning Law of the Town of Dunkirk, its official zoning map, and the configuration of the District boundaries and the placement of certain property in the C-1 Commercial District Zone, all as recited in the Local Law as adopted.

PRESENT:

AYE

NAY

Richard A. Purol, Supervisor	X	
Juan Pagan	X	
Henry G. Walldorff	X	
Robert L. Penharlow	X	
G. Jay Bishop, M.D.	X	