

Town of Mayfield Local Law No.5 of the year 2004

A local law Extension of Local Law No. 2 of the year 2003 entitled “Adult Use Moratorium”.

Be it enacted by the Town Board of the Town of Mayfield, Fulton County, New York as follows:

SECTION 1. TITLE: This local law will be known as the extension of Local Law No. 2 of the year 2003 entitled “Adult Use Moratorium”

SECTION 2. INTENT: In its legislative findings contained in Local Law No. 2 of the year 2003, the Mayfield Town Board set forth that it had determined that, currently, there do not exist adequate regulatory standards controlling the time, place and manner in which Adult Uses are conducted, and that such standards are intended to be addressed by the Town’s Planning Board and Zoning Commission in formulating the Town’s proposed Zoning Law. The said Town Board also determined that it was necessary to conduct studies to examine the extent of deleterious secondary effects upon the community and determine what special regulations, if any, need to be adopted to accomplish the primary purpose of preventing a concentration of the uses in any one area, restricting the accessibility of the uses to minors and prevent the deleterious secondary effects upon areas in the Town of Mayfield, and that local legislation by the Town Board is needed to prevent the occurrence of deleterious secondary effects associated with such use and to prevent a race of diligence by applicants seeking to establish such uses until proper regulations have been put into place. Since the passage of the said Local Law, the Town of Mayfield Zoning Commission, in concert with the Town Planning Board, has developed a proposed Zoning Ordinance which it will ultimately present to the Town Board with a recommendation for its approval. Upon such presentation and recommendation, it will be necessary for the Town Board to conduct at least one public hearing, if not more, in order to fulfill its statutory requirements. Since Local Law No. 2 of the year 2003 is due to expire on December 18, 2004, which date is eighteen (18) months after its effective date of June 18, 2003, and since the Town Board may not be able to complete its statutory duties in regard to the proposed Zoning Ordinance before the said expiration date, an extension of the said Local Law for an additional period of three (3) months is hereby declared to be necessary. During the period of such extension, all of the provisions of the said Local Law, including the relief procedure therein contained, will continue in full force and effect, thereby protecting the interests of all concerned parties.

SECTION 3. MORATORIUM EXTENDED: Local Law No. 2 of the year 2003, creating a Moratorium on Adult Uses in the Town of Mayfield, shall be, and the same is hereby extended for an additional period of three (3) months, commencing December 18, 2004 through and including March 18, 2005. Except as modified hereby or inconsistent herewith, all of the provisions, terms and conditions contained in said Local Law No. 2 of the year 2003 shall be, and are hereby, continued in full force and effect, and are also hereby ratified and affirmed.

SECTION 4. EFFECTIVE DATE: This local law shall take effect immediately upon filing with the Secretary of State.