

Town of Philipstown
Local Law No. of the Year 2009

A **Local Law** to amend Chapter 175 of the Code of the Town of Philipstown, entitled “Zoning,” in order to facilitate adoption of a new zoning code for the Town.

Be it enacted by the Town Board of the Town of Philipstown as Follows:

SECTION 1. TITLE

This local law shall be known as “A Law Repealing Section 175-6 of the Town Code of the Town of Philipstown.”

SECTION 2. AUTHORITY

This Local Law is enacted pursuant to the authority and power granted by the Municipal Home Rule Law of the State of New York, Article 2, §10 et seq., the Consolidated Laws of the State of New York, Chapter 62, Article 16 (the “Town Law”).

SECTION 3. PURPOSE

This local law is intended to facilitate the adoption of a new zoning code by repealing the provision of the existing zoning law that freezes the issuance of building permits and certificates of occupancy for 60 days when notice of a public hearing for a pending zoning amendment has been issued. The proposed new zoning code includes transitional provisions that grant certain rights to property owners in contravention of Section 175-6. These rights would be compromised by the retention of Section 175-6 after the first notice of public hearing for the new zoning has been issued.

SECTION 4. REPEAL OF SECTION 175-6

Chapter 175 of the Town Code of the Town of Philipstown, entitled “Zoning” is hereby amended by deleting Section 175-6. Section 175-6, as it appears in the Town Code, shall instead be indicated as “Reserved.”

SECTION 5. VALIDITY

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudicated invalid by a court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of

Philipstown hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 6. EFFECTIVE DATE

This Local Law shall take effect immediately after its adoption and filing in the office of the New York State Secretary of State.