

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 underlining to indicate new matter.

County City Town Village
(Select one.)

of Kenmore

Local Law No. 1 of the year 2015

A local law Amending the Village of Kenmore Zoning Code to Modify the Requirements of the General
(Insert Title)
Business Use District.

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

County City Town Village
(Select one.)

of Kenmore as follows:

Local Law No. 1, 2015
Village of Kenmore, County of Erie

A local law amending the Village of Kenmore Zoning Code to Modify the Requirements of the General Business Use District.

Be it hereby enacted by the Village Board of Trustees of the Village of Kenmore as follows:

Section 1: Chapter 25, Zoning, Article IV-B, General Business Use District, Section 25-97, Permitted Uses, of the Village of Kenmore Municipal Code is hereby amended, to read in its entirety as follows:

Sec. 25-97. Permitted uses.

(a) The following uses are permitted as-of-right uses within the General Business Use District:

(1) Any use permitted within the Restricted Business Use District.

(2) Theater, limited to three hundred (300) seats.

(3) Dry cleaning plant and/or pickup station using only nonflammable fluids in self-contained, solvent-reclaiming units

(If additional space is needed, attach pages the same size as this sheet, and number each.)

when the work performed is directly for the owners. No subcontract work is permitted.

- (4) Medical Clinics.
- (5) Laundromats.
- (6) Family Billiard parlor.
- (7) Automobile repair facilities.
- (8) Consignment stores, as defined in Section 25-2.
- (9) Antique, precious metal, and/or jewelry exchange shops, as defined in Section 25-2.

(b) Any use not specifically listed in Section 25-97(a) is not allowed within the General Business Use District. No land within the General Business Use District shall be used, intended, arranged, or designated to be used for any other use than those listed in Section 25-97(a). No building, structure, or premises shall be created, remodeled, or used within the General Business Use District which are intended, arranged, or designated to be used for other than those listed in Section 25-97(a).

Section 2. Chapter, 25, Zoning, Article I, In General, of the Village of Kenmore Municipal Code is hereby amended to add the following definition, to be listed in Section 25-2, Definitions, in alphabetical order:

Section 25-2. Definitions.

The following words, terms, and phrases, when used in this chapter, shall have all the meanings ascribed to them below:

Antique, precious metal, and/or jewelry exchange shop: A store that purchases antiques, precious metals, and/or jewelry from customers and offers these items for sale to the general public. This definition specifically excludes pawn shops, collateral loan brokers, or any other establishment lending funds using personal property as collateral, which are not permitted in the Village of Kenmore. This definition also specifically excludes any type of exchange shop where anything other than antiques, precious metals, and/or jewelry is purchased from customers.

Collateral loan broker: This term shall have the meaning set forth in Section 52 of the New York General Business Law. Collateral loan brokers are not permitted within the Village of Kenmore.

Consignment store: An exclusively indoor sales establishment whose primary service is to receive a new or used retail product from a secondary party who entrusts the establishment to reimburse the second party, or trustee, upon the sale of the consigned product.

Pawn shop: An establishment where personal property is received and for which money is advanced, with the right of privilege granted to the person to whom said money is advanced to reclaim such property upon repayment of said money, together with all legal charges incident thereto. This definition includes collateral loan brokers. Pawn shops are not permitted within the Village of Kenmore.

Store for retail sales: A sales establishment that sells goods or commodities in small quantities to consumers. This definition specifically excludes establishments that purchase items of personal property from customers.

Section 3. Severability. Should any provision of this Local Law be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Local Law as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

Section 4. Effective Date. This Local Law shall be effective upon its filing with the Secretary of State in accordance with the Municipal Home Rule Law.

(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 2015 of the ~~(County)(City)(Town)(Village)~~ of Kenmore was duly passed by the Board of Trustees (Name of Legislative Body) on February 3, 2015, in 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) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 20 , 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) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. *(Elective Chief Executive Officer*)*

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.

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) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. Such local *(Elective Chief Executive Officer*)* 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.

* 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 chairperson 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 _____ 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.

Kathleen J. Johnson

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

(Seal)

Date: 2/11/2015