

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. 10 of the year 2018

A local law Amending the Village of Kenmore Code Relating to Driveways
(Insert Title)

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

☐ County ☐ City ☐ Town ☒ Village
(Select one:)

of Kenmore as follows:

VILLAGE OF KENMORE BOARD OF TRUSTEES

Local Law No. 10, 2018

A Local Law Amending the Village of Kenmore Municipal Code Relating to Driveways

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

Section 1. The Village of Kenmore Municipal Code is hereby amended by adding Chapter 25, Sec. 25-73 to read in its entirety as follows:

Sec. 25-73. Driveways

1. Building Permit. A building permit shall be required before any driveway may be installed or replaced. Applications shall be made to the building department and shall contain all information and documentation required by said department.

2. Driveways.

(a) In a residential use district, driveways shall be paved with concrete, asphalt, bricks or pavers

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

(b) In residential use districts, no driveway shall be placed or constructed that exceeds in width ten (10) feet plus ten (10) percent of the width of the tax lot on which it is constructed or placed, but in no event shall the width exceed sixteen (16) feet.

(c) No part of the driveway shall be placed or constructed closer than twelve (12) inches from an adjoining lot line.

(d) The driveway shall not be placed or constructed so that any part of it that lies between the dwelling and the sidewalk exceeds eighteen (18) inches in width.

(e) The top surface of the driveway shall not exceed the average elevation of the adjoining lots and shall be so placed or constructed as to cause water to drain away from the adjoining lots.

(f) The provisions of subsection (c) shall apply only to any driveway placed or constructed after January 1, 2007.

(g) Notwithstanding subsection (b), the following provisions shall apply to multiple car garages:

(1) If the garage is located behind the dwelling house, the width of the driveway between the rear of the dwelling house and the garage may extend the full width of the garage; and

(2) If the garage is attached to the dwelling house, but not located behind it, the width of the driveway may extend the full width of the garage.

Section 1. Severability. If any section, subsection, subdivision, paragraph, clause, or phrase in this local law, or any part thereof, is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections or portions of this local law, or any part thereof. The Board of Trustees hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase of this local law, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases may be declared invalid or unconstitutional.

This Local Law is effective upon 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. 10 of 2018 of the ~~(County)(City)(Town)(Village)~~ of Kenmore was duly passed by the Board of Trustees on December 18, 2018, in accordance with the applicable provisions of law.
(Name of Legislative Body)

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 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.)

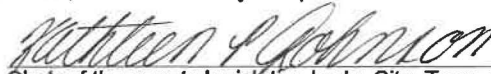
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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.


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

(Seal)

Date:

12/20/18