

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.

**Town of Colonie
Local Law No 9 of the year 2011**

A local law amending Chapter 190 of the Code of the Town of Colonie.

Be it enacted by the Town Board of the Town of Colonie of as follows:

SECTION 1. AMENDMENT.

Schedule "B" of Local Law No. 1 of 2007, adopted pursuant to Section 4 of such Local Law, is commonly known as the "Land Use Law" of the Town of Colonie. Chapter 190, Article II, section 190-6 of such Land Use Law is hereby amended as follows:

Portable Storage Structure - A structure that is designed, constructed, and commonly used for temporary placement on residential property for the purpose of temporary storage of personal property.

Schedule "B" of Local Law No. 1 of 2007, adopted pursuant to Section 4 of such Local Law, is commonly known as the "Land Use Law" of the Town of Colonie. Chapter 190, Article VI, subsection 190-26 (C) (6) of such Land Use Law is hereby created as follows:

"(6) One portable storage structure may be placed on a single family or two family residential lot without an active building permit subject to the following conditions and limitations:

- (a) The portable storage structure shall not exceed one hundred and sixty (160) square feet in area and ten (10) feet in height; and
- (b) The portable storage structure shall not be permitted in the front yard of a residential lot, but only in the side yard and back yard of such lots; and
- (c) The portable storage structure shall be set back a minimum of five (5) feet from the side and rear property lines and a minimum of five (5) feet from all other structures on the property; and
- (d) The portable storage structure shall not encroach on public property or public rights-of-way; and
- (e) No mechanical, plumbing or electrical installations or connections are to be made to the portable storage structure."

SECTION 2. SEQRA DETERMINATION.

The Town hereby determines that this amendment is an Unlisted action that will not have a significant effect on the environment and, therefore, no other determination or procedure under the State Environmental Quality Review Act ("SEQRA") is required.

SECTION 3. EFFECTIVE DATE.

This local law shall become effective upon its filing in the Office of the Secretary of State.

(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. 9 of 2011 of the **Town of Colonie** was duly passed by the Town Board on February 3, 2011, 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 2011 of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 2011, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed adopted on _____ 2011, in accordance with applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. ____ of 2011 of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 2011, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed adopted on _____ 2011. 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 _____ 2009, 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 2011 of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 2011, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed adopted on _____ 2011. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 2011, 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 chairman 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 2011 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 _____ 2011, 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 2011 of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 2011, 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 of 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 county legislative body, City, Town or Village Clerk
or officer designated by local legislative body

(Seal)

Date: February 9, 2011

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK
COUNTY OF ALBANY

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Town of Colonie Town Attorney
Date: February 9, 2011