

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 Spring Valley

Local Law No. 13 of the year 20 18

A local law Amending Chapter 255-28(J) (Floodplain Overlay Protection District) of the Village of
(Insert Title)
Spring Valley Code

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

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

of Spring Valley as follows:

Please see attached pages.

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

(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. 13 of 2018 of the (County)(City)(Town)(Village) of Spring Valley was duly passed by the Village Board of Trustees on Septmeber 5 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) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20 , in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

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

* 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.

A LOCAL LAW AMENDING CHAPTER 255-28(J) (FLOODPLAIN OVERLAY
PROTECTION DISTRICT) OF THE VILLAGE OF SPRING VALLEY CODE

Section 1. Findings and Intent – The Village Board of the Village of Spring Valley finds that the provision of Village Code Section 255-28(J) (“Floodplain Overlay Protection District) which requires a Special Permit of the Village Board impose an additional layer of permitting on an applicant where none should be required. Rather, the Village Board believes that the provisions set forth in Section 255-28(J) are better enforced by the Village’s Floodplain Administrator, who has the knowledge and the resources to ensure that said provisions are complied with. Therefore the Village Board believes it is in the best interests of the Village to remove the Village Board Special Permit requirement and require that the Village’s Floodplain Administrator review such applications.

NOW, THEREFORE, IT RESOLVED, THAT THE VILLAGE BOARD HEREBY ADOPTS THE FOLLOWING AMENDMENTS TO ITS ZONING LOCAL LAW:

§255-28(J) Floodplain Overlay District development. The Floodplain Overlay District defines the special flood hazard areas of the village as mapped by the Federal Insurance Administration of the United States Department of Housing and Urban Development. All uses which are normally allowed either by right or special permit in zoning districts covered by the Floodplain Overlay District are subject to additional special-permit approval by the Floodplain Administrator ~~Village Board~~, subject to the requirements listed below.

(1)

The Floodplain Administrator ~~Building Inspector~~ shall make interpretations as to the location of the boundaries of the areas of special flood hazard, pursuant to the Flood Insurance Study for the Village of Spring Valley of Rockland County, New York, dated August 16, 1988, with accompanying Flood Insurance Rate Maps and Flood Boundary and Floodway Maps. Any person contesting the interpretation may appeal the Floodplain Administrator’s ~~Building Inspector’s~~ decision in accordance with § 255-56E.

[Amended 4-11-1995 by L.L. No. 1-1995]

(2)

New construction or substantial improvement of any residential structure shall have the lowest floor, including basement, elevated or above base flood elevation.

(3)

New construction or substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to the

level of the base flood elevation or, together with attendant utility and sanitary facilities, be floodproofed so that below the base flood level the structure is watertight, with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. The retention of a registered professional engineer or architect shall be paid for by the applicant.

[Amended 1-28-1986 by L.L. No. 1-1986]

(4)

All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.

(5)

All new construction and substantial improvements shall be constructed with material and utility equipment resistant to flood damage and by methods and practices that minimize flood damage.

(6)

All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.

(7)

All new and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters.

(8)

On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

(9)

The Floodplain Administrator shall refer all applications under this Section to the Rockland County Drainage Agency for their review and comment.

Section 2. Effective Date. This Local Law shall take effect immediately upon filing with the Secretary of State.

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.

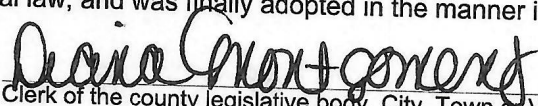
6. (County local law concerning adoption of Charter.)

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.

(Seal)


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

Date: October 1, 2018