

(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 of Clinton
Town of
Village

Local Law No. 2 of the year 2004

A local law To Revise Empire Zone #56 (Formerly Known As An Economic Development Zone)

Be it enacted by the Clinton County Legislature of the

County
City of Clinton as follows
Town of
Village

BE IT ENACTED BY THE CLINTON COUNTY LEGISLATURE OF THE COUNTY OF CLINTON, NEW YORK, AS FOLLOWS:

Section 1. By Clinton County Resolution #736, dated September 24, 1997, this Legislature authorized an application for the designation of an Economic Development Zone relative to certain land within Clinton County at the former Plattsburgh Air Force Base (PAFB) in the Town of Plattsburgh.

Section 2. That the County of Clinton has received Economic Development Zone approval from New York State, establishing Economic Development Zone #56.

Section 3. By Local Law No. 1 of 2003, dated February 12, 2003, the Clinton County Legislature modified the boundaries of Economic Development Zone #56, now Empire Zone #56, to create four new sub-zones as follows: 25 acres in the Village of Champlain, 10 acres in the Town of Beekmantown, 0.5 acres in the Town of Plattsburgh, and 1.0 acres in the Town of Plattsburgh, resulting in a reduction of 36.5 designated acres from the original 1,200 designated acres of Empire Zone #56 at the former PAFB.

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

Section 4. It is the desire of the Legislature to authorize an application to again revise Empire Zone #56, to create new sub-zones of 0.8 acres located in the Town of Plattsburgh, and 3.6 acres in the Town of Schuyler Falls. This will result in a reduction of 4.4 acres from the original Empire Zone #56 at the former PAFB.

Section 5. The Clinton County Empire Zone Administrative Board asserts that this boundary revision is in compliance with the Empire Zone program guidelines, including the "75/25" rule, established by law and incorporated into the Empire Zone program as of January 1, 2003, such that boundary revisions of this nature, applied for after January 1, 2003, may be completed as long as the aggregated amount of acreage used in boundary revisions does not exceed 20 acres.

Section 6. The County of Clinton, via the Empire Zone Administrative Board, is hereby authorized to submit an application to revise the Empire Zone #56 to include the property described in Section 7 of this Local Law.

Section 7. The boundary of the Empire Zone #56, as described in Resolution #736 dated September 24, 1997 (and amended by Resolution #45 on 2/12/03 and Local Law No. 1 of 2003) shall be modified to incorporate the properties generally described below, and as further depicted on attached maps (titled "EZ Boundary Revision Maps 1, 2 and 3), incorporated herein and made a part hereof:

1. Town of Plattsburgh - 0.8 acres - Duquette's Welding and Propeller, Inc. - on Sharron Ave.
2. Town of Schuyler Falls - 3.6 acres - Jerry Family Properties, LLC - off Kelly Road and Military Turnpike

NOTE: This boundary revision will result in a reduction of 4.4 acres from the original Empire Zone #56 located at the former PAFB, leaving 1,159.1 acres in the original Empire Zone #56. This does not change the status of the 80 undesignated acres.

Section 8. The Commissioner of the New York State Empire State Development is hereby requested to revise the boundaries of the Empire Zone #56 in accordance with this Local Law Section 7.

Section 9. This Local Law shall take effect upon filing in the New York State 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. 2 of the (County)(City)(Town)(Village) of Clinton was duly passed by the County Legislature on Sept 22, 20 04 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 _____, 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____. 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.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

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 _____, 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.

5. (City local law concerning Charter revision proposed by petition.)

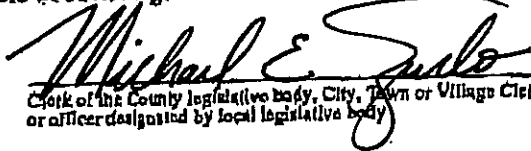
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 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

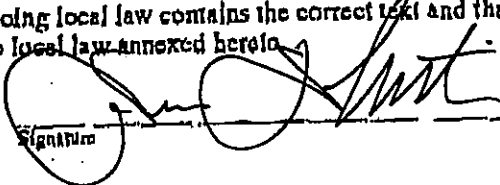
(Seal)

Date: September 22, 2004

(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 Clinton

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.


Signature

County Attorney
Title

County _____
City of Clinton
Town _____
Village _____

Date: September 22, 2004