#### Local Law Filing

#### (Use this form to file a local law with the Secretary of State.)

	should be given as amended. Do not include matter being eliminated and derlining to indicate new matter.	I do not use
County (Select one:)	⊠City	
of PORT JE	ERVIS	
Local Law I	No. of the year 20 17	
A local law	REPEALING LOCAL LAW NO. 7 OF 2015 WHICH AMENDED CHAPTER 535 PORT JERVIS CITY CODE ENTITLED "ZONING" AND THE TABLE OF USE	OF THE
	REQUIREMENTS ATTACHED AS AN AMENDMENT TO THE CITY'S ZONING REMOVING PLACES OF WORSHIP AND RELATED FACILITIES FROM PER	MILLED,
	CONDITIONAL OR ACCESSORY USES WITHIN THE SERVICE COMMERCI	
	ZONING DISTRICT AND THE CENTRAL BUSINESS DISTRICT (CBD) WITHI	N THE
	CITY OF PORT JERVIS	
Be it enacte	ed by the COMMON COUNCIL	of the
	(Name of Legislative Body)	
County	⊠City	
of PORT JE	ERVIS	as follows:

SEE ANNEXED PAGES.

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

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#### LOCAL LAW NO. OF 2017

A LOCAL LAW REPEALING LOCAL
LAW NO. 7 OF 2015 WHICH AMENDED CHAPTER 535
OF THE PORT JERVIS CITY CODE ENTITLED
"ZONING" AND THE TABLE OF USE REQUIREMENTS
ATTACHED AS AN AMENDMENT TO THE CITY'S ZONING
LAW REMOVING PLACES OF WORSHIP AND
RELATED FACILITIES FROM PERMITTED,
CONDITIONAL OR ACCESSORY USES WITHIN THE
SERVICE COMMERCIAL (SC) ZONING DISTRICT
AND THE CENTRAL BUSINESS DISTRICT (CBD)
WITHIN THE CITY OF PORT JERVIS

- 1. Purpose. Attached herewith and made a part hereof as Schedule "A" is Local Law No. 7 of 2015, adopted by the Common Council of the City of Port Jervis on December 14, 2015. Pursuant to a Consent Decree between the U.S. Attorney's Office for the Southern District of New York and the City of Port Jervis, accepted by the U.S. District Court in Manhattan and filed with the Court on November 22, 2016, the City of Port Jervis agreed to amend its laws by repealing Local Law No. 7 of 2015. The purpose of this Local Law is to repeal Local Law No. 7 of 2015 and to allow places of worship and related facilities, as permitted, conditional or accessory uses within the Service Commercial (SC) Zoning District and the Central Business District (CBD) as they existed prior to the enactment of Local Law No. 7 of 2015 on December 14, 2015.
- 2. Legislation. Effective immediately, Local Law No. 7 of 2015, in all respects, is herein and hereby repealed.

PLEASE TAKE NOTICE TO THE EXTENT THAT THIS LOCAL LAW MAY CONFLICT WITH APLICABLE PORTIONS OF THE GENERAL CITY LAW OF THE STATE OF NEW YORK, IT IS THE STATED INTENTION OF THE CITY TO EXERCISE ITS AUTHORITY TO SUPERSEDE AND AMEND, AS GRANTED UNDER THE MUNICIPAL HOME RULE LAW OF THE STATE OF NEW YORK, SECTION 10. THE CITY HEREBY PROVIDES NOTICE THAT IT IS EXERCISING ITS AUTHORITY TO SUPERSEDE AND AMEND PURSUANT TO MUNICIPAL HOME RULE LAW OF THE STATE OF NEW YORK SECTION 22.

### Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law s italics or und	should be given as amended. Do not include matter being eliminated an lerlining to indicate new matter.	nd do not use
County (Select one:)	⊠City ☐Town ☐Village	
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<u>.</u>   	AMENDING CHAPTER 535 OF THE PORT JERVIS CITY DOE WAS AND THE TABLE OF USE REQUIREMENTS ATTAC AMENDMENT TO THE CITY'S ZONING LAW REMOVING PLACE AND RELATED FACILITIES FROM PERMITTED CONDITIONAL USES WITHIN THE SERVICE COMMERCIAL (SC) ZONING DESITED CONTRAL BUSINESS DISTRICT (CBD) WITHIN THE CITY	CHED AS AN CES OF WORSHIP LOR ACCESSORY OISTRICT AND
Be it enacted	d by the COMMON COUNCIL  (Name of Legislative Body)	of the
County (Select one:)	⊠City	
of PORT JER	IVIS	as follows:
	SEE ANNEXED PAGES.	

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

## CITY OF PORT JERVIS, ORANGE COUNTY, NEW YORK LOCAL LAW NO. 7 OF 2015

A LOCAL LAW AMENDING CHAPTER 535 OF THE PORT JERVIS CITY CODE ENTITLED "ZONING" AND THE TABLE OF USE REQUIREMENTS ATTACHED AS AN AMENDMENT TO THE CITY'S ZONING LAW REMOVING PLACES OF WORSHIP AND RELATED FACILITIES FROM PERMITTED CONDITIONAL OR ACCESSORY USES WITHIN THE SERVICE COMMERCIAL (SC) ZONING DISTRICT AND CENTRAL BUSINESS DISTRICT (CBD) WITHIN THE CITY OF PORT JERVIS

1. <u>Legislative Findings and Intent</u>. The Common Council of the City of Port Jervis, Orange County, New York wishes to promote business, commerce and community development within the Central Business Zoning District and Service Commercial Zoning Districts within the City. These two (2) Zoning Districts are two of seven Zoning Districts established within the Zoning Law of the City of Port Jervis. Places of worship and related facilities are permitted in all residential districts of the City of Port Jervis. Places of worship and related facilities fit within the residential communities and neighborhoods within the City and promote, nurture and support these residential neighborhoods and communities. However, places of worship may have a detrimental effect on business, commercial and community development within the Central Business Zoning District and the Service Commercial Zoning District of the City. Because of the need for parking; the restrictions set forth for liquor licenses for restaurants, breweries, micro-breweries, micro-distilleries, pubs and other eating and drinking establishments commonly located within the Central Business Zoning District and Service Commercial Zoning District of the City, as set forth in the Alcoholic Beverage Control legislation of the State of New York, places of worship and related facilities may deter and prohibit the location and expansion of business and commercial uses within the Central Business Zoning District and Service Commercial Zoning District in the City.

The Common Council of the City of Port Jervis intends that the provisions of this Local Law are to prevent the prohibition of location and expansion of business, commercial and community development properties within the aforementioned Zoning Districts because of the location of places of worship and the related facilities within these Zoning Districts.

2. <u>Legislation</u>. Effective immediately, places of worship and related facilities shall not be permitted uses within the Central Business Zoning District and Service Commercial Zoning District of the City of Port Jervis.

PLEASE TAKE NOTICE TO THE EXTENT THAT THIS LOCAL LAW MAY CONFLICT WITH APLICABLE PORTIONS OF THE GENERAL CITY LAW OF THE STATE OF NEW YORK, IT IS THE STATED INTENTION OF THE CITY TO EXERCISE ITS AUTHORITY TO SUPERSEDE AND AMEND, AS GRANTED UNDER THE MUNICIPAL HOME RULE LAW OF THE STATE OF NEW YORK, SECTION 10. THE CITY HEREBY PROVIDES NOTICE THAT IT IS EXERCISING ITS AUTHORITY TO SUPERSEDE AND AMEND PURSUANT TO MUNICIPAL HOME RULE LAW OF THE STATE OF NEW YORK SECTION 22.

# (Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

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<sup>\*</sup> 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 problems) I hereby certify that the local law annexed hereto, determine the City of having been so the Municipal Home Rule Law, and having received to mereon at the (special)(general) election held on	signated as local lave submitted to reference the affirmative vote (	w No dum pursuant to the prov of a majority of the guelie	visions of section (36)(37	
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### (Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

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5. (City local law concerning Charter revision proposed be I hereby certify that the local law annexed hereto, designated a		_ of 20	_ of
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the Municipal Home Rule Law, and having received the affirma		of such city	voting
thereon at the (special)(general) election held on	20, became operative.		
6. (County local law concerning adoption of Charter.)			
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	Clerk of the county legislative body, City, Town o officer designated by local legislative body	r Village Clerk	or
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