

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 Forestport

Local Law No. 1 of the year 2025

A local law TO Impose a moratorium on the acceptance
(Insert Title) and Processing of applications for the issuance
of any zoning permits, building permits, certificates
of use or applications for development of small box
concrete stores in the town of Forestport, New York

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

County City Town Village
(Select one:)

of Forestport as follows:

Please see attached.

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

(Final adoption by local legislative body only.)
I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2025 of the (County)(City)(Town)(Village) of Forestport was duly passed by the Town Board on 2025, 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.

Local Law # 1 of 2025

TO IMPOSE A MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR THE ISSUANCE OF ANY ZONING PERMITS, BUILDING PERMITS, CERTIFICATES OF USE OR APPLICATIONS FOR DEVELOPMENT OF SMALL BOX DISCOUNT STORES IN THE TOWN OF FORESTPORT, NEW YORK

Whereas, Small Box Discount Store means a retail store that has a floor area of not more than 15,000 square feet and that offers for sale (1) a combination and variety of convenience shopping goods and consumer shopping goods and (2) the majority of the items in the inventory at a price not to exceed ten dollars. Small Box Discount Store does not include (1) a grocery store; (2) a store that contains a pharmacy where prescription drugs are compounded, dispensed, or distributed; (3) a store that offers for sale gasoline or diesel fuel for vehicles; (4) a retail store where the majority of the products sold are personal hygiene products or cosmetics; (5) a store that primarily engages in the resale of used consumer goods; and

Whereas, in Forestport and surrounding areas, there has been a proliferation of Small Box Discount Stores which are not currently defined in the Zoning Code of the Town of Forestport Codified Ordinances;

Whereas, the Town of Forestport desires to avoid a high concentration of Small Box Discount Stores within the same geographical area(s); and

Whereas, to create a high quality of life, the Trustees of the Town of Forestport desires to have economic diversification and well maintained properties that promote public health, safety and welfare; and

Whereas, while recognizing the need for future economic growth the Board also recognizes the need to assure that certain land uses are properly zoned and to mitigate the potential harmful impact uses can have on residential and commercial areas; and

Whereas, the Board of the Town of Forestport believes that a moratorium on the acceptance and processing of applications for zoning, occupancy and/or building permits for Small Box Discount Stores will not deny property owners economically stable use of their property and will afford Town officials and the Town of Forestport Board the time necessary to put in place reasonable zoning and business regulations to protect the public health, safety and welfare of the citizens of the Town; now therefore

BE IT RESOLVED BY THE BOARD OF THE TOWN OF FORESTPORT, NEW YORK, THAT:

SECTION I. Board of the Town of Forestport hereby declares a moratorium for a period of twelve (12) months, until 4/16/2026 —, on the issuance of any zoning permits, building permits, certificates of use or applications for development of Small Box Discount Stores in the Town of Forestport, New York.

SECTION II. This moratorium is necessary to allow the Town time to study the current Planning and Zoning Code in order to determine the appropriate location(s) and regulation(s) for Small Box Discount Stores within the Town.

SECTION III. This Resolution shall take effect and be in full force from and after the date of its passage.

Lacey M. Terry 4/16/2025