

LOCAL LAW NO. 1 OF THE YEAR 1974

**A LOCAL LAW AMENDING SECTIONS 133, 264 AND 265 OF THE TOWN LAW
OF THE STATE OF NEW YORK TO PROVIDE FOR THE PUBLICATION OF A SUMMARY
OF THE TEXT OF ANY ORDINANCE AS ADOPTED BY THE TOWN OF CAMBRIA**

ADOPTED BY TOWN OF CAMBRIA TOWN BOARD MARCH 7, 1974

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

§133. WHEN ORDINANCE SHALL TAKE EFFECT

Every ordinance and every amendment to an ordinance hereafter adopted or approved by the town board of a town to which the provisions of this article are applicable, shall be entered in its minutes except that it shall not be necessary to enter in its minutes any map adopted or approved in connection with a zoning ordinance or amendment, and a summary statement of its text published in the official newspaper of the town or, if there is none, in a newspaper designated by the town board having general circulation in the town, once and the affidavit of such publication shall be filed with the town clerk. Such ordinance or amendment shall take effect ten days after such publication; but such ordinance or amendment shall take effect from the date of its service as against a person served personally with a copy thereof, certified by the town clerk under the corporate seal of the town; and showing the date of its passage and entry in the minutes. No ordinance or amendment previously adopted or approved by any town board of a town or which the provisions of this article are applicable shall be void for failure of posting and/or filing affidavits of posting. (Changes or additions in text are indicated by underline.)

Section 2. Section 264 of the Town Law of the State of New York is hereby amended and certain provisions changed so that the second paragraph thereof shall read and provide as follows:

§264 METHOD OF PROCEDURE

Every zoning ordinance and every amendment to a zoning ordinance (excluding any map incorporated therein) adopted pursuant to the provisions of this chapter shall be entered in the minutes of the town board; such minutes shall describe and refer to any map adopted in connection with such zoning ordinance or amendment and a summary statement of its text thereof (exclusive of any map incorporated therein) shall be published once in a newspaper published in the town, if any, or in such newspaper published in the county in which such town may be located having a circulation in such town, as the town board may designate, and affidavits of the publication thereof shall be filed with the town clerk. Such ordinance shall take effect ten days after such publication, but such ordinance or amendment shall take effect from the date of its service as against a person served personally with a copy thereof, certified by the town clerk under the corporate seal of the town; and showing the date of its passage and entry in the minutes. Every town clerk shall maintain a separate file or filing cabinet for each and every map adopted in connection with a zoning ordinance or amendment and shall file therein every such map hereafter adopted; said file or filing cabinet to be available at any time during regular business hours for public inspection. (Changes or additions in text are indicated by underline.)

Section 3. Section 265 of the Town Law of the State of New York is hereby amended and certain provisions changed so that the second paragraph thereof shall read and provide as follows:

§265 CHANGES

Changes, amendments or supplements made to any zoning ordinance (excluding any map incorporated therein) adopted pursuant to the provisions of this chapter shall be entered in the minutes of

the town board; such minutes shall describe and refer to any map adopted in connection with such change, amendment or supplement and a summary statement of its text thereof (exclusive of any map incorporated therein) shall be published once in a newspaper published in the town, if any, or in such newspaper published in the county in which such town may be located having a circulation in such town, as the town board may designate, and affidavits of the publication thereof shall be filed with the town clerk. Such ordinance shall take effect from the date of its service as against a person served personally with a copy thereof, certified by the town clerk under the corporate seal of the town; and showing the date of its passage and entry in the minutes. Every town clerk shall maintain a separate file or filing cabinet for each and every map adopted in connection with any change, amendment or supplement made to any zoning ordinance and shall file therein every such map hereafter adopted; said file or filing cabinet to be available at any time during regular business hours for public inspection. (Changes or additions in text are indicated by underline.)

Section 4

Any law to the contrary notwithstanding, it shall be sufficient in the case of the Town of Cambria where it is or may be required or permitted by statute to publish any ordinance which said town is or may be authorized by law to adopted in one or more newspapers so as to make such ordinance effectual, to publish in such newspaper or newspapers a summary describing the subject of such ordinance and a notice stating that the whole of such ordinance is on file with the town clerk of said town, provided that a copy of such ordinance is kept on file with the town clerk during the period of such publication in lieu of publishing such ordinance in full in such newspaper or newspapers. Nothing herein contained shall dispense with any posting of such ordinances which is or may be required or permitted by law.

Section 5

This act shall take effect immediately.