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New York State
Department of State
**DIVISION OF CORPORATIONS,
STATE RECORDS AND
UNIFORM COMMERCIAL CODE**
One Commerce Plaza
99 Washington Ave.
Albany, NY 12231-0001
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Local Law Filing

Pursuant to Municipal Home Rule Law §27

Local Law Number ascribed by the legislative body of the local government listed below:

2 of the year 2025

Local Law Title: A LOCAL LAW TO AMEND THE ZONING ORDINANCE OF THE TOWN OF SANGERFIELD BY ABOLISHING THE EXISTING PLANNING BOARD AND BOARD OF APPEALS IN THE TOWN THROUGH THE CONSOLIDATION AND CREATION OF A JOINT PLANNING BOARD/BOARD OF APPEALS

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

County City Town Village
(Select one:)

of _____ **Sangerfield** _____ as follows on the attached pages:
(Name of Local Government)

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DEPARTMENT OF STATE

Department of State Local Law Index Number: 2 of the year 2025

(The local law number assigned by the Department of State for indexing purposes may be different from the local law number ascribed by the legislative body of the local government.)

This Local Law amends Article 6 of the Town of Sangerfield Zoning Ordinance as follows:

SECTION 1. AUTHORITY

This local law is enacted pursuant to the New York State Constitution, New York Municipal Home Rule Law § 10, and New York Town Law §§ 267 and 271.

SECTION 2. LEGISLATIVE INTENT

The purpose of this Local Law is to increase the efficiency and administration of land use, planning and zoning review in the Town of Sangerfield by consolidating and creating a Joint Planning Board/Board of Appeals for the Town.

SECTION 3. SUPERSESSION OF TOWN LAW SECTIONS 267 and 271

Pursuant to Municipal Home Rule Law §10(1)(a)(ii)(1), this Local Law shall supersede Town Law §§ 267 and 271 to the extent this Local Law conflicts with said sections of the Town Law. This Local Law specifically supersedes Town Law §267 insofar as §267 sets the maximum number of Zoning Board of Appeals members at five (5).

SECTION 4. CONFLICT WITH PRIOR LOCAL LAWS, ORDINANCES OR THE ZONING LAW OF THE TOWN OF SANGERFIELD

- A. To the extent any local laws, ordinances or parts of local laws, ordinances or the Town of Sangerfield Zoning Ordinance are inconsistent with or conflict with any of the provisions of this Local Law, the terms of this Local Law shall control.
- B. Wherever the term “Board of Appeals” or “Zoning Board” or “Planning Board” appears in any local laws, ordinances or the Town of Sangerfield Zoning Ordinance, said terms shall hereafter mean and refer to the Joint Planning Board/ Board of Appeals as established by this Local Law.

SECTION 5. CONSOLIDATION AND CREATION OF A JOINT PLANNING BOARD/BOARD OF APPEALS

Article 6 (“Administration and Enforcement”) of the Town of Sangerfield is hereby amended by repealing §604 (“Appeals Procedure”), §604.1 (“Appointment of a Board of Appeals”) and §604.2 (“Powers and Duties of the Board of Appeals”) and adding a new §604 and §604.1 to read in its entirety as follows:

“§604. Joint Planning Board/Board of Appeals and Appeals Procedure

§604.1 Joint Planning Board/Zoning Board of Appeals

- A. **Establishment.** A Joint Planning Board/Board of Appeals is hereby established by the Town of Sangerfield so that the objectives and competent administration of this Ordinance may be fully and equitably achieved.
- B. **Appointment of Members.** The Town Board shall appoint seven (7) members to the Joint Planning Board/Board of Appeals. The initial appointments to the Board shall be such that the term of one (1) member shall expire each consecutive year. Thereafter, members of the Joint Board shall be appointed by the Town Board for a term of seven (7) years from and after the expiration of each initial term of office.
 1. **Chairperson.** The Town Board shall annually appoint one of the members of the Joint Planning Board/Board of Appeals to act as Chairperson to preside at all meetings and hearings, to supervise the affairs of the Joint Board and to fulfill the customary functions of that office.

2. **Secretary.** A secretary of the Joint Planning Board/ Board of Appeals shall be designated by the Town Board on an annual basis. The secretary shall keep minutes of all of the Joint Board's proceedings, showing the vote of each member upon every question, or if absent or failing to vote, indicating such fact and shall also keep records of all of the Joint Board's official actions.
- C. **Powers and Duties.** The Joint Planning Board/Board of Appeals shall be the sole land use board within the Town of Sangerfield and shall be authorized to hear all planning and zoning matters within the Town of Sangerfield. The Joint Planning Board/Board of Appeals shall have all of the power and authority of the previously constituted and comprised Planning Board and Board of Appeals as set forth in this Ordinance and the Town Law when considering all planning and zoning matters.
- D. **Conflict with this Chapter.**
 1. To the extent any parts of this Section or any other Section of the Town of Sangerfield Zoning Ordinance are inconsistent with or conflict with any of the provisions of this Article, the terms of this Article shall control.
 2. Wherever the term "Board of Appeals" or "Zoning Board" or "Planning Board" appears in this Section or any other Section of the Town of Sangerfield Zoning Ordinance, said terms shall hereafter mean and refer to the Joint Planning Board/Zoning Board of Appeals as established by §604.1(A)."

SECTION 6. PLANNING BOARD ABOLISHED

The Town of Sangerfield Planning Board as currently constituted and comprised is hereby abolished and, as set forth in Section 6 above, is consolidated into the new Town of Sangerfield Joint Planning Board/Board of Appeals.

SECTION 7. BOARD OF APPEALS ABOLISHED

The Town of Sangerfield Board of Appeals as currently constituted and comprised is hereby abolished and, as set forth in Section 6 above, is consolidated into the new Town of Sangerfield Joint Planning Board/Board of Appeals.

SECTION 8. SEVERABILITY.

If any clause, sentence, paragraph, subdivision or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 9. EFFECTIVE DATE.

This Local Law shall be effective upon filing with the office of the Secretary of State.

Local Law Filing

(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 ascribed as local law number 2 of 2025 of the **Town of Sangerfield** was duly passed by the **Town Board** on **October 14, 2025** in accordance with the applicable provisions of law.

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, ascribed as local law number _____ of 20_____ of the City/Town/Village of _____ was duly passed by the _____ on _____, 20____ and was (approved/not approved/repassed after disapproval) by the _____ (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, ascribed as local law number _____ of 20_____ of the City/Town/Village of _____ was duly passed by the _____ on _____, 20____ and was (approved/not approved/repassed after disapproval) by the _____ (Elective Chief Executive Officer*) 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.

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, ascribed as local law number _____ of 20_____ of the City/Town/Village of _____ was duly passed by the _____ on _____, 20____ and was (approved/not approved/repassed after disapproval) by the _____ (Elective Chief Executive Officer*) 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.

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

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20_____ of the City of _____ having 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.

* 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 Filing

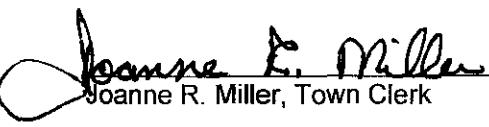
6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed thereto, ascribed as local law number _____ 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 the paragraph 1 above.

(Seal)

 Joanne R. Miller, Town Clerk

10-27-25
(Date)