

DRAFT for INTRODUCTION

(Revision #1, 11/15/18)

(Proposed new text is underlined)

TOWN OF COPAKE

Local Law No. __ of 2018

**A Local Law Authorizing the Planning Board
to Approve Lot Mergers**

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF COPAKE AS FOLLOWS:

Section 1. Statement of Authority.

This local law is enacted pursuant to the authority granted by sections ten and twenty of the New York State Municipal Home Rule Law, and section two hundred seventy-six of article sixteen of the New York Town Law.

Section 2. Enactment.

Section 197-2 of Chapter 197 of the Code of the Town of Copake is amended as follows:

The definition of “Subdivision” is amended to read as follows:

SUBDIVISION – The division of any parcel of land into two or more lots, plots, or sites, with or without streets or highways, for the purpose of sale, transfer of ownership or development or mortgaging and includes resubdivision. A boundary line adjustment (BLA) or a lot merger shall be deemed a subdivision for purposes of this chapter.

A new definition “Lot Merger” is added, to read as follows:

LOT MERGER – The merging of two or more contiguous parcels or lots into a single parcel or lot. A lot merger is subject to review and approval under this chapter, but shall not be counted for purposes of designating a subdivision as a Major Subdivision.

Section 3. Severability.

If any clause, sentence, paragraph, section, article or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operations to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such

judgment shall have been rendered, and if the application of any provision or part of this local law to any person or circumstances is adjudged unlawful, invalid, or unconstitutional, such adjudication shall not impair the validity, force, or effect the application of this local law or any provision or part thereof, to any other person or circumstances.

Section 4. Effective Date.

This local law shall become effective immediately upon filing with the Secretary of State.

BE IT ENACTED this ____ day of _____, 2018 by the Town Board of the Town of Copake of Columbia County, New York.

DRAFT - November 8, 2018
REVISED – November 15, 2018