

County of Tioga

Local Law No. 8 of the Year 2005.

A LOCAL LAW AMENDING LOCAL LAW NO. 4 OF THE YEAR 1997, AUTHORIZING THE SUBMISSION OF AN APPLICATION BY THE TIOGA COUNTY LEGISLATURE TO THE NEW YORK STATE DEPARTMENT OF ECONOMIC DEVELOPMENT FOR DESIGNATION OF AN AREA WITHIN TIOGA COUNTY AS AN ECONOMIC DEVELOPMENT ZONE, AS AMENDED BY LOCAL LAW NO. 2 OF THE YEAR 2001, AS AMENDED BY LOCAL LAW NO. 7 OF THE YEAR 2001, AS AMENDED BY LOCAL LAW NO. 1 OF THE YEAR 2003, AS AMENDED BY LOCAL LAW NO. 2 OF THE YEAR 2003 AND AS AMENDED BY LOCAL LAW NO. 2 OF THE YEAR 2004.

Be it Enacted by the Legislature of the County of Tioga as follows:

PREAMBLE:

It is the public policy of the State of New York to offer incentives through the creation of empire zones that will promote the development of new business and the expansion of existing business within economically impoverished areas, and to do so without inducing the relocation of business investment from other areas of the State. It is also the public policy of the State of New York to achieve its goals through the mutual cooperation of all levels of State and local governments and the business community. To this end, it is the intent of this Local Law to authorize the Chair of the Tioga County Legislature to submit a boundary amendment of the Tioga County Empire Zone pursuant to General Municipal Law Section 969.

SECTION 1:

- a. By Local Law No. 4 of the Year 1997 this Legislature authorized the designation of an Economic Development Zone relative to certain lands in Tioga County; and**
- b. By Local Law No. 2 of the Year 2001, Local Law No. 4 of the Year 1997 was amended to expand the approved Economic Development Zone; and**
- c. By Local Law No. 7 of the Year 2001, Local Law No. 4 of the Year 1997 was amended to expand the approved Economic Development Zone; and**

- d. By Local Law No. 1 of the Year 2003, Local Law No. 4 of the Year 1997 was amended to expand the approved Economic Development Zone; and
- e. By Local Law No. 2 of the Year 2003, Local Law No. 4 of the Year 1997 was amended to expand the approved Economic Development Zone; and
- f. By Local Law No. 2 of the Year 2004, Local Law No. 4 of the Year 1997 was amended to expand the approved Economic Development Zone; and
- g. This Legislature desires by this Local Law to authorize an application to revise the Economic Development Zone, now called an Empire Zone, to include additional acres throughout Tioga County
- h. This Legislature hereby requests the Commissioner of the New York State Department of Economic Development to revise the boundaries of the Empire Zone in accordance with this Local Law.

SECTION 2:

The Chair of the Tioga County Legislature be and hereby is authorized and directed to submit a boundary amendment to the New York State Department of Economic Development for amendment of an area within Tioga County, as described in Section 3 herein, as the Tioga County Empire Zone.

SECTION 3:

The boundaries of the Tioga County Empire Zone set forth in Local Law No. 4 of the year 1997 as amended by Local Law No. 2 of the Year 2001, as amended by Local Law No. 7 of the Year 2001, as amended by Local Law No. 1 of the Year 2003, as amended by Local Law No. 2 of the Year 2003 and as amended by Local Law No. 2 of the Year 2004 are hereby amended to include the following described premises:

BOUNDARY LINE DESCRIPTION FOR ZONE AREA

PARCEL #1

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Nichols, County of Tioga bounded and described as follows:

Commencing at a point and said point being the intersection of the southerly line of NYS Route 282 and the westerly line of Sacketts Creek Road;

Thence southerly along the westerly line of Sacketts Creek Road 245 feet to the TRUE POINT OR PLACE OF BEGINNING;

Thence continuing southerly along the westerly line of Sacketts Creek Road 305 feet to a point;

Thence westerly on a line perpendicular to the westerly line of Sacketts Creek Road, 480 feet to a point, which line is referenced as the “southerly line”;

Thence in a northerly direction on a line parallel with the westerly line of Sacketts Creek Road, 237 feet to a point;

Thence in an easterly direction on a line parallel with the second course set forth herein known as the “southerly line”, 218 feet to a point and said point being along the westerly line of tax map parcel 159.00-1-13.2;

Thence in a northerly direction along the westerly line of tax map parcel 159.00-1-13.2, 67 feet to a point;

Thence in an easterly direction along a line parallel with the second course set forth herein known as the “southerly line” 253 ± feet to a point along the westerly line of Sacketts Creek Road and said point being the point or place of beginning.

SECTION 4:

Except as amended in Section 3 herein, Local Law 4 of the Year 1997, as amended by Local Law No. 2 of the Year 2001, as amended by Local Law No. 7 of the year 2001, as amended by Local Law No. 1 of the Year 2003, as amended by Local Law No. 2 of the Year 2003 and as amended by Local Law No. 2 of the Year 2004 shall in all other respects remain in full force and effect.

SECTION 5:

This Local Law shall take effect upon filing in the Office of the Secretary of State in accordance with the requirements of Section 27 of the Municipal Home Rule Law.

(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, designated as local law No. 8 of 2005 of the (County) of Tioga was duly passed by the Tioga County Legislature on September 13, 2005, 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, 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 disapproved)(repassed after disapproval) by the and was deemed duly adopted 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 disapproved)(repassed after disapproval) by the 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, 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 disapproved)(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.

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

I hereby certify that the local law annexed hereto, designated as local law No. of 20 of the City of having been 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 , become 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.

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

I hereby certify that the local law annexed hereto, designated as local law No. _____ 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 of 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 paragraph 1, above.

Clerk of the County legislative body, City, Town
or Village Clerk or officer designated by local
legislative body

(Seal)

Date: September 13, 2005

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

State of New York

County of Tioga

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature
David M. Dutko
Title County Attorney
County of Tioga
City
Town
Village

Date: September 13, 2005