

FILED
STATE RECORDS

DEC 16 2021

DEPARTMENT OF STATE NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231

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.

Be it enacted by the TOWN BOARD of the TOWN of GALEN as follows:

Town of Galen Local Law No. 2-2021

A local law of the year 2021 to adopt Local Law No. 2-2021 Galen Code Amendment of §201.2 (55) of "Farm Service Use" and to add new Sections §403.3.23, §407.3.8, both to read; Abattoir, Packing House or Rendering Plant, new Section §502.9 – §502.9.5 Operational Requirement regarding Abattoirs, Packing Houses or Rendering Plants. Add new Section §731 Cannabis Related Land Issues, new Section §732 - Waste Facilities and new "Appendix F" Historic Preservation, all attached

Be it enacted by the Town Board of the Town of Galen as follows: (Attached)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 2-2021 of the Town of Galen was duly passed by the Town Board on December 13, 2021, in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after 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 Town of Galen was duly passed by the _____

(Name of Legislative Body)

on _____ 20 _____, and was (approved) (not approved) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20 _____,

(Elective Chief Executive Officer*)

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 Town of Galen was duly passed by the Town Board on _____ 20____, and was (approved) (not approved) (repassed after disapproval) by the Supervisor 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 Town of Galen was duly passed by the Town Board on _____ 20____, and was (approved) (not approved) (repassed after disapproval) by the Supervisor 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____, became operative.


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 a majority of the qualified electors of the towns of said county considered as a unit voting 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.

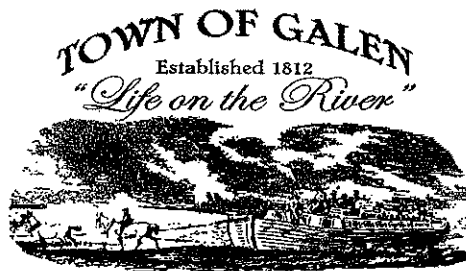
(SEAL)
Adopted: December 13th, 2021
Resolution: No. 15-2021



Norma Lancaster, Galen Town Clerk

Date: December 13th, 2021

Steven J. Groat - Supervisor
Norma Lancaster - Town Clerk
Brandon Fratus - Hwy. Supt.
Telephone - 315 923 7259
Fax - 315 923 3421



TOWN COUNCIL
Jeff Montemorano Deputy Supervisor
Nicole Malbone
Lester Carr Jr.
Kirklyn Lancaster

MARENGO - LOCK BERLIN - LOCKPIT - CLYDE

Town of Galen Resolution

Resolution No. 16-2021 to adopt Local Law No. 2-2021 Galen Code Amendment of §201.2 (55) of "Farm Service Use" and to add new Sections §403.3.23, §407.3.8, both to read; Abattoir, Packing House or Rendering Plant, new Section §502.9 – §502.9.5 Operational Requirement regarding Abattoirs, Packing Houses or Rendering Plants. Add new Section §731 Cannabis Related Land Issues, new Section §732 - Waste Facilities and new "Appendix F" Historic Preservation, all attached

Motion by; Nicole Malbone / 2nd by; Jeff Montemorano
Ayes; Steve Groat, Les Carr Jr., Kirk Lancaster, Nicole Malbone, Jeff Montemorano

Adopted on; 12/13/21

6 South Park Street Clyde, NY 14433-1345

E-MAIL: townofgalen@rochester.rr.com

WEBSITE: townofgalen.org

Add the following sentence to Section 201.2 (55) definition of "Farm Service Use":

"This term shall not include an Abattoir, Packinghouse or Rendering Plant as defined in Section 502.9.2 of this Law."

Add new Section 403.3.23 to read as follows:

403.3.23 Abattoir, Packinghouse or Rendering Plant

Add new Section 407.3.8 to read as follows:

407.3.8 Abattoir, Packinghouse or Rendering Plant

Add new Section 502.9

502.9 ABATTOIRS, PACKINGHOUSES AND RENDERING PLANTS

502.9.1 It shall be unlawful for any person, firm or corporation to operate an abattoir, packinghouse or rendering plant in the Town of Galen except in conformance with this Law.

Exception 1: Custom processing as defined herein shall be permitted as a Farm Service Use.

Exception 2: On-farm slaughtering of livestock (excluding rendering plants) which is incidental to a customary farm occupation shall be deemed a permitted accessory use.

502.9.2 Special Definitions.

ABATTOIR (or SLAUGHTERHOUSE) - A facility for the killing and butchering of animals for their meat and various by-products. This term does not include a "Rendering Plant" as defined herein. An abattoir may be entirely enclosed or have open holding pens for the confinement of animals while awaiting slaughter. This term shall include stockyards, feed lots and all other operations and facilities necessary, useful or incidental to such abattoir or slaughterhouse.

CUSTOM PROCESSING - The slaughtering, butchering, dressing, or processing of an animal or meat products for the individual owner of the animal or of the meat products, if the meat products derived from the custom operation are returned to the owner of the animal.

PACKINGHOUSE - A plant that both slaughters animals and subsequently processes carcasses into fresh, cured, smoked, canned or other prepared meat products. This term does not include a "Rendering Plant" as defined herein. A packinghouse may be entirely enclosed or have open holding pens for the confinement of animals while awaiting slaughter. This term shall include stockyards, feed lots and all other operations and facilities necessary, useful or incidental to such packinghouse.

- 502.9.4.1 All floors shall be of sound construction and kept clean and in good repair. Floors in all areas, except those kept continually dry, shall be constructed of durable concrete or ceramic tile masonry with flush impervious joints, or of equally impervious and easily cleaned material.
- 502.9.4.2 Walls and ceilings of all rooms and compartments in which exposed products are processed or stored, or in which utensils are washed, and in refuse rooms, shall be constructed of smooth washable and nonabsorbent material free from cracks, crevices and open joints. Killing room ceilings may be eliminated if roof construction is of such type allowing for a minimum of dirt collection and if it lends itself to washing down with a hose.
- 502.9.4.3 All openings to the outer air, except those through which live animals enter, shall be effectively screened with wire of 16 mesh or finer. Solid sliding doors or overhead type doors may be used on openings where animals enter. There shall be solid doors between rooms in which edible products are processed, otherwise handled, stored or sold and those rooms or areas used as ramps, receiving areas, killing rooms and refuse rooms. The doors of toilet rooms shall be self-closing and fly-tight, and shall not open directly into any room in which edible products are handled or stored.
- 502.9.4.4 There shall be sufficient ventilation for all rooms and compartments to promote healthful and sanitary conditions. If adequate natural ventilation cannot be provided to eliminate objectionable odors and minimize moisture and condensation, adequate exhaust fans shall be provided.
- 502.9.4.5 Water under ample pressure shall be easily accessible to all rooms in the facility in which meat or meat food products or byproducts are prepared or processed or where utensils are used, and the water supply shall be adequate and of a safe and sanitary quality. The minimum available water supply shall be 100 gallons per animal to be slaughtered per working day. Hot water of a temperature not less than 145 degrees F. and hot water hose connections shall be provided at convenient locations throughout the facility for sanitation purposes.
- 502.9.4.6 All plumbing shall be installed in accordance with the NYS Uniform Fire Prevention & Building Code (Uniform Code). All drains and gutters shall be properly installed with approved traps, vents, and separators. Backflow prevention devices shall be installed when necessary.

Add new Section 731

731 CANNABIS-RELATED LAND USES

731.1 Cannabis-related land uses, including but not limited to: (i) Agricultural (growing, harvesting); (ii) Industrial (hemp processing, oil extraction, product manufacturing); (iii) Commercial (vape shops, retail CBD stores, hemp product stores, hookah bars) shall be permitted wherever similar non-cannabis related occupancies are allowed.

Exception: Cannabis-related uses shall not be permitted as home occupations.

731.2 Special Definitions.

CANNABIS - All parts of the plant of the genus Cannabis, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. This term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. For purposes of this law, "cannabis" does not mean "industrial hemp" as defined herein.

CANNABIS-RELATED LAND USE - The cultivation, harvesting, manufacture, distribution, processing, storing, laboratory testing, packaging, labeling, delivery or sale of cannabis and cannabis products.

INDUSTRIAL HEMP - The plant Cannabis sativa L. and any part of such plant, whether growing or not, with a delta-9 tetrahydrocannabinol [THC] concentration of not more than 0.3 percent on a dry weight basis.

ADD New "Appendix F" to read as follows:

APPENDIX F

HISTORIC PRESERVATION

F101 **Title.** These regulations shall be known as the "Historic Preservation Law of the Town of Galen," hereinafter referred to as "this appendix."

F102 **Scope.** The provisions of this appendix shall apply to any historic structure, as that term is defined herein, existing within the Town of Galen.

F103 **Intent.** This appendix shall be construed to secure its expressed intent, which is to preserve historic structures from defacement or unilateral demolition, and to provide increased options for adaptive reuse of such structures. It is further the intent that this appendix be compatible with and a part of the Zoning Law.

F104 **Authority.** The authority to enact this appendix is found in NYS General Municipal Law § 96-a. 5. **Severability.** If a section, subsection, sentence, clause or phrase of this appendix is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this appendix.

F201 **Definitions.**

F201.1 **Scope.** Unless otherwise expressly stated, the following words and terms shall, for purposes of this appendix, have the meanings shown in this section.

F201.2 **Interchangeability.** Words used in the present tense include the future; the singular number includes the plural and the plural, the singular.

F201.3 **Terms defined in other regulations.** Where terms are not defined in this appendix and are defined in the Zoning Law, such terms shall have the meanings ascribed to them as in those regulations.

F201.4 **Terms not defined.** Where terms are not defined through the methods authorized by this appendix, such terms shall have ordinarily accepted meanings such as the context implies.

F201.5 **Definitions.**

CONDITION BEYOND REPAIR — Whenever a structure is no longer viable for further use or occupancy because it is of such faulty construction, dilapidated, unsound, unsafe, damaged or decayed that: (i) the cost of the repair or renovation to make it usable for any lawful purpose would exceed 50% of the replacement cost of the structure, and (ii) the structure has been condemned as unsafe by the Code Enforcement Officer.

EMERGENCY — A situation or condition which could cause serious or life-threatening injury or death, or significant property damage, and demanding immediate action.

- a. The Town Board.
- b. The Town Planning Board.
- c. The owner of the structure or property.
- d. The Town of Galen Historian
- e. The Galen Historical Society.
- f. The Town of Galen Zoning & Code Enforcement Officer.

F301.4 Application for designation. Applications for proposed designation shall be in writing and shall include the following information:

- a. The historic and common name(s) of the structure and/or property.
- b. Owner, address, and legal description of the property.
- c. Date of construction.
- d. Architectural style and period.
- e. Condition of the building (excellent, good, fair, deteriorated, or ruins).
- f. A narrative description of the historical and architectural significance of the structure or property.
- g. Photographs of all significant elevations and a photograph showing the structure in its surrounding context.
- h. Completed short EAF for compliance with the State Environmental Quality Review Act.
- i. Name of applicant and date of application.

F301.5 Referral to Planning Board. Except for applications made by the Planning Board, all proposed designations shall be reviewed by the Planning Board prior to public hearing. The Planning Board shall make a recommendation to the Town Board within 30 days of receipt of the proposal.

F301.6 Public hearing. Within 30 days of receipt of an application for proposed designation, the Town Board shall refer such proposal to the Planning Board for recommendation as provided herein. Within 30 days of receipt of a recommendation from the Planning Board, the Town Board shall notify the owner of the property a minimum of 10 days prior to such public hearing. Said notification shall be made either by personal service or by certified and first-class mail, addressed to the owner's last known address as recorded in the office of the Town Assessor.

F301.7 Findings and designation. After public notice and hearing, and after a finding by the Town Board that a structure, property or group of properties meets the eligibility criteria established herein, the Town Board may designate the structure or district historic. If designation applied to more than a single structure, the Town Board shall clearly describe and delineate the property so designated. Said designation shall remain in effect until such time that:

- a. This appendix is repealed; or
- b. Said designation is removed as provided herein; or

F401.3 Work approved through technical review by Code Enforcement Officer. Exterior alterations of facades which do not affect the footprint of a building may be permitted by the Code Enforcement Officer after technical review, as follows:

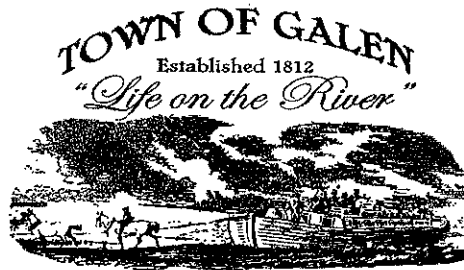
- F401.3.1 Existing windows and doors may be replaced with windows and doors of the same size, type, style and configuration as existing windows and doors. Vinyl and metal or metal-framed windows and doors shall be permitted if visually compatible with existing features.
- F401.3.2 Existing siding and siding materials may be replaced with the same or substantially similar type and style of materials. Vinyl and metal siding shall be permitted if visually compatible with existing features.
- F401.3.3 Existing roof coverings may be replaced with the same or similar type of existing roofing. Asphalt and metal roofing shall be permitted if visually compatible with existing features.
- F401.3.4 Existing porches, steps, decks and ramps may be replaced with new porches, steps, decks and ramps if the replacement structures are substantially identical to and compatible with existing features.

F401.4 Zoning incentives. Notwithstanding any provisions of the Zoning Law to the contrary, the use of an historic structure for any of the following purposes shall be deemed a special permitted use, regardless of the zone district in which the structure is located:

- a. Restaurants and other food service establishments with a seating capacity of less than 100 persons.
- b. Museums, art galleries and exhibition halls.
- c. Bed-and-breakfast establishments, inns and hotels for overnight accommodation by the traveling public (commercial residences).
- d. Retail shops, such as antique and collectible shops, boutiques, gift shops, bookstores, card and flower shops, pottery and ceramic shops, hobby and craft shops, and similar novelty or specialty shops.
- e. Professional offices of attorneys, engineers, architects, surveyors, realtors, draftsmen, insurance agents, and similar.
- f. Medical offices and clinics.
- g. Libraries.
- h. Child day-care centers.
- i. Photographic, dance and art studios.
- j. Public or private schools and other educational occupancies.
- k. Tourist and information centers.
- l. Places for temporary or periodic use, such as historic house tours, meetings of civic organizations, receptions, etc.

Exception: No historic structure may be used for any purpose defined as an adult use in the Zoning Law. Historic structures shall be required to comply

Steven J. Groat - Supervisor
Norma Lancaster - Town Clerk
Brandon Fratus - Hwy. Supt.
Telephone - 315 923 7259
Fax - 315 923 3421



TOWN COUNCIL
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MARENGO - LOCK BERLIN - LOCKPIT - CLYDE

Resolution No. 11-2021 "Amendment of Section 201.2 (55) definition of "Farm Service Use" and to add new Sections 403.3.23, 407.3.8, both to read; Abattoir, Packing House or Rendering Plant, new Section 502.9 – 502.9.5 Operational Requirement regarding Abattoirs, Packing Houses or Rendering Plants. Add new Section 731 Cannabis Related Land Issues, new Section 732 - Waste Facilities and new "Appendix F" Historic Preservation, all attached

WHEREAS, The Town of Galen wishes to update its local laws regarding the above mentioned; and,

NOW, THEREFORE, BE IT RESOLVED, to hold a public hearing establishing the amendments and additions of Galen Local Law listed above.

Motion by; Lester Carr Jr. /2nd by; Jeff Montemorano to adopt Resolution No. 11-2021 "Amendments and additions to Galen Local Laws and for the clerk to advertise for the public hearing to be held on December 13th, 2021 at 7:05pm prior to the Regular December 2021 Monthly Meeting.

Ayes; Steve Groat, Les Carr Jr., Nicole Malbone, Jeff Montemorano, Kirk Lancaster

Adopted this 11/8/21

6 South Park Street Clyde, NY 14433-1345

E-MAIL: townofgalen@rochester.rr.com

WEBSITE: townofgalen.org

Town of Galen

Notice of Public Hearing

NOTICE IS HEREBY GIVEN that a public hearing of the Galen Town Board will be held at 7:05pm on the 13th day of December, 2021 at the Municipal Building, 6 South Park Street, Clyde, NY, regarding proposed Local Law No. 2-2021 to amend the Galen Zoning Law, Farm Service Use, Waste Facilities, Cannabis & Historic Preservation. The proposed amendment will clarify the standards to be used for Abattoirs, Packing Houses or Rendering Plants, Waste Facilities, Cannabis related issues and Historic Preservation with in the Town of Galen.

Dated the 8th day of November, 2021
Galen Town Board

1x run for the week of November 27th, 2021

Norma Lancaster
Galen Town Clerk