

VILLAGE OF MONTGOMERY

LOCAL LAW NO. 6 OF 2024

A LOCAL LAW AMENDING LOCAL LAW NO. 5 OF 2023, AS AMENDED BY LOCAL LAW NO. 4 OF 2024, TO EXTEND THE MORATORIUM PROHIBITING THE APPROVAL OF CERTAIN LAND DEVELOPMENT APPLICATIONS IN THE VILLAGE OF MONTGOMERY FOR AN ADDITIONAL SIX MONTHS

Be it enacted by the Board of Trustees of the Village of Montgomery, County of Orange, State of New York as follows:

Section 1. Purpose and Intent.

The Board of Trustees of the Village of Montgomery previously adopted Local Law No. 5 of 2023 which established a six-month moratorium beginning on December 19, 2023 with respect to any applications for land use approvals, including building permits, certificates of occupancy or completion, site plan approvals, subdivision plats, special use permits, and variances for all development within the Village pending the Board of Trustees' review of the Village water supply and any measures needed to ensure its sustainable service to all property owners within the Village. Since the adoption of the initial moratorium, which was extended by Local Law No. 4 of 2024, the Village's officials and staff have been diligently working with its professional consultants and Orange County with respect to developing new sources of water and that work is continuing. Significant progress has been made, but the Board of Trustees has determined it is in the best interest of the Village to extend the subject moratorium for an additional six months to ensure that some or all of the new water sources under development are completed and brought online.

Local Law No. 5 of 2023, as amended and extended by Local Law No. 4 of 2024, shall be and hereby is amended by this Local Law as follows:

Section 2. Term.

The moratorium established by Local Law No. 5 of 2023, which prohibited land use approvals, including building permits, certificates of occupancy or completion, site plan approvals, subdivision plats, special use permits, and variances for all development within the Village, as those terms are defined in Local Law No. 5 of 2023, as extended by Local Law No. 4 of 2024, is hereby extended for a period of six months from the date that this local law is filed with the New York State Department of State.

All other provisions of Local Law No. 5 of 2023, as extended by Local Law No. 4 of 2024, shall remain in full force and effect for the stated term provided for in this Section.

Section 3. Severability.

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the

controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Village Board of the Village of Montgomery hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 4. Repeal.

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 5. Effective Date.

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.