

DRAFT LOCAL LAW NO. \_\_\_\_ OF 2017

CITY COUNCIL  
CITY OF BEACON

PROPOSED LOCAL LAW TO AMEND  
CITY OF BEACON MORATORIUM ON DEVELOPMENT

A LOCAL LAW to amend moratorium on development to add an exemption for existing industrial/manufacturing buildings

BE IT ENACTED by the City Council of the City of Beacon as follows:

**Section 1.** Section 3.2 of the City of Beacon Moratorium on Development is hereby amended as follows:

**Section 3. MORATORIUM**

...

2. All applications for building permits, use variance, area variance, special use permit, site plan approval and subdivision approval submitted to the City on or before July 25, 2017 or pending before the Building Department or Land Use Board are exempt from this moratorium. Any application submitted after July 25, 2017 may be heard and reviewed by the Planning Board or Zoning Board of Appeals, but may not be subject to a vote. The Land Use Board may hold public hearing and discuss the application, but the Land Use Board may not formally approve or deny such application. Any building permit application for a single family home and any application seeking a modification or extension of an existing approval that does not increase the density (by unit or bedroom count) shall be exempt from this moratorium: and Any residential application that would result in an increase in water usage of less than 330 gallons of water per day, as determined by the City Building Inspector Engineer, is exempt from this moratorium. Any non-residential application that would result in an increase in water usage of less than 2,000 gallons per day, as determined by the City Building Inspector Engineer, is exempt from this moratorium. In addition, this moratorium shall not apply to the reuse of any existing non-residential building for industrial or manufacturing uses, as determined by the Building Inspector, where such use does not increase the existing building footprint or otherwise increase the building square footage.

## **Section 2. Ratification, Readoption and Confirmation**

Except as specifically modified by the amendments contained herein, the City of Beacon Moratorium on Development is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

## **Section 3. Numbering for Codification**

It is the intention of the City of Beacon and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the City of Beacon; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word “Local Law” shall be changed to “Chapter,” “Section” or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

## **Section 4. Severability**

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt there from.

## **Section 5. Effective Date**

This local law shall take effect immediately upon filing with the Office of the Secretary of State.