

**VILLAGE OF HIGHLAND FALLS INTRODUCTORY LOCAL LAW
TO AMEND THE ZONING LAW TO INCREASE THE EXPIRATION TIME PERIODS
APPLIED TO SPECIAL USE PERMIT APPROVALS**

BE IT ENACTED by the Village Board of Trustees of the Village of Highland Falls, County of Orange, State of New York, as follows:

Section 1. Legislative Findings, Purpose and intent.

The Village of Highland Falls Board of Trustees hereby finds and determines that the Village residents will benefit by conforming the expiration time-period for special use permit approvals with time period set forth in the Town of Highland’s zoning law.

Section 2. Authority.

This local law is enacted by the Village Board of Trustees of the Village of Highland Falls pursuant to its authority to adopt local laws under the New York State Constitution and Section 10 of the Municipal Home Rule Law.

Section 3. Subsection F of section 240-27, titled “General procedures and conditions,” of Chapter 240, titled “Zoning,” of the Code of the Village of Highland Falls is hereby amended by deleting subsection F in its entirety and replacing it with the following:

Time limit. Approval of a special exception use permit shall be valid for two years from the date the Planning Board decision is filed in the office of the Village Clerk, after which time the approval shall be null and void unless a building permit has been issued. If there is not substantial change in the condition of the site, or its environs or the zoning requirements, the special exception use permit approval may be extended by the Planning Board for one additional year upon submission of a written request of the applicant submitted prior to the expiration of the two-year period. If no building permit has been issued within that period or any extended period, a new application must be submitted to the Planning Board for a special exception use permit approval.

Section 4. Supersession, of Inconsistent Laws, if any.

The Village Board hereby declares its legislative intent to supersede any provision of any local law, rule, or regulation and any provision of the state Village Law or other special law that may be declared inconsistent or in conflict with this local law. The courts are specifically requested to take notice of this legislative intent and apply such intent in the event the Village has failed to specify any provision of law that may require supersession. The Village Board hereby declares that it would have enacted this local law and superseded such provision had it been apparent.

Section 5. Severability.

If any section, part or provision of this local law or the application thereof to any person, property or circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the section, part, provision or application directly and expressly adjudged invalid and shall not affect or impair the validity of the remainder of this local law or the application thereof,

Section 6. Effective Date.

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