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DEPARTMENT OF STATE

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ALBANY, NY 12231-0001  
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GOVERNOR

ROSSANA ROSADO  
SECRETARY OF STATE

September 29, 2016

Lisa L DeVona  
Clerk Treasurer  
240 N Main Street  
Minoa NY 13116

RECEIVED  
OCT 05 2016  
VILLAGE OF MINOA

**RE: Village of Minoa, Local Law 6 2016, filed on September 28, 2016**

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, [www.dos.ny.gov](http://www.dos.ny.gov).

Sincerely,  
State Records and Law Bureau  
(518) 473-2492

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William F. Brazill

**TRUSTEES**  
John M. Abbott  
John H. Champagne  
Eric S. Christensen  
Gregory A. Rinaldi

**CLERK-TREASURER**  
Lisa L. DeVona

**LEGAL COUNSEL**  
Courtney M. Hills, Esq.  
Primo & Hills Law Firm



**VILLAGE OF MINOA**  
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*Celebrating 100 Years*  
*1913 - 2013*

September 22, 2016

State Records and Law Bureau  
State of New York Department of State  
One Commerce Plaza  
99 Washington Avenue  
Albany, NY 12231

Dear Secretary of State:

Enclosed is one (1) original copy of **Local Law #6 for 2016** for the Village of Minoa.

If there are any questions on this law, please contact this office as soon as possible.

Sincerely,

Lisa L. DeVona  
Clerk-Treasurer

Enclosure

# Local Law Filing

41 STATE STREET, ALBANY, NY 7531

(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.

## Village of Minoa

Local Law No. Six (6) of the year 2016.

**A local law amending Chapter 75 of the Village of Minoa Code entitled “Flood Damage Prevention”, to adopt and incorporate subsequent amendments to the floodplain management requirements of the National Flood Insurance Program (NFIP) contained in federal regulations 44 CFR 60.3 through 44 CFR 60.6.”**

**Be it enacted by the Village Board of Trustees of the Village of Minoa, as follows:**

### **Section 1. PURPOSE AND INTENT**

This local law amends Chapter 75 of the Village of Minoa Code entitled “Flood Damage Prevention”, to adopt and incorporate subsequent amendments to the floodplain management requirements of the National Flood Insurance Program (NFIP) contained in federal regulations 44 CFR 60.3 through 44 CFR 60.6.”

**Section 2. Section 75-3 of the Village Code entitled “Definitions” is hereby amended to include the following term and definition:**

“**Accessory Structure**” shall mean a structure used solely for parking (two-car detached garages or smaller) or limited storage, represent a minimal investment of not more than 10 percent of the value of the primary structure, and may not be used for human habitation.

**Section 3. A new Section 75-5(D)(2)(c) of the Village Code shall be adopted with the following language:**

“When an area of special flood hazard, base flood elevation, and/or floodway data are available from a Federal, State or other authoritative source, but differ from the data in the documents enumerated in Section 3.2, the Local Administrator may reasonably utilize the other flood information to enforce more restrictive development standards.”

**Section 4. Section 75-5(D)(8)(e) of the Village Code is hereby repealed and a new Section 75-5(D)(8)(e) shall be adopted with the following language:**

“Notices required under sub-section 75-5(D)(3), ALTERATION OF WATERCOURSES.”

**Section 5. A new Section 75-6(A)(2)(d) of the Village Code is hereby adopted with the following language:**

“In Zones A1-A30, AE and AH, and also Zone A if base flood elevation data are available, if any development is found to increase or decrease base flood elevations, the Village of Minoa shall as soon as practicable, but not later than six months after the date such information becomes available, notify FEMA and the New York State Department of Environmental Conservation of the changes by submitting technical or scientific data in accordance with standard engineering practice.”

**Section 5. A new Section 75-6(G) entitled “ACCESSORY STRUCTURES INCLUDING DETACHED GARAGES” of the Village Code is hereby adopted with the following language:**

“The following standards apply to new and substantially improved accessory structures, including detached garages, in the areas of special flood hazard shown on the Flood Insurance Rate Map designated in Section 3.2.

(1) Within Zones A1-A30, AE, AO, AH, A, accessory structures must meet the standards of Section 75-6(B)(1), ANCHORING,

(2) Within Zones A1-A30, AE and AH, and also Zone A if base flood elevation data are available, areas below two feet above the base flood elevation shall be constructed using methods and practices that minimize flood damage.

(3) Within Zones AO, or Zone A if base flood elevation data are not available, areas below three feet above the highest adjacent grade shall be constructed using methods and practices that minimize flood damage.

(4) Structures must be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of flood waters in accordance with Section 75-6(B)(2).

(5) Utilities must meet the requirements of Section 75-6(B)(3), UTILITIES.”

**Section 6. Illegality/Severability.**

If any clause, sentence, paragraph, subdivision, section or part of this local law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstances is adjudged invalid, illegal or unconstitutional by any court of competent jurisdiction, such order or judgment shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its 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. Further, in adjudging such invalid, illegal or unconstitutional provision, the court shall attempt to modify same to a provision which is not invalid, illegal or unconstitutional and which best achieves the intent of the invalid provision.

**Section 7. Effective Date.**

This Local Law shall take effect immediately upon its filing in the office of the Secretary of State.

(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. 6 of 2016 of the (County)(City)(Town)(Village) of Minoa was duly passed by the Board of Trustees of the Village of Minoa on September 19, 2016 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 19\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_, 19\_\_, and was

(approved)(not approved)(repassed

\_\_\_\_\_  
(Name of legislative Body)

disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_, 1178\_

(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 1178\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the

on \_\_\_\_\_, 19\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on

\_\_\_\_\_ 19\_\_. Such local law was \_\_\_\_\_ (Elective Chief Executive Officer\*)

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 \_\_\_\_\_ 19\_\_, 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 19\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the

\_\_\_\_\_ on \_\_\_\_\_ 19\_\_, and was (approved)(not approved)(repassed after

(Name of Legislative Body)

disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_. Such local law was subject to

(Elective Chief Executive Officer\*)

permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 19\_\_, 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 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 \_\_\_\_\_ 19\_\_, 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 19\_\_ of the County of \_\_\_\_\_

\_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of

November \_\_\_\_\_ 19\_\_, 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 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 one (1) above.



\_\_\_\_\_  
Lisa DeVona, Village Clerk

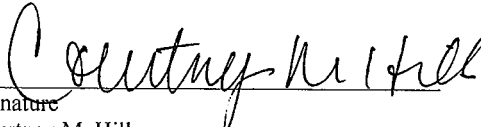
(Seal)

Date: 9/22, 2016

(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 ONONDAGA

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  
Courtney M. Hills

Attorney for the Village  
Title  
~~County~~  
City of Minoa  
~~Town~~ Village

Date: September 20, 2016

\*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a countywide 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.