

CITY OF PORT JERVIS

INTRODUCTORY LOCAL LAW NO. 3 OF 2022

**A LOCAL LAW OFFICIALLY ANNEXING CERTAIN PARCELS OF PROPERTY
PREVIOUSLY LOCATED IN THE TOWN OF DEERPARK, ASSIGNING SAID
PARCELS TO THE LIGHT INDUSTRY DISTRICT**

Be it enacted by the Common Council of the City of Port Jervis, County of Orange, State of New York, as follows:

Section 1. Legislative Intent

The City of Port Jervis and Town of Deerpark recently approved the annexation of certain parcels of land located in the Town of Deerpark (“Town”), which are designated on the Town tax maps as follows (Town of Deerpark identifiers to be renumbered by Orange County in conjunction with the annexation process):

<u>Section</u>	<u>Block</u>	<u>Lot</u>
52	1	44.1
52	1	45
52	1	46.1
52	1	47.1
52	1	47.2
52	1	49.2
57	3	2

(hereinafter the “Territory”).

After a joint public hearing between the Town and the City and after issuance of a Negative Declaration under the State Environmental Quality Review Act (SEQRA) by the City which was designated Lead Agency, both the City and Town approved the proposed annexation of the Territory from the Town to the City.

The City of Port Jervis wishes to complete the annexation process of the Territory by the adoption of a local law pursuant to §714 of the General Municipal Law.

Section 2. Findings

The Common Council finds that on or about _____, the Common Council (as Lead Agency) issued a Negative Declaration pursuant to SEQRA. The Common Council also finds that on or about January 10, 2021 the Common Council adopted its Resolution, Findings and Order approving the proposed annexation of the Territory into the City pursuant to General Municipal Law §711. The Town of Deerpark separately approved the proposed annexation of the Territory into the City.

The Common Council also finds that for all the reasons set forth in the Common Council's Resolution, Findings and Order, as well as the Negative Declaration, that it is in the public interest to annex the Territory.

Section 3. Annexation of Parcel

The City of Port Jervis does hereby annex the Territory as described above into the Light Industry (LI) zoning district of the City, with the exception of Tax Map Parcel 57-3-2 which will be annexed into the newly created Tri-State Commerce zoning district of the City. The annexation shall be effective immediately upon the filing of this local law in the office of the Secretary of State. The effective date of the annexation has been determined after giving due regard to the taxable status dates of the City and Town, as well as the fiscal years of both municipalities.

Section 4. Authority

This Local Law is enacted pursuant to General Municipal Law Section 714 (which does not require a public hearing prior to the Common Council adopting this Local Law).

Section 5. Rules and Regulations

The Common Council is authorized to adopt rules and regulations, by resolution, to further implement the provisions of this Local Law.

Section 6. Separability

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 Common Council of the City of Port Jervis hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 7. Repeal

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

Section 8. 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.