

# PUBLIC HEARING

PURSUANT TO CALL A REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK, WAS DULY HELD AT THE HENRIETTA TOWN HALL, 475 CALKINS ROAD, HENRIETTA, NEW YORK ON THE 16<sup>TH</sup> DAY OF SEPTEMBER 2015 AT 7:00 P.M.

RESOLUTION #17-240/2015

On Motion of  
Councilman Breese

Seconded by  
Councilman Mulligan

WHEREAS, the Henrietta Town Board finds and hereby determines that the reference in 289-5 to Chapter 43 of the Town Code shall be removed, since Chapter 43 of the Code no longer exists, and

WHEREAS, the Attorney for the Town has submitted a draft of the Local Law to the Town Board to correct said reference; said draft Local Law is on file with the Town Clerk.

BE IT FURTHER RESOLVED, by the Town Board of the Town of Henrietta that a Public Hearing shall be had on the 7th day of October, 2015, at 7:00 PM, for the purpose of adopting Local Law No. \_\_\_ of 2015, To Amend the Henrietta Town Code at Section 289-5 to Remove Reference to Previously Repealed Code Provision.

BE IT FURTHER RESOLVED, that the Town Clerk advertise for said Public Hearing in a manner consistent with law.

Duly put to a vote:

|                     |        |     |
|---------------------|--------|-----|
| Councilman Mulligan | voting | Aye |
| Councilwoman Zinck  | voting | Aye |
| Councilman Page     | voting | Aye |
| Councilman Breese   | voting | Aye |
| Supervisor Moore    | voting | Aye |

Carried

LOCAL LAW NO. \_\_\_\_\_ -2015 TO AMEND THE HENRIETTA TOWN CODE AT SECTION 289-5 TO REMOVE REFERENCE TO PREVIOUSLY REPEALED CODE PROVISION

BE IT ENACTED, by the Town Board of the Town of Henrietta, Monroe County, State of New York, as follows:

Section I. Authorization

The adoption of this Local Law is in accordance with Section 10 of the New York Municipal Home Rule Law.

Section II. Title and Purpose

This law shall be known as and may be cited as Local Law No. \_\_\_\_\_-2015, To Amend The Henrietta Town Code at Section 289-5 to Remove Reference to Previously Repealed Code Provision.

Section III. Legislative Finding

The Town Board of the Town of Henrietta finds and hereby determines that the reference in 289-5 to Chapter 43 of the Town Code shall be removed, since Chapter 43 of the Code no longer exists.

Section IV. Amendment.

Chapter 289 entitled "Wildlife Habitats," Section 295-5, "Conflict with Other Code Provisions," Subsection "B," shall be amended to read as follows:

The provisions of this article shall control in the case of all wildlife habitats as defined above. In case of conflict with other provisions of the Town Code, ordinances or regulations, including Chapter 205, Property Maintenance, this Chapter shall prevail.

Section V. Validity and Severability

Should any word, section, clause, paragraph, sentence, part or provision of this local law be declared invalid by a Court of competent jurisdiction, such determination shall not affect the validity of any other part hereof.

Section VI. Repeal, Amendment and Supersession of Other Laws

All other ordinances or local laws of the Town of Henrietta which are in conflict with the provisions of this local law are hereby superseded or repealed to the extent necessary to give this local law force and effect during its effective period.

Section VII. Effective Date

This Local Law will take effect upon filing in the office of the New York State Secretary of State.