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STATE OF NEW YORK
DEPARTMENT OF STATE

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& STATE RECORDS

~~County~~
~~City~~
Town
~~Village~~

of Westville

Local Law No. #1 of the year 2003.

A local law Telecommunication Towers in Westville
(insert title)

Be it enacted by the Town Board of the

~~County~~
~~City~~
Town
~~Village~~

of Westville

as follows:

"SEE ATTACHED"

LOCAL LAW NO. #1
of the
TOWN OF WESTVILLE OF 2003
PERTAINING TO ESTABLISHING
REGULATION OF TELECOMMUNICATION TOWERS

SECTIONS:

1. Findings and purpose.
2. Definitions.
3. Application Procedures.
4. Siting Preferences.
5. Standards Applicable to New Towers.
6. Review Process and Decisions.
7. Compatibility with Applicable State or Federal Laws.
8. Removal of Towers.
9. Authority to Impose Conditions.
10. Exceptions.
11. Penalties for Offenses.
12. Judicial Review.
13. Effective Date.

SECTION 1 FINDINGS AND PURPOSE

- A. Recent advances in wireless communications technology have resulted in a new generation of telecommunications services. These new services transmit electromagnetic waves of such a frequency and power that will likely require numerous antenna locations. These antennas may be located on buildings, water towers and other similar structures but will also frequently be located on new or enlarged towers. This requires that the Town of Westville regulate these wireless communications systems facilities in a different manner than conventional television and radio transmissions towers which are able to transmit their signals at much greater distances.
- B. The Federal Communications Commission has licensed a number of providers of wireless communications services and additional providers are expected to be licensed in the near future. These firms are expected to pursue antenna sites within the Town of Westville and these efforts are expected to include requests to construct new communications towers and/or structures as well.
- C. The intent of this proposed regulation is to provide for the establishment and/or expansion of wireless telecommunications services within the Town of Westville while protecting neighborhoods and minimizing the adverse visual and operational effects of wireless telecommunications facilities through careful design, siting and screening. More specifically this regulation has been developed in order to:
- (1) Maximize use of existing and approved towers and other structures to accommodate new antennas and transmitters in order to reduce the number of communications towers needed to serve the Town ;
 - (2) Encourage providers to collocate their facilities on a single tower and/or the fewest towers possible.
- D. The Town of Westville has under taken a deliberate process to establish policy, standards and procedures related to the siting of tower structure and antenna arrays for wireless telecommunications as contained herein. In doing so, the municipality attempted to:

- (1) Preserve property values and development opportunities;
- (2) Minimize the visual impact of towers;
- (3) Minimize the number of towers and their heights;
- (4) Promote safety, general welfare and quality of life;
- (5) Assure adequate access to wireless communications service for the community;
- (6) Review and standardize rules and regulations consistent with adjoining municipalities while attending to particular Town of Westville need.

SECTION 2 DEFINITIONS

As used in this chapter, the following terms shall have the meaning indicated:

ABANDONMENT OF USE - Non use of a telecommunications tower by its owner, lessee or licensee for a period of three consecutive years, unless such nonuse is the direct result of an active governmental licensing process.

ANTENNA - A system of electrical conductors that transmit or receive radio frequency waves. Such waves shall include, but not be limited to, radio, television, cellular, paging, personal communications services and microwave communications. The frequency of these waves generally ranges from 10 Hertz to 5 Gahertz, but can higher as technology advances.

BTS (base transceiver station) - The central cell facility that contains all the receivers, transmitters and other apparatus needed for cellular/PCS operation.

CAPACITY - The number of mobile users that can realistically be serviced by a BTS.

COVERAGE - The general term that describes the ability of a BTS to send and receive wireless signals of sufficient strength to provide reliable cellular/PCS service.

COLLOCATION - Locating wireless communications facilities from more than one wireless communications services provider on a single site.

EAF - Environmental Assessment Form.

EPA - The Environmental Protection Agency.

FAA - The Federal Aviation Administration.

FCC - The Federal Communications Commission.

GUYED TOWER - A Construction technique that uses stabilizing cable to provide lateral support for a tower.

HEIGHT OF TOWER - The vertical distance measured in feet from the average existing level of the ground surrounding the tower and within 10 feet thereof to the top point of the tower, including any antenna or other appurtenances. The "existing elevation" shall mean the actual or approved elevation of the property at the time of application.

INTERFERENCE - Any electromagnetic radiation or noise that is not the desired signal.

LATTICE TOWER - Description of the type of tower construction typified by cross-bracing between three posts that constitute a rigid antenna support structure.

MONOPOLE TOWER - A unified self-supporting structure typified by a smooth tapered steel pole similar to roadway light supports.

NETWORK - The general term used to describe all the ITS facilities and equipment required to provide cellular/PCS services.

NIER - Nonionizing electromagnetic radiation.

PASS LOSS - The attenuation experienced by the radio waves as they propagate from the ITS to the mobile phone or from the mobile phone to the ITS. Path loss will be the same for either direction over short periods of time.

SATELLITE ANTENNA - Any parabolic dish, antenna or other device or equipment of whatever nature or kind, the primary purpose of which is to receive television, radio, light, microwave, or other electronic signals, waves and/or communications from space satellites.

SEQR - State environmental quality review as described in 6 NYCRR Part 617.

TELECOMMUNICATIONS - The transmission and reception of audio, video, data and other information by wire, radio, light and other electronic or electromagnetic systems.

TELECOMMUNICATIONS TOWER - A structure intended to support wireless communications equipment used to receive and/or transmit electromagnetic waves. Design examples of towers might include but may not be limited to self-supporting lattice, guyed and monopoles structures, water towers and building(s).

TOWER OPERATOR - The owner, manager and/or management firm of a telecommunications tower.

WIRELESS TELECOMMUNICATIONS SERVICES - Licensed wireless telecommunications services, including, but not necessarily limited to: cellular personal communications services (PCS), specialized mobilized radio (SMR), enhanced specialized mobilized radio (ESMR), paging and other types of telecommunications services that are or may be marketed to the general public.

WIRELESS TELECOMMUNICATIONS SITE - A facility operated by a licensed wireless telecommunications service provider which consists of the equipment and structures involved in receiving or

transmitting electromagnetic waves associated with wireless telecommunications services.

ZONE OF VISIBILITY MAP - A map of the proposed sited of the cell tower and all land surrounding thereof from which the cell tower can be seen with the naked eye.

SECTION 3 APPLICATION PROCEDURES

- A. No communications installation, transmission tower, telecommunications tower, communications tower, accessory facility or structure, free standing tower and/or pole or transmission reception antenna shall henceforth be erected, moved, changed or altered other than replacement in kind except after approval in conformance with the provisions of these regulations.
- B. No existing structure shall be modified to serve as a transmission tower, telecommunications tower, communications tower accessory facility or structure, freestanding tower, antenna and/or pole unless in conformity with this chapter and other laws of the Town Westville.
- C. Applicant or designated agent must provide copy (in applicant's name) of the certificate of need or appropriate Franklin County Clerk's Office license issued by the Federal Communications Commission to provide the telecommunications services that the proposed tower is designed to support. If the appropriate applicant FCC license has not been issued, applicant must show proof that the application has been filed and accepted by the Federal Communications Commission and is under review for the granting of applicant's license.
- D. All applications for installation of a new telecommunications tower shall be accompanied by a report containing the information hereinafter set forth. The report shall be signed by the tower operator and contain the following information:
 - (1) Name(s) and address(s) of person(s) preparing the report.

- (2) Name(s) and address(s) of the property owner, operator and the applicant.
- (3) Postal address and Tax Map page, block and lot or parcel number of the property.
- (4) Zoning district in which the property is situated.
- (5) Size of the property on which the proposed construction is to occur and the location of all adjoining lot lines within 500 feet.
- (6) Location of nearest residential structure measured in feet.
- (7) Location of occupied residential structures within 500 feet, including name and address of same.
- (8) Location of all structures existing and proposed on the property which is the subject of this application.
- (9) Location, size and height of all proposed and/or existing antennas and all appurtenant structures.
- (10) Type, size and location of all proposed and existing mitigating landscaping.
- (11) The number, type and design of the tower and antenna(s) proposed and the basis for the calculations of tower and system capacity.
- (12) The make, model and manufacturer of the communications tower and antenna(s) with supporting construction details signed by a licensed engineer.
- (13) A description of the proposed tower and antenna(s) and all related fixtures, structures, appurtenances and apparatus, including, but not limited to, height above grade, materials, color and lighting.

- (14) The frequency, modulation and class of service of radio equipment.
 - (15) Applicant's proposed tower maintenance and inspection procedures and records systems.
 - (16) Certification that NIER levels at the proposed site are within threshold levels adopted by the FCC.
 - (17) Certification to the Town of Westville that the tower and attachments both are designed and constructed ("as built") to meet all state and federal structural requirements for loads, wind, ice, etc.
 - (18) A professionally prepared contour radio propagation map showing anticipated coverage from the site proposed.
- E. The applicant shall submit a complete long EA, pursuant to SEQR, Type I/II, and a complete visual environmental assessment form (visual EA addendum). The Town Board, as lead agency, may require submission of a more detailed visual analysis based on the results of the visual EA. In addition, the applicant shall address the environmental flight path of area species

SECTION 6 SITING PREFERENCES

- A. Shared use of existing towers. At all times, shared use of existing towers shall be preferred to the construction of new towers. An applicant shall be required to present an adequate report inventorying existing towers within a reasonable distance of the proposed site and outlining opportunities for shared use of existing facilities as an alternative to a proposed new tower.
- (1) An applicant proposing to share use of an existing tower shall be required to document intent from an existing tower owner to allow shared use.
 - (2) The Board shall consider a new telecommunications tower where the applicant adequately demonstrates that the shared usage of an existing tower or other structure is

impractical. The applicant shall be required to submit a report demonstrating good-faith efforts to secure shared use from existing towers as well as documentation of the physical and/or financial reasons why shared usage is not practical. Written requests and responses for shared use shall be provided.

- B. Shared usage of site with new tower (clustering). Where shared usage of an existing tower is found to be impractical, the applicant shall investigate shared usage of an existing tower site for its ability to accommodate a new tower and accessory uses. Documentation and conditions shall be in accordance with Subsection A(1) and (2) above.
- C. New tower at a new location. The Board shall consider a new telecommunications tower on a site not previously developed with existing tower. The applicant shall adequately demonstrate that shared usage of an existing tower site is impractical and shall submit a report demonstrating good-faith efforts to secure shared use from existing towers, as well as documentation of the physical and/or financial reasons why shared usage is not practical. (Written request and responses for shared use inquiries shall be provided.) Information regarding the required need for the new telecommunications tower shall be required to form empirical data illustrating said need.
- D. Future shared usage of new towers.
 - (1) The applicant must examine the feasibility of including a telecommunications tower in his proposed plan that will accommodate future demand for reception and transmitting facilities.
 - (2) The Town Board reserves the right to impose reasonable conditions regarding reservation of tower space for future antennas, including height, orientation and power and restriction or elimination of restrictive use covenants as part of tower use contracts and preservation of reasonable fee structures as part of the contract.

SECTION 5 STANDARDS APPLICABLE TO NEW TOWERS

A. Siting considerations. In the event an application proposes to construct new telecommunications towers and/or accessory structures or facilities within 500 feet of the following areas of country-wide and intercommunity significance;

- (1) Military Trail (measurement made from road center line or official designation boundary);
- (2) Seaway Trail (measurement made from road center line);
- (3) Salmon River (measurement made from shoreline as determined on USGS 7.5" quadrangle topographic maps);

then that application shall contain information why such site is preferable to another site within said Town.

B. Lot size and setbacks for new towers.

- (1) All proposed telecommunications towers and accessory structures shall be located on a single parcel and with a setback from abutting residential parcels, public property or street lines of a distance sufficient to contain on-site substantially all ice-fall or debris from tower failure and preserve the privacy of the adjoining residential properties.
- (2) Lot size of parcels containing a tower shall be determined by the amount of land required to meet the setback requirement; if the land is to be leased, the entire lot required shall be leased from a single parcel.
- (3) All tower bases shall be located at a minimum setback from any property line a minimum distance equal to $\frac{1}{2}$ times the height of the tower.
- (4) All proposed freestanding towers must be at least 500 feet from school or residence.

- (5) Accessory structures shall comply with the minimum setback requirements in the underlying zoning district.

C. Visual impact assessment. The Board shall require the applicant to undertake a visual impact assessment of any proposed new towers or any proposed modification to increase in height or width an existing tower. The visual impact assessment shall include:

- (1) A "Zone of Visibility Map," provided in order to determine locations where the tower may be seen.
- (2) Pictorial representatives of "before" and "after" views from key viewpoints both inside and outside of the Town, including but not limited to state highways and other major roads, state and local parks and areas of aesthetic interest.
- (3) Alternative tower designs and color schemes.
- (4) Description of the visual impact of the tower base, guy wires and foundations, accessory buildings and overhead utility lines from abutting properties and streets/roads.

D. New tower design.

- (1) Alternative designs shall be considered for new towers, including lattice and single-pole structures. The design of a proposed new tower shall comply with the following.
 - (a) Towers and antennas shall be designed to withstand the effects of the wind according to the standards designated by the American National Standards Institute as prepared by the engineering departments of the Electronics Industry Associations and Telecommunications Industry Association.
 - (b) Unless specifically required by FAA regulations, all towers shall have a finish compatible with the surrounding area that shall minimize the degree of visual impact.

- (c) The maximum height of any tower intended to be used as a telecommunications tower shall not exceed that which shall permit operation without artificial lighting of any kind or nature in accordance with municipal, state and/or federal law and/or regulation, except as to assure human safety as required by the Federal Aviation Administration.
 - (d) The Board may request a review of the application by a qualified engineer for the evaluation of need for the design of any new tower.
 - (e) Towers shall have a galvanized finish or be painted gray above the surrounding tree line and painted gray, green, black or similar colors designed to blend into the natural surroundings below the surrounding tree line unless other standards are required by the FAA. In all cases, structures offering slender silhouettes (i.e., monopoles or guyed towers) shall be preferable to freestanding structures except where such freestanding structures offer capacity for future shared use. Towers should be designed and sited so as to avoid, whenever possible, application of FAA lighting and painting requirements.
 - (2) Accessory facilities shall maximize use of building materials, colors and textures designed to blend with the natural surroundings.
- E. Existing vegetation. Existing on-site vegetation shall be preserved to the maximum extent possible and not cutting of trees exceeding 6 inches in diameter (measured at a height of four feet of the ground) shall take place prior to approval of the special permit use. Clear cutting of all trees in a single contiguous area exceeding 20,000 square feet shall be prohibited.
- F. Screening. Deciduous or evergreen tree plantings may be required to screen portions of the tower from nearby residential property as well as from public sites known to include important views or

vistas. Where a site abuts residential or public property including streets, the following vegetation screening may be required: For all towers, at least one row of native evergreen shrubs or trees capable of forming a continuous hedge at least 10 feet in height within two years of planting shall be provided to effectively screen the tower base and accessory facilities. In the case of poor soil conditions, planting may be required on soil berms to assure plant survival. Plant height in these cases shall include the height of any berm.

- G. Access. Adequate emergency and service access shall be provided. Maximum use of existing roads, public or private, shall be made. Road construction shall, at all times, minimize grounds disturbance and vegetation cutting to within the toe of fill, the top of cuts or no more than 10 feet beyond the edge of any pavement. Road grades shall closely follow natural contours to assure minimal visual disturbance and reduce soil erosion potential.
- H. Fencing. Sites of proposed new towers and sites where modifications to existing towers are proposed shall be adequately secured to prevent unauthorized access by the general public. Specifically:
- (1) All antennas, communication towers, antenna towers, monopoles and other supporting structures, including guy wires, shall be made inaccessible to children and constructed or shielded in such a manner that they cannot be climbed or run into; and
 - (2) Transmitters and communications control points shall be installed such that they are accessible only to persons authorized by the licensee to operate or service them.
- I. Signage.
- (1) Telecommunications towers/facilities shall be permitted one sign no larger than two square feet to provide adequate notification to persons in the immediate area of the presence of an antenna that has transmit capabilities. The sign shall also contain the name(s) of the owner(s) and operator(s) of the antenna(s) as well as emergency phone number(s).

- (2) The sign shall be located so as to be visible from the primary access point to the site, no other signage shall be permitted on any antenna(s), antenna(s) supporting structure, monopole, or communications tower or structure unless required by federal or state regulation.

J. Color, shape and camouflage.

- (1) In scenic or historic areas, companies may be required to camouflage each tower, for example by putting it inside an artificial tree, a clock tower, a church steeple, silos or a flag pole.
- (2) Wireless towers are required to paint wireless devices or supporting structures in a neutral color designed to blend in with the background. Large dish antennas (e.g., over six feet in diameter) may be prohibited. Existing trees should be left as a buffer and additional trees may be required to be planted around the entire facility in order to provide screening.

K. Health concerns; testing and reporting. Section 704 of the Federal Telecommunications Act of 1996 allows localities to regulate wireless facilities on the basis of environmental or health effects. The tower company may be required to pay for regular inspections (annually) if such structure is located within 500 feet of a residence or occupied structure and provide the local governments with a copy of the inspection report to assure continued compliance with FCC emissions standards.

SECTION 6 REVIEW PROCESS AND DECISIONS

A. Procedure.

- (1) Within 62 days of receipt of a complete preliminary application as defined above, the Code Officer or, in the appropriate circumstance, the Planning Board shall review said application and shall provide a recommendation to the Town Board, who thereafter within said time frame (within

62 days of receipt of the application) may approve the preliminary application or schedule a public hearing. If a public hearing is held, the Town Board shall, within 62 days of the completion of the hearing, approve, approve with modifications or disapprove the preliminary application.

(2) If a preliminary application is approved, the applicant and the Enforcement Officer shall be notified in writing by the Town Board and a building permit issued within 10 days of receipt thereafter of a request from the applicant. The applicant shall not have to file a final site plan if the preliminary site plan is approved without modification.

(3) If the Town Board approves the preliminary application with modifications the applicant shall submit a final detailed site plan to the Town Board for final approval. Within 62 days of receipt of the application for final site plans approval, the Town Board shall render a written decision to the applicant and Enforcement Officer, and such decision shall be signed by the Chairperson of the Town Board.

B. Public Hearings. All public hearings shall be conducted in compliance with the provisions of the NYS Open Meetings Law.

C. Time limitations. The time periods within which Town Board actions are required to act are the maximum times allowable. The Town Board shall make every effort to act as quickly as possible in reviewing applications in order to minimize delays to the applicant. If the Town Board does not complete its review within the times specified in 6A of this chapter, this will constitute approval of the application, except where the review period has been extended by mutual consent of the applicant and the Town Board.

D. Justification and Notice.

(1) The Town Board shall apply all the review standards described in this chapter in reviewing site plans

- (2) Decisions of the Town Board shall be in writing and may include reasonable conditions to further the intent of this chapter. Reasons for disapproval shall be clearly stated.
- (3) Decisions of the Town Board shall be filed within five days in the office of the Town Clerk and a copy mailed to the applicant by certified mail, with return receipt requested.
- (4) Approval of a site plan by the Town Board shall be valid for a period of one year from the date thereof for the purpose of obtaining a building permit. Failure to secure a building permit during the period shall cause the site plan approval to become null and void. No building permit shall be issued and not site work shall commence until all necessary permits and approvals from Town, County and State agencies are obtained and any required performance bond is filed with the Town Clerk.

SECTION 7 COMPATIBILITY WITH APPLICABLE STATE OR FEDERAL LAWS

All towers approved must comply with all other regulations of the state or federal government, including Federal Communications Commissions (FCC) regulations applicable to environmental and health effects of both transmitters and receivers.

SECTION 8 REMOVAL OF TOWERS

The applicant will provide a bond equal to the estimated cost of demolition for the removal of such tower(s) due to nonuse for a period of three years or for noncompliance or discontinuance of use as determined by the municipality.

SECTION 9 AUTHORITY TO IMPOSE CONDITIONS

- A. The Town Board shall have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed telecommunications tower special use or site plan.

- B. Removal upon abandonment. Such conditions may include provisions for dismantling and removal of towers and accessory facilities upon abandonment of use.

SECTION 10 EXCEPTIONS

Residential accessory uses (e.g., television antennas, satellite dishes, ham radio, citizens band radio) under 60 feet in height are not affected. Specifically, exceptions to these regulations are:

- A. New uses that are necessary to residential uses; and
- B. Approved uses existing prior to the effective date of these regulations.

SECTION 11 PENALTIES FOR OFFENSES

The burden will be placed upon the applicant to prove the facility clearly meets all the requirements of this chapter. Monetary penalties for noncompliance will be imposed of up to \$100.00 per day. In addition, the facility could be subject to closure after due process. Any modifications to the use or configuration of a tower shall constitute the need to obtain a new permit (this includes increases in tower height or installation of bulky antennas or work platforms on a tower). The company must provide evidence of general liability and property damage insurance with adequate limits of coverage.

SECTION 12 JUDICIAL REVIEW

Any person or persons jointly or severely aggrieved by any final order under this chapter may seek to have such order reviewed in the manner provided by Article 78 of the New York State Civil Practice Law and Rules.

SECTION 13 EFFECTIVE DATE

This Local Law shall take effect 14 days after filing with 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. _____ of 2003 of the ~~(County)~~ (City) (Town) (Village) of Westville was duly passed by the Town Board on November 3, 2003 in accordance with applicable provisions of law.
(Name of Legislative Body)

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 2003 of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____, 2003, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____, 2003 in accordance with applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2003 of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____, 2003, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____, 2003. Such local law was submitted 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 _____, 2003, in accordance with applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local laws annexed hereto, designated as local law no. _____ of 2003 of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____, 2003, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____, 2003. Such local law was submitted permissive referendum and no valid petition requesting such referendum was filed as of _____ 2003, in accordance with the applicable provision of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

*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.

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 2003 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 _____ 2003, 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 2003 of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____, 2003, 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 1, above.

Linda M. Jackson

(Seal)

Clerk of the County legislative body, City, Town, or Village Clerk or officer designated by local legislative body

Date: November 3, 2003

(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 FRANKLIN

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.

Richard H. Edwards
Signature Richard H. Edwards

Attorney for the Town of Westville

Title

County

City

Town of WESTVILLE

Village

Date: 11/4/03