

VILLAGE OF CORNWALL-ON-HUDSON

AMENDMENT LOCAL LAW NO. 3 OF 2017

**LOCAL LAW AMENDING CHAPTER 153 OF THE VILLAGE
CODE OF THE VILLAGE OF CORNWALL-ON-HUDSON, NEW YORK ENTITLED
“REMOVAL OF DOUBLE UTILITY POLES” REVISING THE DEFINITION APPEARING
UNDER §153-2 ENTITLED “UNNECESSARY UTILITY POLE”, SUB-SECTION B AND
RE-DESIGNATING CHAPTER 153 AS CHAPTER 135, ARTICLE X OF THE VILLAGE
CODE**

Be it enacted by the Village Board of Cornwall-on-Hudson, County of Orange, State of New York, as follows:

Section 1. Amendment to Local Law.

The Definition of “Unnecessary Utility Pole” in §153-2, sub-section B, of the Village Code entitled "**Removal of Double Utility Poles**" is hereby deleted and replaced with the following:

“B. Absent satisfactory evidence of the necessity of retaining the older Utility Pole in question and/or the feasibility of alternative configurations of Utility Poles offered by the attacher, owner or joint owner of the retained older Utility Pole, any Utility Pole which is located within 12 feet of any other utility Pole shall be presumed to be an unnecessary Utility Pole.”

Section 2. Re-designation of Chapter.

Chapter 153 of the Village Code is hereby re-designated as Article X of Chapter 135 of the Village Code.

Section 3. 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 Village Board of the Village of Cornwall-on-Hudson hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 4. Repeal

All Village of Cornwall-on-Hudson ordinances, local laws, and parts thereof inconsistent with this Local Law are hereby repealed.

Section 5. 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.

ADOPTED _____, 2017