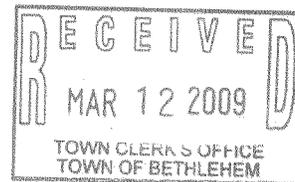


c: Comm. DPW
✓ Dep. Comm. DPW
Building Dept.
Dir., EDP
Highway Supt.



STATE OF NEW YORK
DEPARTMENT OF STATE
ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001



DAVID A. PATERSON
GOVERNOR

LORRAINE A. CORTÉS-VÁZQUEZ
SECRETARY OF STATE

March 9, 2009

Kathleen A Newkirk]
Town Clerk
445 Delaware Avenue
Delmar NY 12054

RE: Town of Bethlehem, Local Law No. 3, 2009, filed on March 2, 2009

Dear Sir/Madam:

The above referenced material was received and filed by this office as indicated. Additional local law filing forms can be obtained from our website, www.dos.state.ny.us/corp/misc.html.

Sincerely,
Linda Lasch
Principal Clerk
State Records and Law Bureau
(518) 474-2755

(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.

County
City of Bethlehem
Town
Village

Local Law No. 3 of the year 2009

A local law Amending Chapter 98 of the Town Code of the Town of Bethlehem

Be it enacted by the Town Board of the

County
City of Bethlehem, Albany County, New York as follows:
Town
Village

SECTION 1. AMENDMENT TO CHAPTER 98 OF THE TOWN CODE

The Code of the Town of Bethlehem, Albany County, New York, Chapter 98, "Stormwater Management" is hereby amended as set forth in this law.

SECTION 2. ARTICLE IV, SECTION 98-14(B) is amended as follows:

All references to a term of imprisonment not to exceed "six months" shall be changed to a term of imprisonment not to exceed "fifteen days."

SECTION 3. ARTICLE VI, SECTION 98-14(B) is amended to change the last sentence to read as follows:

Each day's continued violation shall constitute a separate additional violation.

(If additional space is needed, attach Pages the same size as this sheet, and number each.)

SECTION 4. ARTICLE VI, SECTION 98-28 is amended to add as subsection "C" the following:

C. Equivalence to Technical Standards

Where stormwater management practices are not in accordance with technical standards, the applicant or developer must demonstrate equivalence to the technical standards set forth in Article VI, Section 98-28(A) and the SWPPP shall be prepared by a licensed professional.

SECTION 5. ARTICLE VI, SECTION 98-29 is amended to change the title to the following:

Maintenance, Inspection and Repair of Stormwater Facilities

SECTION 6. ARTICLE VI, SECTION 98-29(A) is amended to change the title to the following:

Maintenance and Inspection During Construction

SECTION 7. ARTICLE VI, SECTION 98-29(C) is amended to change the first sentence to read as follows:

The owner or operator of permanent stormwater management practices installed in accordance with this Part 2 shall ensure they are operated and maintained to achieve the goals of this Part 2.

SECTION 8. ARTICLE VI, SECTION 98-33(D) is amended as follows:

All references to a term of imprisonment not to exceed "six months" shall be changed to a term of imprisonment not to exceed "fifteen days."

SECTION 9. ARTICLE VI, SECTION 98-33(D) is amended to change the last sentence to read as follows:

Each day's continued violation shall constitute a separate additional violation.

SECTION 10. EFFECTIVE DATE

This Local Law shall take effect immediately upon its filing with the Secretary of State of the State of New York, and shall apply to assessment rolls based on taxable status dates occurring on or after such date.

(If additional space is needed, attach Pages the same size as this sheet, and number each.)

(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. 3 of 2009 of the ~~(County)~~(City)(Town)(Village) of Bethlehem was duly passed by the Town Board on Feb. 25 2009, in accordance with the 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 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____ in accordance with the 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 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____. 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 _____ 20____, in accordance with the 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 law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions 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 county-wide 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 20____ 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 _____ 20____, 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 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, 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 _____, above.

Kathleen A. Newkirk
Clerk of the County of _____, Town of _____
~~Clerk of the County of _____, Town of _____~~

(Seal)

Date: February 25, 2009

(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 Albany

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]

Signature
Town Attorney

Title

~~County~~
~~City~~ of Bethlehem
Town
~~Village~~

Date: February 25, 2009