

Local Law Filing

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- County
- City of KNOX
- Town
- Village

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DEPARTMENT OF STATE**

Local Law No. 1 of the year 20 07

A local law Known as the Town of Knox Personal Wireless Service Facilities Law of 2007
(Insert Title)
(Cellular Tower Law)

Be it enacted by the Knox Town Board of the _____ of the _____
(Name of Legislative Body)

- County
- City of Knox as follows:
- Town
- Village

Section 1. Title

This law will be known as the "Town of Knox Personal Wireless Service Facilities Law of 2007 of the Town of Knox." (Cellular Tower Law)

Section 2. Findings, Intent, and Purposes.

2.1 The Town Board of the Town of Knox (the "Town") finds a growing need for Personal Wireless Service Facilities, as defined in Section 704 of the Telecommunications Act of 1996, based on the lack of any Personal Wireless Service Facilities in the Town. Accordingly, the Town Board, in the interest of the health, safety and welfare of the Town residents, finds that the promulgation of this Local Law is necessary to direct the location, construction, and maintenance of these facilities.

2.2 The purpose of this Local Law is to promote the health, safety and general welfare of the residents of the Town of Knox through the establishment of minimum standards to reduce the adverse visual effects of personal wireless service facility transmission towers and Antennae through careful design, siting and screening; to protect property values; to protect the physical appearance of the community and to preserve its scenic and natural beauty; to avoid potential damage to adjacent properties from tower failure through proper engineering and careful siting of structures; to ensure that all residents of the Town are adequately served by personal wireless services technology; to protect a citizen's ability to receive communication signals without interference from other communication providers while preserving competition among communications providers; and to maximize the use of existing towers or Antenna host sites when and if new applications for service are presented to the Town so as to minimize the number and visual impact of towers needed to serve the Town.

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

Section 3. Applicability

3.1 Except as specifically set forth in The Zoning Ordinance of the Town of Knox, New York (Zoning Ordinance), all new Personal Wireless Service Facilities in the Town shall be subject to these and all other applicable regulations.

Section 4. Enumeration of Permissible Locations

4.1 The Town Board has determined that it is in the best interest of all the residents of the Town that the primary location for a Personal Wireless Service Facility shall, if technically and esthetically possible, be on Town property. Income from the lease paid by the Personal Wireless Service Facility owner would therefore benefit all of the Town residents.

4.2 If a suitable site on Town property cannot be found, then Personal Wireless Service Facilities must be located in the Agricultural District of the Town. All other Zoning districts shall be excluded.

Section 5. Definitions.

Antenna: A device used in wireless communications which converts radio frequency electrical energy to radiated electromagnetic signals and vice versa. Such signals shall include but not be limited to radio, television, cellular, paging, digital and/or data communications, personal wireless communication services and microwave communications.

Co-location: The mounting of additional Antennae on an existing tower or monopole to be used by a second provider of wireless communication services.

Equipment Mounting Structure: Any structure used primarily to support Antennae including, but not limited to Towers and Monopoles commercially fabricated from steel. The Town Board has determined that if the tower is a free standing structure not attached to or substantially enclosed within an existing building or other structure, in order to minimize the visual impact of the Tower, it must be a Monopole.

Federal Aviation Administration or FAA: The Federal Aviation Administration or its duly designated and authorized successor agency.

Federal Communications Commission or FCC: The federal agency responsible for licensing and regulating wireless communications services or its duly designated and authorized successor agency.

Height: When referring to a tower or monopole, the distance measured from the pre-existing grade level to the highest point on the tower or monopole, even if said highest point is an Antenna, lightning protection device, illumination device or any other apparatus attached to the tower or monopole.

Modification: The addition, removal or change of any of the physical and visually discernable

components or aspects of a wireless facility, such as Antennae, cabling, radios, equipment shelters, landscaping, fencing, utility feeds, changing the color or materials of any visually discernable components, vehicular access, parking and/or an upgrade or change out of equipment for better or more modern equipment. Adding a new wireless carrier or service provider to a Personal Wireless Service Facility site is a modification. A change in the effective radiated power or a change in the radio frequency emissions from the facility is a modification. A modification shall not include the replacement of any components of a Personal Wireless Service Facility where the replacement is functionally identical to the component being replaced or for any matters that involve the normal repair and maintenance of a Personal Wireless Service Facility.

Personal Wireless Services: Commercial mobile services, unlicensed wireless services (using duly authorized devices which do not require individual licenses, but excluding the provision of direct-to-home satellite services), and common carrier wireless exchange access services as defined in the Federal Telecommunications Act of 1996. Personal Wireless Services include cellular, personal communications service (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), paging and similar services that currently exist or that may in the future be developed.

Personal Wireless Service Facility (PWSF or Facility). A Facility for the provision of Personal Wireless Services. A Personal Wireless Service Facility includes an Antenna, Equipment Mounting Structure and accessory buildings and equipment. For purposes of this Local Law, a Personal Wireless Service Facility shall not be included within the definition of a "Public Utility Facility" as specified in this Local Law, since Personal Wireless Service Facilities, although they are facilities operated by public utilities with certain rights under the laws of the United States and the State of New York, are exclusively regulated as such by the Zoning Ordinance.

Public Utility Facility. A facility other than a Personal Wireless Service Facility for the provision of public utility services, including facilities constructed, altered or maintained by utility corporations, either public or privately owned, or government agencies, necessary for the provision of electricity, gas, steam, heat, communications, water, sewage collection, or other such service to the general public. Such facilities shall include poles, wires, mains, drains, sewers, pipes, conduits, cables, alarms and call boxes and other similar equipment, but shall not include office or administration buildings. For purposes of this Local Law, Personal Wireless Service Facilities shall not be governed by the Zoning Ordinance which applies to the broader definition of Public Utility Facilities, but shall be governed by the regulations of this Local Law which specifically regulates this category of public utilities.

Tower or Monopole: See Equipment Mounting Structure.

Section 6. Requirements for Site Plan Approval

- A. **Purpose and Intent.** The Personal Wireless Service Facilities Ordinance is intended to provide a defined process whereby a suitable choice of locations for establishment, construction and maintenance of Personal Wireless Service Facilities is established.

- B. **Permitted Uses.** Except as specified in Section 6H (“Site Plan Approval for Personal Wireless Service Facilities Not Complying with Section 4”) all new Personal Wireless Service Facilities, and all additions and/or modifications to currently existing Personal Wireless Service Facilities, shall be allowed only (1) in areas specified in Section 4, and (2) pursuant to Site Plan Approval issued by the Planning Board, in accordance with criteria set forth in this Section and in Article VI, Section 61 F of the Zoning Ordinance.
- C. **Underlying Zoning Regulations.** The requirements of the underlying zoning districts shall apply unless the provisions set forth in this Section are deemed more stringent than the underlying requirements, except for the height of a proposed Tower or Monopole and the minimum lot size. All structures and facilities accessory to Personal Wireless Service Facilities, including but not limited to equipment sheds, parking areas, anchors, bases and pads, shall comply with the existing setback and dimensional regulations established for principal structures in the underlying zoning district, except for the height of a proposed Tower or Monopole and the minimum lot size.
- D. **Data Requirements.** Applicants for Site Plan Approval shall file with the Town Clerk one (1) copy, and with the Planning Board ten (10) copies, of the following documents:
1. Site Plan. A Site Plan, in conformance with the applicable site plan submission requirements contained in Article VI, Section 61 F of the Zoning Ordinance as amended. The Site Plan shall show elevations, height, width, depth, type of materials, color schemes, and other relevant information for all existing and proposed structures, equipment, parking, and other improvements. The Site Plan shall also include a description for the proposed Personal Wireless Service Facility, and such other information that the Planning Board requires.
 2. Environmental Assessment Form. A completed State Environmental Quality Review Full Environmental Assessment Form (“EAF”), including the Visual EAF Addendum. Particular attention shall be given to visibility from key viewpoints identified in the Visual EAF Addendum, existing treelines and proposed elevations using computer simulations or equally reliable methodologies as agreed upon during the sketch plan conference with the Planning Board.
 3. Landscape Plan. A Landscape Plan delineating the existing trees or areas of existing trees to be preserved, the location and dimensions of proposed planting areas, including the size, type and number of trees and shrubs to be planted, curbs, fences, buffers, screening elevations of fences and materials used. For towers or monopoles, the Landscape Plan shall address the criteria set forth in Paragraph F of this Section.
 4. Documentation of Proposed Height. Documentation sufficient to demonstrate that the proposed height is the minimum height necessary to provide service to locations in the Town of Knox which the applicant is not able to serve with

existing facilities within and outside the Town.

5. Statement Regarding Co-Location. For new Personal Wireless Service Facilities, a statement by the applicant that the new Facility will accommodate co-location of additional Facilities for future users.
6. Structural Engineering Report. A report prepared by a New York State licensed professional engineer specializing in structural engineering as to the structural integrity of the Personal Wireless Service Facility. In the case of a tower or monopole, the Structural Engineering Report shall describe the structure's height and design including a cross section of the structure, demonstrate the structure's compliance with applicable structural standards and describe the structure's capacity, including the number of Antennae it can accommodate and the precise point at which the Antenna shall be mounted. In the case of an Antenna mounted on an existing structure, the Structural Engineering Report shall indicate the ability of the existing structure to accept the Antenna, the proposed method of affixing the Antenna to the structure, and the precise point at which the Antenna shall be mounted.
7. Engineering Analysis of Radio Emissions. An engineering analysis of the radio emissions, and a propagation map for the proposed Personal Wireless Service Facility. The analysis shall be prepared and signed by a New York State licensed professional engineer specializing in electrical engineering with expertise in radio-communication facilities. The results from the analysis must clearly show that the power density levels of the electromagnetic energy generated from the proposed Facility are within the allowable limits established by the FCC which are in effect at the time of the application. If the proposed Personal Wireless Service Facility would be co-located with an existing Antenna or located within one mile of an existing Antenna, the cumulative effects must also be analyzed. The power density analysis shall be based on the assumption that all Antennae are simultaneously transmitting radio energy at a power level equal to the maximum Antenna power rating specified by the Antenna manufacturer.
8. Map of Proposed Coverage and Existing Facilities. A map showing the area of coverage of the proposed Facility and listing all existing Personal Wireless Service Facilities in the Town and bordering municipalities containing Personal Wireless Service Facilities used by the applicant, and a detailed report indicating why the proposed Personal Wireless Service Facility is required to provide service to locations in the Town of Knox which the applicant is not able to serve with existing Facilities which are located within and outside the Town, by co-location and otherwise.
9. Performance Guarantee. The applicants for Site Plan Approval shall file with the Town Clerk a guarantee of performance (such as a certified check or performance bond, as determined by the Town Board) in the amount of \$100,000, or in such

amount set by the Planning Board to cover the full cost of the required improvements. If a performance bond is specified, such bond shall comply with the requirements of Section 277 of the Town Law and shall be satisfactory to the Town Board, Town Engineer and Town Attorney as to form, sufficiency, manner of execution and surety. A period of one year (or such other period as the Planning Board may determine appropriate, but in no instance, to exceed three (3) years) shall be set forth in the bond within which required improvements must be completed.

E. **Criteria for Site Plan Approval.** Applicants for Site Plan Approval for establishment or construction of Personal Wireless Service Facilities shall meet all of the following criteria:

1. Necessity. The proposed Personal Wireless Service Facility is required to provide service to locations in the Town of Knox which the applicant is not able to serve with existing Facilities which are located within and outside the Town, by co-location and otherwise.
2. Co-Location. The co-location of Personal Wireless Service Facilities shall be strongly preferred to the construction of new Personal Wireless Service Facilities. If a new site for a Personal Wireless Service Facility is proposed, the applicant shall submit a report setting forth in detail (a) an inventory of existing Personal Wireless Service Facilities within the Town of Knox which are within a reasonable distance from the proposed Facility with respect to coverage, (b) an inventory of existing Personal Wireless Service Facilities in other municipalities which can be utilized or modified in order to provide coverage to the locations the applicant is seeking to serve, and (c) a report on the possibilities and opportunities for co-location as an alternative to a new site. The applicant must demonstrate the proposed Personal Wireless Service Facility cannot be accommodated on an existing Facility due to one or more of the following reasons:
 - (i) The proposed equipment would exceed the existing and *reasonably* potential structural capacity of the existing and approved Personal Wireless Service Facilities, considering existing and planned use for those Facilities.
 - (ii) The existing or proposed equipment would cause interference with other existing or proposed equipment which could not reasonably be prevented or mitigated.
 - (iii) Existing or approved Personal Wireless Service Facilities within the Town of Knox or in neighboring municipalities do not have space on which the proposed equipment can be placed so it can function effectively and reasonably, and the applicant has not been able, following a good faith

effort, to reach an agreement with the owner of such Facilities.

- (iv) Other reasons which make it impracticable to place the proposed equipment on existing and approved Personal Wireless Service Facilities within the Town of Knox or on existing Facilities in other municipalities.
 - (v) Service to the locations in the Town of Knox to which the applicant seeks to provide service cannot be provided by existing Facilities within or outside the Town.
3. Maximum Height. Unless the FCC promulgates rules to the contrary or the applicant demonstrates to the satisfaction of the Planning Board that a greater height is necessary, the maximum height for a tower or monopole shall be 125 feet above ground level, or the minimum height necessary to provide service to locations in the Town of Knox which the applicant is not able to serve with existing Facilities within and outside the Town. It shall be incumbent upon the applicant to provide all the necessary documentation to the Planning Board justifying the requested height. The Planning Board shall have the right to hire, at the applicant's expense, its own consulting engineer to evaluate the documentation.
 4. Minimum Lot Size. The minimum lot size for a Personal Wireless Service Facility shall be sufficient to meet the required setbacks.
 5. Setbacks. Unless the FCC promulgates rules to the contrary, all Personal Wireless Service Facilities shall be separated from all residential dwellings by a distance of no less than five hundred (500) feet. Setback from property lines shall be no less than 1.5 times the tower's or monopole's height or the minimum setback required by the underlying zoning district, whichever is greater. Setbacks from towers and monopoles shall be measured from the base of the structure.
 6. Security Fencing. Security fencing shall be provided around each tower or monopole to secure the site. Access to the structure shall be through a locked gate.
 7. Architectural Compatibility. Where a Personal Wireless Service Facility is to be attached to an existing building or structure, such Facility shall be integrated into such existing building or structure in a manner which blends with the architectural characteristics of the building or structure to the maximum extent practicable.
 8. Placement. Unless wall-mounted on an existing roof-mounted mechanical enclosure or similar appurtenance, all Antennae mounted on a roof shall be located so that visibility of the Antenna is limited to the greatest extent practicable. Antennae wall-mounted on a roof mounted mechanical enclosure or similar

appurtenance shall not exceed the height of the appurtenance at the point of installation.

F. **Design Guidelines.** The proposed Personal Wireless Service Facility shall meet the following applicable design guidelines.

1. Finish/Colors. Towers or monopoles shall be colored gray or blue gray above the surrounding treeline and gray, green or tannish brown below the surrounding treeline.
2. Illumination. No signals, lights or illumination shall be permitted on Personal Wireless Service Facilities unless required by the FAA or other Federal, state or local authority.
3. Landscaping For Towers or Monopoles. For towers or monopoles, vegetative screening shall be provided to effectively screen the tower base and accessory facilities. At a minimum, screening shall consist of one row of native evergreen shrubs or evergreen trees capable of forming a continuous hedge at least five (5) feet in height within two (2) years of planting. Existing vegetation shall be preserved to the maximum extent practicable and may be used as a substitute or supplement toward meeting landscaping requirements. Additional screening may be required to screen portions of the structure from nearby residential property or important views. All landscaping shall be properly maintained to ensure good health and viability.
4. Visibility. All Personal Wireless Service Facilities shall be sited to have minimum adverse visual effect on residential areas, parks or major roadways.
5. Signage. Signage shall be prohibited on Personal Wireless Service Facilities except for signage to identify the Facility which is located along the right-of-way frontage and is approved by the Planning Board. Except as specifically required by a Federal, State or local authority, no signage shall be permitted on Equipment Mounting Structures or Antennae.

G. **Construction and Maintenance.**

1. Time Limits for Completion. A building permit must be obtained within ninety (90) days after Site Plan Approval for a Personal Wireless Service Facility, and construction of such Facility must be completed within twelve (12) months of such approval. The Site Plan Approval shall automatically expire in the event that the Building & Zoning Administrator has not granted such permit or construction for the Facility is not completed within the periods set forth above.
2. Annual Inspections.

(a) Unless otherwise preempted by Federal or State law, Personal Wireless Service Facilities, including towers, monopoles and Antennae, shall be inspected annually at the applicant's expense for structural integrity, and a copy of the inspection report shall be promptly transmitted to the Building & Zoning Administrator. The structural inspection shall be performed by a New York State licensed professional engineer specializing in structural engineering. The structural inspection report shall describe the structural integrity of the Personal Wireless Service Facility, maintenance issues and repairs needed or made, if any. In the event that the structural inspection indicates structural deficiencies, or in the event of reported vandalism or storm damage, then the deficiencies must be remedied within the time reasonably set by the Building & Zoning Administrator.

(b) Unless otherwise preempted by Federal or State law, Personal Wireless Service Facilities, including towers, monopoles and Antennae, shall be inspected annually at the applicant's expense for radio emissions, and a copy of the inspection report shall be promptly transmitted to the Building & Zoning Administrator. Radio emission inspection shall be performed by a New York State licensed professional engineer specializing in electrical engineering with expertise in radiocommunication facilities. The radio emission inspection shall describe the power density levels of the electromagnetic energy generated from the Facility, including the cumulative effects of co-located Antennae. In the event that the radio emission inspection indicates that the electromagnetic energy generated from the Facility is above the allowable limits stated within applicable FCC or ANSI standards or other applicable State or Federal guidelines in effect at the time of the inspection, the applicant shall cease all use of the Facility until such time as it proves to the satisfaction of the Building & Zoning Administrator that the power density levels of the electromagnetic energy to be generated at the Facility are below the applicable standards.

3. Abandonment. In the event that the use of the Personal Wireless Service Facility has been discontinued by all operators of such Facility for a period of one hundred eighty (180) consecutive days or more, the Facility shall be deemed to be abandoned. Determination of the date of abandonment shall be made by the Building & Zoning Administrator, who shall have the right to request documentation from the owner/operator of the Facility regarding usage thereat. Upon such abandonment, the owner/operator shall remove the Facility at its own expense, or failing prompt removal, the Town may remove the Facility at the owner/operator's expense. All approvals of any nature granted by the Town shall automatically expire as of the date of abandonment of the Facility.

H. Site Plan Approval for Personal Wireless Service Facilities Not Complying with Section 4. Personal Wireless Service Facilities at sites not complying with Section 4 shall require a Site Plan Approval by the Planning Board, and shall be permitted only if a New York State licensed professional engineer specializing in electrical engineering with expertise in radiocommunication facilities establishes to the satisfaction of the Planning Board all of the following:

1. That the proposed Personal Wireless Service Facility is needed to provide coverage to an area of the Town that currently has inadequate coverage and is of the minimum height and aesthetic intrusion necessary to provide that coverage;
2. That coverage cannot be provided by a Personal Wireless Service Facility located in compliance with Section 4;
3. That all reasonable measures in siting the Personal Wireless Service Facility in compliance with Section 4 have been exhausted; and
4. That technical and space limitations prevent location or co-location in compliance with Section 4.

I. Modification of an Existing Personal Wireless Service Facility. Modification of an existing Personal Wireless Service Facility shall be permitted only after application to the Planning Board which shall review the matter as if the modification were an entirely new application for Site Plan Approval.

J. Exemptions from this Section. The following are exempt from the provisions of this Section:

1. Machines and equipment designed and marketed as consumer products, such as walkie-talkies, ham radios not used for commercial purposes, remote control toys, and cellular phones;
2. Hand-held, mobile, marine and portable radiocommunication transmitters and/or receivers;
3. Two-way radios utilized for temporary or emergency service communications;
4. Two-way radios utilized for government service communications;
5. Back-up wireless transmitters connected to an alarm monitoring service that transmits to a remote monitoring center in the event of an emergency when the telephone lines are inoperable; and

6. Over-the-air receive-only devices in compliance with FCC rules and standards.

Section 7. Interpretation, Conflict with Other Laws.

In their interpretation and application, the provisions of this Local Law shall be held to be minimum requirements, adopted for the promotion of the public health, safety and the general welfare of the residents of the Town. This Local Law is not intended to interfere with, abrogate or annul other rules, regulations or ordinances, provided that whenever the requirements of this Local Law are at variance with the requirements of any other lawfully adopted regulations, rules or ordinances, the most restrictive, or those which impose the highest standards, shall govern.

Section 8. Separability.

If any section, subsection, phrase, sentence or other portion of this Local Law is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of any remaining portion hereof.

Section 9. Effective Date

This Local Law shall be effective immediately upon passage and filing of the same with the New York State, Secretary of State's office.

(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. 1 of 20 07 of the (County)(City)(Town)(Village) of Knox was duly passed by the Knox Town Board on March 27, 20 07, 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) (Name of Legislative Body) (repassed after disapproval) by the _____ and was deemed duly adopted (Elective Chief Executive Officer*) on _____ 20 _____, in accordance with the applicable provisions of law.

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) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20 _____ (Elective Chief Executive Officer*)

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.

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) (Name of Legislative Body) (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.

* 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.

Kemberly D. Swain
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: *March 27, 2007*

(Seal)

(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.

John E. D. Juan
Signature _____
Town Attorney
Title _____

County _____
City of *Knox*
Town _____
Village _____

Date: *3-27-07*