

Local Law Filing

(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 Town Village
(Select one:)

of _____

Local Law No. #1 of the year 2014

A local law Local Law Intro. No. 1 - 2014
(Insert Title)

A Local Law to Amend Local Law 1 - 1984 "Adoption of Code"
adopted by the Town of Colden on December 29, 1984, To establish
a moratorium on the use of land for horizontal drilling and
hydraulic fracking in the Town of Colden.

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

County City Town Village
(Select one:)

of Colden as follows:

SECTION 1. LEGISLATIVE INTENT

This Local Law amends Local Law 1-1984, known as "Adoption of Code", adopted by the Town Board of the Town of Colden on December 29, 1984, as amended, relating to the administrative, legislative and general legislation of Codes within the Town of Colden as therein set forth.

SECTION 2. PURPOSE

The Town Board of the Town of Colden has under review a Local Law governing the use of horizontal drilling and hydraulic fracturing for gas exploration. At the present time, there are no Town restrictions or regulations in regard to use of land within the Town for horizontal drilling and hydraulic fracturing. The Town Board finds that the commercial exploration for and production of native natural gas and oil by hydraulic fracturing or horizontal gas well drilling in the rural environment of the Town of Colden may violate the rights of residents and impose a significant threat to their health, safety and welfare. Moreover, widespread environmental and human health concerns have resulted from commercial gas and oil extractions utilizing either hydraulic fracturing or horizontal gas or oil well drilling in other areas. Permitting the activity of commercial gas or oil exploration utilizing fracturing and/or horizontal gas well drilling may violate the rights of residents and endangers their health, safety and welfare by allowing the

(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. #01 of 2014 of the (County)(City)(Town)(Village) of Colden was duly passed by the Town Board on March 13 2014, 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 *(Elective Chief Executive Officer*)* 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.)

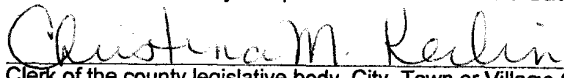
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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.


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

Date: March 19, 2014

(Seal)

TOWN OF COLDEN
LOCAL LAW INTRO. NO. 1-2013
LOCAL LAW -2013

A LOCAL LAW TO AMEND LOCAL LAW 1-1984 "ADOPTION OF CODE",
ADOPTED BY THE TOWN OF COLDEN ON DECEMBER 29, 1984, TO ESTABLISH A
MORATORIUM ON THE USE OF LAND FOR HORIZONTAL DRILLING AND
HYDRAULIC FRACKING IN THE TOWN OF COLDEN.

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF COLDEN AS
FOLLOWS:

SECTION 1. LEGISLATIVE INTENT

This Local Law amends Local Law 1-1984, known as "Adoption of Code", adopted by the Town Board of the Town of Colden on December 29, 1984, as amended, relating to the administrative, legislative and general legislation of Codes within the Town of Colden as therein set forth.

SECTION 2. PURPOSE

The Town Board of the Town of Colden has under review a Local Law governing the use of horizontal drilling and hydraulic fracturing for gas exploration. At the present time, there are no Town restrictions or regulations in regard to use of land within the Town for horizontal drilling and hydraulic fracturing. The Town Board finds that the commercial exploration for and

production of native natural gas and oil by hydraulic fracturing or horizontal gas well drilling in the rural environment of the Town of Colden may violate the rights of residents and impose a significant threat to their health, safety and welfare. Moreover, widespread environmental and human health concerns have resulted from commercial gas and oil extractions utilizing either hydraulic fracturing or horizontal gas or oil well drilling in other areas. Permitting the activity of commercial gas or oil exploration utilizing fracturing and/or horizontal gas well drilling may violate the rights of residents and endangers their health, safety and welfare by allowing the intentional deposit of toxins into the air, soil, water, environment, and the bodies of residents within the Town. The activity may pose a threat to some, if not all, of the natural water supply upon which the Town of Colden relies as its sole source of water. The Board finds that it is in the best interest of the Town for a moratorium on the use of horizontal drilling and hydraulic fracturing for gas exploration within the Town.

SECTION 3. AUTHORITY

This Local Law is enacted pursuant to the provisions of Article 16 of the New York Town Law and Section 10 of the New York Municipal Home Rule Law.

SECTION 4. MORATORIUM AND DURATION

The Town Board of the Town of Colden hereby declares a 1 year moratorium on the use of horizontal drilling and hydraulic fracturing within the Town, except by natural gas companies as authorized under the Federal Natural Gas Act, 15 U.S.C. 717, et seq.

SECTION 5. SEVERABILITY

The invalidity of any word, section, clause, paragraph, sentence, or part or provision of this Local Law shall not affect the validity of any other part of this Local Law which shall be given effect.

SECTION 6. EFFECTIVE DATE

This Local Law shall become effective immediately upon the adoption by the Town of Colden Town Board and filing with the New York Secretary of State.

TOWN OF COLDEN
LOCAL LAW INTRO. NO. 2-2012
LOCAL LAW ____-2012

A LOCAL LAW TO AMEND LOCAL LAW 1-1984 "ADOPTION OF CODE", ADOPTED BY THE TOWN OF COLDEN ON DECEMBER 29, 1984, TO ESTABLISH A MORATORIUM ON THE USE OF LAND FOR HORIZONTAL DRILLING AND HYDRAULIC FRACKING IN THE TOWN OF COLDEN.

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF COLDEN AS FOLLOWS:

SECTION 1. LEGISLATIVE INTENT

This Local Law amends Local Law 1-1984, known as "Adoption of Code", adopted by the Town Board of the Town of Colden on December 29, 1984, as amended, relating to the administrative, legislative and general legislation of Codes within the Town of Colden as therein set forth.

SECTION 2. PURPOSE

The Town Board of the Town of Colden has under review a Local Law governing the use of horizontal drilling and hydraulic fracturing for gas exploration. At the present time, there are no Town restrictions or regulations in regard to use of land within the Town for horizontal drilling and hydraulic fracturing. The Town Board finds that the commercial exploration for and production of

native natural gas and oil by hydraulic fracturing or horizontal gas well drilling in the rural environment of the Town of Colden **may** violate the rights of residents and impose a significant threat to their health, safety and welfare. Moreover, widespread environmental and human health **concerns** have resulted from commercial gas and oil extractions utilizing either hydraulic fracturing or horizontal gas or oil well drilling in other areas. Permitting the activity of commercial gas or oil exploration utilizing fracturing and/or horizontal gas well drilling **may** violate the rights of residents and endanger their health, safety and welfare by allowing the intentional deposit of toxins into the air, soil, water, environment, and the bodies of residents within the Town. The activity **may** pose a threat to some, if not all, of the natural water supply upon which the Town of Colden relies as its sole source of water. The Board finds that it is in the best interest of the Town for a moratorium on the use of horizontal drilling and hydraulic fracturing for gas exploration within the Town.

SECTION 3. AUTHORITY

This Local Law is enacted pursuant to the provisions of Article 16 of the New York Town Law and Section 10 of the New York Municipal Home Rule Law.

SECTION 4. MORATORIUM AND DURATION

The Town Board of the Town of Colden hereby declares a six (6) month moratorium on the use of horizontal drilling and hydraulic fracturing within the Town, except by natural gas companies as authorized under the Federal Natural Gas Act, 15 U.S.C. 717, et seq.

SECTION 5. SEVERABILITY

The invalidity of any word, section, clause, paragraph, sentence, or part or provision of this Local Law shall not affect the validity of any other part of this Local Law which shall be given effect.

SECTION 6. EFFECTIVE DATE

This Local Law shall become effective immediately upon the adoption by the Town of Colden Town Board and filing with the New York Secretary of State.

TOWN OF COLDEN
LOCAL LAW INTRO NO. 1-2012

LOCAL LAW ____-2012

A LOCAL LAW TO AMEND LOCAL LAW 1-1984 KNOWN AS "ADOPTION OF CODE", ADOPTED BY THE TOWN OF COLDEN ON DECEMBER 29, 1984, TO ESTABLISH A MORATORIUM ON THE USE OF LAND FOR HORIZONTAL DRILLING AND HYDRAULIC FRACKING IN THE TOWN OF COLDEN.

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF COLDEN AS FOLLOW:

SECTION 1. LEGISLATIVE INTENT

This Local Law amends a prior Local Law known as "Adoption of Code" adopted by the Town of Colden on December 29, 1984, as amended, relating to the administrative, legislative and general legislation of Codes within the Town of Colden as therein set forth.

SECTION 2. PURPOSE

The Town of Board of the Town of Colden has under review a Local Law governing the use of horizontal drilling and hydraulic fracturing. At the present time, there are no Town restrictions or regulations in regard to use of land within the Town for horizontal drilling and hydraulic fracturing. The Town Board finds that the commercial extraction of natural gas and oil by hydraulic fracturing or horizontal gas well drilling in the rural environment of the Town of Colden violates the rights of residents and imposes a significant threat to their health, safety and welfare. Moreover, widespread environmental and human health impacts have resulted from commercial gas and oil extractions utilized either hydraulic fracturing or horizontal gas or oil well drilling in other area. Permitting the activity of commercial gas or oil extraction utilizing hydraulic fracturing and/or horizontal gas well drilling violates the rights of residents and endangers their health, safety and welfare by allowing the intentional deposit of toxins into the air,

soil, water, environment, and the bodies of residents within the Town. The activity poses a threat to some, if not all, of the natural water supply upon which the Town of Colden relies as its sole source of water. The Board finds that it is in the best interest of the Town for a moratorium on the use of horizontal drilling and hydraulic fracturing within the Town.

SECTION 3. AUTHORITY

This Local Law is enacted pursuant to the provisions of Article 16 of the New York Town Law and section 10 of the New York Municipal Home Rule Law.

SECTION 4. MORATORIUM AND DURATION

The Town Board of the Town of Colden hereby declares a six (6) month moratorium on the use of horizontal drilling and hydraulic fracturing within the Town.

SECTION 5. SEVERABILITY

The invalidity of any word, section, clause, paragraph, sentence, or part or provision of this Local Law shall not affect the validity of any other part of this Local Law which shall be given effect.

SECTION 6. EFFECTIVE DATE

This Local Law shall become effective immediately upon the adoption by the Town of Colden Town Board and filing with the New York Secretary of State.