

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

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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 Hudson

Local Law No. 4 of the year 2013

A local law amending the City Code to Ban Oil, Gas and Solution Mining or Drilling in the City of
(Insert Title)
Hudson.

Be it enacted by the Common Council of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of Hudson

as follows:

JUN 14 2013

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

~~Draft~~ LOCAL LAW NO. 4 OF 2013
, 2013

A LOCAL LAW AMENDING THE CITY CODE TO BAN OIL, GAS AND
SOLUTION MINING OR DRILLING IN THE CITY OF HUDSON AND FOR
OTHER PURPOSES

BE IT ENACTED BY THE COMMON COUNCIL OF THE CITY OF HUDSON
AS FOLLOWS:

SECTION 1. TITLE. This Local Law shall be known as Local Law No. 4 for the
year 2013.

SECTION 2. LEGISLATIVE FINDINGS.

The Common Council of the City of Hudson finds that:

The economic and social interests of the City's residents would be best served by banning oil, gas or solution mining in the City. The City's local economy is based upon tourism, retail and light industry. Among other reasons, tourists are attracted to the City because of the large number of historic homes and structures in the City. This economy would be damaged by the introduction of oil, gas or solution mining or drilling in the City as this industry generates a high volume of truck traffic which will detract from the aesthetic atmosphere of the City to the detriment of the tourism industry and could destroy or damage the many historic structures in the City due to vibration. The City's Comprehensive Plan and Local Waterfront Revitalization Program support a mixed used zoning scheme which encourages residential, commercial, and light industrial uses and the preservation of the City's historic fabric.

City residents are also already plagued by excessive truck traffic due to the designated State truck route that traverses through the City as well as local truck deliveries that traverse through the most disadvantaged areas of the City to the waterfront and other destinations. The oil, gas and solution mining and drilling industry, in particular natural gas mining and drilling activities, have been associated with grossly excessive volumes of truck traffic due to the transportation of water and waste water necessary for certain extraction processes.

SECTION 3. LEGISLATIVE INTENT.

It is the intent of the Common Council to amend the Hudson City Zoning Code to ban oil, gas and solution mining and drilling activities in the City of Hudson.

SECTION 4. STATEMENT OF AUTHORITY.

This local law is authorized by the Municipal Home Rule Law (Chapter 36-a of the Consolidated Laws of the State of New York); the General City Law, (Chapter 21 of

the Consolidated Laws of the State of New York, Article 3, §§20, 27-a, 32 and 37 and Article 5-A, §81-D); the General Municipal Law (Chapter 24 of the Consolidated Laws of the State of New York, Article 12-A, §247); and the Environmental Conservation Law (Chapter 42-B of the Consolidated Laws of the State of New York, Article 49, §49-0301).

SECTION 5. AMENDMENTS

A. *Hudson City Code, Chapter 325, Article V, Section 325-27* is hereby **AMENDED** by **ADDING** the following new paragraph at the end thereof:

“E. Oil, gas or solution mining and drilling activities.”

B. *Hudson City Code, Chapter 325, Article XIII, Section 325-42* is hereby **AMENDED** by **ADDING** the following new definition:

“GAS, OIL, OR SOLUTION DRILLING OR MINING ACTIVITIES: The process of exploration and drilling through wells or subsurface excavations for oil or gas, and extraction, production, transportation, purchase, processing, and storage of oil or gas, including, but not limited to the following:

- i. A new well and the surrounding well site, built and operated to produce oil or gas, including auxiliary equipment required for production (separators, dehydrators, pumping units, tank batteries, tanks, metering stations), and other related equipment;
- ii. Any equipment involved in the re-working of an existing well;
- iii. A water or fluid injection station(s) including associated facilities;
- iv. A storage or construction staging yard associated with an oil or gas facility;
- v. Gas pipes, water lines, or other gathering systems and components including but not limited to drip station, vent station, chemical injection station, valve boxes.”
- vi. The disposal, treatment, staging or storage of any waste, byproduct or other material generated or created as a result of any of the activities described in paragraphs i-v of this definition.”

C. *Hudson City Code, Chapter 325, Article XIII, Section 325-33*, is hereby **AMENDED** as follows:

1. In paragraph “A”, **DELETE** “\$250” and **REPLACE** with “\$2,500”
2. In paragraph “B” **DELETE** “\$250” and **REPLACE WITH** “2,500”

D. *Hudson City Code, Chapter 266, Section 266-20* is hereby **AMENDED** as follows: **DELETE** “\$250” and **REPLACE** with “\$2,500”.

SECTION 6. SEVERABILITY. If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined to its operation in said clause, sentence, paragraph, section or part of this Local Law.

SECTION 7. EFFECTIVE DATE. This Local Law shall take effect immediately upon passage and 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 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, 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. 4 of 20¹³ of the ~~(County)(City)(Town)(Village)~~ of Hudson Common Council was duly passed by the _____ on May 21 20¹³, and was (approved)~~(not approved)~~ ~~(repassed after disapproval)~~ by the Mayor _____ and was deemed duly adopted on June 10 20¹³, 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____.
(Name of Legislative Body)
(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.)

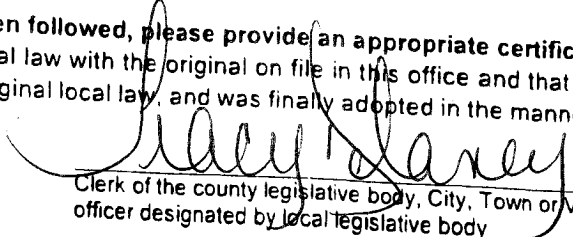
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject 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 2, above.


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

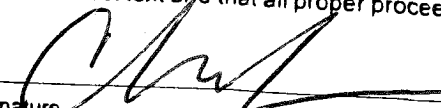
(Seal)

Date: June 10, 2013

(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 Columbia

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 _____
Legal Advisor
Title _____

~~County~~
City of Hudson
~~Town~~
~~Village~~

Date: 6/11/13