

TOWN OF FULTON
LOCAL LAW NO. 1 – 2012

A Local Law to impose a moratorium on Heavy Industrial Uses.

BE IT ENACTED by the Town Board of the Town of Fulton as follows:

Section 1. Purpose.

The Town Board of the Town of Fulton hereby finds and determines that since the Town of Fulton Planning Board is currently reviewing the Land Use Plan for possible revisions concerning the compatibility of heavy industrial uses in the Town with the Land Use Plan, that it is in the best interests of the Town of Fulton and its residents to prohibit the establishment of heavy industrial uses in the Town for a period of one year in order to give the Town of Fulton Planning Board and the Town Board time to establish guidelines for heavy industrial uses. The Town Board further finds and determines that the existing general laws and local laws of the Town are not adequate to properly regulate such uses. It is the purpose of this Local Law to provide time for the Town of Fulton to finish the foregoing Land Use Plan review and to adopt appropriate legislation that will regulate heavy industrial uses.

Section 2. Heavy Industrial Uses.

Heavy industrial uses which fall within this moratorium are those that:

- a. Emit objectionable levels of smoke, noise, dust, odor, glare or vibration beyond property boundaries.
- b. Generate a high volume of truck traffic.
- c. Generate a high volume of hazardous material handling.
- d. Engage in commercial incineration of waste.
- e. Hydraulic fracking for gas and oil and associated activities.

Section 3. Moratorium.

Pursuant to the authority of the Municipal Home Rule Law Section 10(1)(ii)(d)(3) of the State of New York, a MORATORIUM is hereby established with regard to the establishment of heavy industrial uses in the Town of Fulton for a period of one year from the effective date of this Local Law.

Section 4. Duration.

This Local Law shall continue in effect until regulations are duly adopted regulating heavy industrial uses or for a period of one year from the adoption of this Local Law, whichever event occurs first.

Section 4. Effective Date.

This Local Law shall become effective upon filing with the Secretary of State of the State of New York.

Enacted: 09/27, 2012, by the Town Board of the Town of Fulton.

(SEAL)

Elizabeth A Coons
Town Clerk