

Introduced 07/11/18

LOCAL LAW NO. 5 FOR 2018

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF BERNE, NEW YORK AS FOLLOWS:

SECTION 1. Local Law No. 1 for 2012 as adopted on February 8, 2012 and known as the “Town of Berne Hydraulic Fracturing and/or Hydrofracking Law”, pursuant to the authority and provisions of Section 10 of the Municipal Home Rule Law in SECTION 4. thereof, as amended by Local Law No. 3 for 2012 adopted on August 8, 2012, Local Law No. 2 for 2013 adopted on March 13, 2013, Local Law No. 6 for 2013 adopted on September 11, 2013, Local Law No. 1 for 2014 adopted on March 26, 2014, Local Law No. 2 for 2014 adopted on September 10, 2014, Local Law No. 2 for 2015 adopted on March 11, 2015, Local Law No. 3 for 2015, adopted on September 9, 2015, Local Law No. 1 for 2016 adopted on March 9, 2016, Local Law No. 3 adopted on September 14, 2016, Local Law No. 2 adopted on March 8, 2017, and Local Law No. 4 adopted on August 9, 2017, Local Law No. 3 adopted on February 14, 2018, is hereby amended to provide that for a period of one hundred and eighty (180) days from and after the effective date of this amendment, no application for an approval or permit from the Town for the establishment, implementation and/or construction of any hydraulic fracturing and/or hydrofracking facilities within the Town of Berne may be filed, accepted or processed. For the purpose of this local law an application for an approval or permit from the Town shall be deemed to mean any request for official action by the Town Board, Planning Board, Code Enforcement Officer, or Building Inspector which request and approval would in any way commence or continue the processes associated with hydraulic fracturing and/or hydrofracking, including the establishment, implementation, and/or construction of any hydraulic fracturing and/or hydrofracking facilities within the Town of Berne.

SECTION 2. This Local Law shall take effect immediately upon filing with the Secretary of State.