NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET
ALBANY, NY 12231

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**~~
of **Goshen**
~~**Village**~~
Village

Local Law No. 9 of the year 2026

A local law Amending the Code of the Village of Goshen, Appendix A [Zoning] to establish a procedure for the revocation of Site Plan Development, Conditional Use and Zoning Board of Appeals approvals.
(*Insert Title)*

Be it enacted by the **Village Board**
(*Name of Legislative Body)*
of the
~~**County**~~
~~**City**~~
of Goshen as follows:
~~**Village**~~
Village

SECTION 1: TITLE

A local law Amending the Code of the Village of Goshen, Appendix A [Zoning] to establish procedure for the revocation of Site Plan Development, Conditional Use and Zoning Board of appeals approvals.

SECTION 2: PURPOSE AND INTENT.

The intent of this local law is to establish a clear mechanism and procedure for the revocation of Site Development Plan approval and/or Conditional Use approval and/or Zoning Board of Appeals approval in the event that the requirements and/or conditions of said approvals are not being complied with either during the construction phase of a project or any time after a certificate of occupancy has been issued.

SECTION 3: AMENDMENTS TO THE CODE

DRAFT

I. The Code of the Village of Goshen at Appendix A [Zoning], at Article X, Section 10, is hereby amended by the addition of a new Section to be designated as Section 10.4 as follows:

Sec. 10.4 REVOCATION OF SITE PLAN APPROVAL

A. All conditions imposed by the planning board in the grant of site development plan approval and/or conditional use approval are requirements of said approval that must be observed, maintained and complied with by the owner and occupant of the premises which received such approval on a permanent basis unless and until the planning board amends or modifies such conditions.

B. The Village Building Inspector and/or Code Enforcement Officer, or their designee, collectively the "Building Department," shall have the authority to enforce all requirements and/or conditions of approval imposed by the planning board in connection with the grant of a Site Development Plan approval and/or Conditional Use approval.

C. In the event the Building Department determines that a violation of said approval may exist, the Building Department shall give written notice to the owner and occupant of said premises reasonably describing said violation.

D. Except in cases where the Building Department determines that an emergency exists, the notice shall require that the violation or violations alleged be abated within 10 days of the date of the notice. The notice shall further provide that if the violation is not abated, the matter shall be referred to the Village Planning Board for consideration of revocation of the approval previously issued.

E. If the violation is not abated within said 10-day period, the Building Department shall refer the violation to the Village Planning Board for consideration of the revocation of the approval previously granted.

F. Upon receipt of the referral from the Building Department, the matter shall be placed on the next available planning board agenda for consideration of the revocation of the approval previously granted.

G. At said planning board meeting, the owner and/or occupant shall be given the opportunity to explain to the board why their approval should not be revoked. Such explanation may include written and/or oral statements as well as any other information that the owner and/or occupant may choose to submit.

H. After hearing any such explanation that may be advanced by the owner and/or occupant, the Planning Board shall issue a written determination either revoking the Site Development Plan approval and/or Conditional Use approval or a written determination that said approval should not be revoked.

I. In the event the approval is revoked, the owner and/or occupant shall be required to immediately cease and desist all operations and vacate the premises. Failure to do so will result in the imposition of a fine in the amount of $1,000.00 per day for each and every day the premises remain occupied.

DRAFT

J. In addition to any other remedy provided by law, the Village may commerce proceedings in a court of appropriate jurisdiction to enforce the remedies provided herein.

K. Any person or persons, jointly or severally aggrieved by any decision of the planning board or any officer, department, board or bureau of the village, may apply to the supreme court for review by a proceeding under article seventy-eight of the civil practice law and rules. Such proceedings shall be instituted within thirty days after the filing of a decision of the board in the office of the village clerk.

II. The Code of the Village of Goshen at Appendix A [Zoning], at Article XII, Section 12, is hereby amended by the addition of a new Section to be designated as Section 12.2 as follows:

Sec. 12.2 REVOCATION OF CONDITIONAL USE APPROVAL

A. All conditions imposed by the planning board in the grant of site development plan approval and/or conditional use approval are requirements of said approval that must be observed, maintained and complied with by the owner and occupant of the premises which received such approval on a permanent basis unless and until the planning board amends or modifies such conditions.

B. The Village Building Inspector and/or Code Enforcement Officer, or their designee, collectively the "Building Department," shall have the authority to enforce all requirements and/or conditions of approval imposed by the planning board in connection with the grant of a Site Development Plan approval and/or Conditional Use approval.

C. In the event the Building Department determines that a violation of said approval may exist, the Building Department shall give written notice to the owner and occupant of said premises reasonably describing said violation.

D. Except in cases where the Building Department determines that an emergency exists, the notice shall require that the violation or violations alleged be abated within 10 days of the date of the notice. The notice shall further provide that if the violation is not abated, the matter shall be referred to the Village Planning Board for consideration of revocation of the approval previously issued.

E. If the violation is not abated within said 10-day period, the Building Department shall refer the violation to the Village Planning Board for consideration of the revocation of the approval previously granted.

F. Upon receipt of the referral from the Building Department, the matter shall be placed on the next available planning board agenda for consideration of the revocation of the approval previously granted.

G. At said planning board meeting, the owner and/or occupant shall be given the opportunity to explain to the board why their approval should not be revoked. Such explanation may include written and/or oral statements as well as any other information that the owner and/or occupant may choose to submit.

DRAFT

H. After hearing any such explanation that may be advanced by the owner and/or occupant, the Planning Board shall issue a written determination either revoking the Site Development Plan approval and/or Conditional Use approval or a written determination that said approval should not be revoked.

I. In the event the approval is revoked, the owner and/or occupant shall be required to immediately cease and desist all operations and vacate the premises. Failure to do so will result in the imposition of a fine in the amount of $1,000.00 per day for each and every day the premises remain occupied.

J. In addition to any other remedy provided by law, the Village may commerce proceedings in a court of appropriate jurisdiction to enforce the remedies provided herein.

K. Any person or persons, jointly or severally aggrieved by any decision of the planning board or any officer, department, board or bureau of the village, may apply to the supreme court for review by a proceeding under article seventy-eight of the civil practice law and rules. Such proceedings shall be instituted within thirty days after the filing of a decision of the board in the office of the village clerk.

III. The Code of the Village of Goshen at Appendix A [Zoning], at Article XIII, Section 13, is hereby amended by the addition of a new Section to be designated as Section 13.4 as follows:

Sec. 13.4 REVOCATION OF ZONING BOARD OF APPEALS APPROVAL

A. All conditions imposed by the zoning board in the grant of any approval are requirements of said approval that must be observed, maintained and complied with by the owner and occupant of the premises which received such approval on a permanent basis unless and until the zoning board of appeals amends or modifies such conditions.

B. The Village Building Inspector and/or Code Enforcement Officer, or their designee, collectively the "Building Department," shall have the authority to enforce all requirements and/or conditions of approval imposed by the zoning board in connection with the grant of their approval.

C. In the event the Building Department determines that a violation of said approval may exist, the Building Department shall give written notice to the owner and occupant of said premises reasonably describing said violation.

D. Except in cases where the Building Department determines that an emergency exists, the notice shall require that the violation or violations alleged be abated within 10 days of the date of the notice. The notice shall further provide that if the violation is not abated, the matter shall be referred to the Village Zoning Board of appeals for consideration of revocation of the approval previously issued.

E. If the violation is not abated within said 10-day period, the Building Department shall refer the violation to the Village Zoning Board of appeals for consideration of the revocation of the approval previously granted.

DRAFT

F. Upon receipt of the referral from the Building Department, the matter shall be placed on the next available zoning board agenda for consideration of the revocation of the approval previously granted.

G. At said zoning board meeting, the owner and/or occupant shall be given the opportunity to explain to the board why their approval should not be revoked. Such explanation may include written and/or oral statements as well as any other information that the owner and/or occupant may choose to submit.

H. After hearing any such explanation that may be advanced by the owner and/or occupant, the Zoning Board of Appeals shall issue a written determination either revoking the approval previously given or a written determination that said approval should not be revoked.

I. In the event the approval is revoked, the owner and/or occupant shall be required to immediately cease and desist all operations and vacate the premises. Failure to do so will result in the imposition of a fine in the amount of $1,000.00 per day for each and every day the premises remain occupied.

J. In addition to any other remedy provided by law, the Village may commerce proceedings in a court of appropriate jurisdiction to enforce the remedies provided herein.

K. Any person or persons, jointly or severally aggrieved by any decision of the planning board or any officer, department, board or bureau of the village, may apply to the supreme court for review by a proceeding under article seventy-eight of the civil practice law and rules. Such proceedings shall be instituted within thirty days after the filing of a decision of the board in the office of the village clerk.

SECTION 5: 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 be confined in its operation to the clause, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered, and the remaining provisions shall remain in full force and effect.

SECTION 6: EFFECTIVE DATE

This Local Law shall take effect immediately upon its filing with the Secretary of State in accordance with New York Municipal Home Rule Law.

DRAFT