

**Town of Lorraine**

**Local Law #2 of 2014**

**Alternate Members for the Zoning Board of Appeals**

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**TOWN OF LORRAINE  
LOCAL LAW NO. 2 FOR THE YEAR 2014**

A local law authorizing alternate members for the Zoning Board of Appeals

**Section 1. Short Title and Applicability**

A. This local law shall be known and may be cited as the "Alternate Zoning Board of Appeals Members Law."

B. This local law shall apply to the appointment, terms, functions and powers of alternate members appointed to serve on the Zoning Board of Appeals in the Town of Lorraine

**Section 2. Declaration of Policy**

It is sometimes difficult to maintain a quorum on the Zoning Board of Appeals because members are ill, on extended vacation or find they have a conflict of interest situation on a specific matter before such Board. In such instances, official business cannot be conducted, which may delay or impede adherence to required timeliness. The use of alternate members in such instances is hereby authorized pursuant to the provisions of this law.

**Section 3. Definitions**

As used in this local law, the following terms shall have the meanings indicated:

**ALTERNATE MEMBER**

An individual appointed by the Town Board to serve on the Town of Lorraine Zoning Board of Appeals when a regular member is unable to participate on an application or matter before the respective Board, as provided herein.

**MEMBER**

An individual appointed by the Town Board to serve on the Town of Lorraine Zoning Board of Appeals pursuant to the provisions of the local law or ordinance which first established such Zoning Board of Appeals.

**ZONING BOARD OF APPEALS**

The Zoning Board of Appeals of the Town of Lorraine as established by the Town Board by local law or ordinance, pursuant to the provisions of § 267 of the Town Law.

**Section 4 Authorization, Term of Office, Designation**

A. The Town Board of the Town of Lorraine hereby enacts this local law to provide a process for appointing alternate members of the Zoning Board of Appeals. These individuals would serve when members are absent or unable to participate on an application or matter before the Zoning Board of Appeals.

- 1 B. Alternate members of the Zoning Board of Appeals shall be appointed by the Town  
2 Board or other duly authorized appointing authority for a term of two years.
- 3 C. The chairperson of the Zoning Board of Appeals may designate an alternate to  
4 substitute for a member when such member is unable to participate on an application or  
5 matter before said board or when absentee of a member occurs. When so designated,  
6 the alternate member shall possess all the powers and responsibilities of such member  
7 of the Board. Such designation shall be entered into the minutes of the initial Zoning  
8 Board of Appeals meeting at which the substitution is made.
- 9 D. All provisions of state law relating to Zoning Board of Appeals member eligibility,  
10 vacancy in office, removal, compatibility of office and service on other boards, as well as  
11 any provisions of a local law or local ordinance relating to training, continuing education,  
12 compensation and attendance, shall also apply to alternate members.

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14 **Section 5 Suppression of Town Law**

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16 This local law is hereby adopted pursuant to the provision of § 10 of the New York State  
17 Municipal Home Rule Law and § 10 of the New York State Statute of Local  
18 Governments. It is the intent of the Town Board, pursuant to § 10 of the New York State  
19 Municipal Home Rule Law, to supersede, to the extent they are inconsistent with this  
20 local law, the provisions of:

- 21  
22 A. Section 267 of the Town Law relating to the appointment of members to the Town  
23 Zoning Board of Appeals

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25 **Section 6 Effective Date**

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27 This local law shall take effect immediately upon filing in the office of the Secretary of  
28 State.