

**VILLAGE OF WHITEHALL
COUNTY OF WASHINGTON, STATE OF NEW YORK
PROPOSED LOCAL LAW 4 of 2026**

**A LOCAL LAW AMENDING THE VILLAGE OF WHITEHALL ZONING LAW
TO PROHIBIT RESIDENTIAL USES ON THE FIRST FLOOR OF ALL
COMMERCIAL STRUCTURES IN THE COMMERCIAL "C" ZONING DISTRICT
IN THE VILLAGE OF WHITEHALL**

Be it enacted by the Board of Trustees of the Village of Whitehall, as follows:

Section 1. Legislative Intent.

The purpose of this local law is to amend the Village of Whitehall Zoning Law as it applies to residential occupancy on the first floor of structures located within a portion of the Commercial "C" zoning district within the Village of Whitehall.

Section 2. Statement of Authority.

This local law is authorized by the New York State Constitution, the provisions of the New York Municipal Home Rule Law, the provisions of the Statute of Local Governments, the relevant provisions of the Village Law of the State of New York, the laws of the Village of Whitehall and the general police power vested with the Board of Trustees of the Village of Whitehall to promote the health, safety and welfare of all residents and property owners in the Village.

Section 3. Amendment to Article V titled "Lot Size, Areas, Building Lines"

Article V of the Village of Whitehall Zoning Law titled "Lot Size, Areas, Buildings Lines" is amended to include a new section 5.2 as follows:

5.2 Special District Limitations

a. Commercial "C" District.

- i. No dwelling unit may be located in any structure in the Commercial "C" District on the first floor of such structure for that portion of the Commercial "C" District for any property located within an area of the Commercial "C" District identified as follows: on Broadway, both sides, from School Street to Clinton Street; on Main Street, both sides, from Village/Town Hall to Clinton Street, and on Williams and North Williams Streets, both sides, from 2-4-6 Williams Street to 17-19 North Williams Street. For purposes of this section 5.2(a)(i), the first floor shall mean the ground floor when viewed from any public street or highway and include any basement or below ground area of such structure. Any existing conversion of such first floor of any structure to one or more dwelling unit(s) for which an approval, including valid building permit and certificate of occupancy, has not been issued, shall be void.

Section 4. Conflict with State Statutes and Authority to Supersede.

To the extent that any provisions of this local law are in conflict with or are construed as inconsistent with the provisions of any local law of the Village of Whitehall, or any laws of the State of New York, this local law supersedes, amends and takes precedence over any inconsistent authority in accordance with the Municipal Home Rule Law.

Section 6. Severability.

If any clause, sentence, phrase, paragraph or any part of this local law shall for any reason be adjudicated finally by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this local law, but shall be confined in its operation and effect to the clause, sentence, phrase, paragraph or part thereof, directly involved in the controversy or action in which such judgment shall have been rendered. It is hereby declared to be the legislative intent that the remainder of this local law would have been adopted had any such provisions been excluded.

Section 7. Effective Date.

This local law shall become effective upon filing in the office of the Secretary of State.