

(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 a new matter.

County of **Orleans**

COUNTY OF ORLEANS
LOCAL LAW NO. 2 OF 2006

A LOCAL LAW ENABLING THE COUNTY OF ORLEANS TO DESIGNATE WESTERN NEW YORK ENERGY AS A REGIONALLY SIGNIFICANT PROJECT

BE IT ENACTED BY THE Orleans County Legislature, as follows:

Section 1. Addition of **Chapter 6A, Empire Zone, §6A-5, Regionally Significant Projects.**

“§6A.5 Regionally Significant Projects.

I. Western New York Energy LLC (WNYE).

1. WNYE LLC is a New York Limited Liability Company formed on January 1, 2004 that has proposed purchasing three (3) contiguous parcels on Maple Ridge and Bates Roads in the Town of Shelby.

2. The WNYE LLC Project (“Project”) is defined as an investment of \$81 million dollars (\$66 million in land and facility construction, \$15 million in “soft costs” and start up capital, and the creation of a minimum of 50 new jobs over a five year period, after completion of construction, to produce/manufacture ethanol from corn to be later combined with unleaded gasoline to produce ethanol-blended automotive fuel, in addition to other related by-products and

3. The New York State Department of Economic Development has determined that the Project is eligible for Empire Zone benefits as a regionally significant project under Section 957(d)(i) of the General Municipal Law.

4. The Empire Zone Administrative Board of the County of Orleans has determined that the Project is eligible for Empire Zones benefits as a regionally significant project under Section 957(d)(i) of the General Municipal Law.

5. It is, therefore, the desire of this Orleans County Legislature to sponsor the proposed WNYE LLC Project as a regionally significant project as determined by the Empire Zone Administrative Board and the New York State

Department of Economic Development, said Project to include lands in the Town of Shelby defined by Section 80.000, Block 0003, Lot 015.001 (77.2 acres) (Maple Ridge Road); Section 80.000 Block 0003, Lot 0001.001 and SBL 80.000, Block 0003, Lot 001.002 (68.1 acres) of vacant property on Bates Road.

6. The County of Orleans requests that the New York State Commissioner of Economic Development approve this addition to the Orleans County Empire Zone as described in Section 1.

Section 2. Severability.

If any clause, sentence, paragraph or part of this local law or application thereof to any person or circumstance shall be adjudged by any court to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof or the application thereof to other persons and circumstances but shall be confined in its operation to the clause, sentence, paragraph or part thereof and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered.

Section 3. Effective Date.

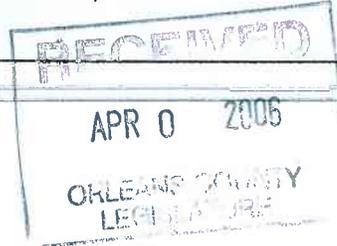
This local law shall take effect immediately upon filing, pursuant to Section 27 of the Municipal Home Rule law, with the Secretary of State of the State of New York.



STATE OF NEW YORK
DEPARTMENT OF STATE
41 STATE STREET
ALBANY, NY 12231-0001
March 31, 2006



GEORGE E. PATAKI
GOVERNOR



County of Orleans
Clerk of the Legislature
3 South Main Street
Albion, NY 14411-1495

RE: County of Orleans, Local Law 2, 2006, filed on 3/27/2006

To Whom It May Concern:

The above referenced material was received and filed by this office as indicated. Additional local law filing forms will be forwarded upon request.

Sincerely,
Linda Lasch
Principal Clerk
State Records & Law Bureau
(518) 474-2755

LL:cb