

**AMENDMENT #39 TO
TOWN OF CLAYTON
ZONING ORDINANCE**

The Zoning Ordinance of the Town of Clayton adopted July 12, 1989, as subsequently amended, is hereby further amended as follows:

Section 1. Article II, §B of the Town of Clayton Zoning Ordinance is amended by adding the following from the definitions:

INDUSTRIAL USE: A use consisting of either Heavy Industry or Light Industry.

INDUSTRIAL OPERATION, HEAVY (“Heavy Industry”): A use engaged in the basic processing and manufacturing of materials or products predominantly from extracted or raw materials or a use engaged in storage of or manufacturing processes using flammable or explosive materials or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions.

INDUSTRIAL OPERATION, LIGHT (“Light Industry”): A use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales and distribution of such products, but exclusive of basic industrial processing and storage of flammable or toxic materials. "Light industry" is also exclusive of uses that require heavy, noisy or otherwise objectionable disturbances, such as vibration, dust and odors.

MANUFACTURING FACILITY: Any building or structure designed and/or used for an industrial operation.

Section 2. Article II, §B of the Town of Clayton Zoning Ordinance is amended by replacing the following definition:

PUBLIC UTILITY: A private business, often a monopoly, which provides services so essential to the public interest as to enjoy certain privileges such as eminent domain and be subject to such governmental regulation as fixing of rates, and standards of service. Characteristics of the public utility include:

- 1) Operation under a franchise, subject to some measure of public regulation,
- 2) The product of the utility must be piped, wired, or otherwise served to each user,
- 3) The supply must be maintained at a constant level to meet minute-by-minute need,
- 4) The user has no alternative source, and
- 5) The supplier commonly has no alternative means of delivery.

+++