

# Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
162 WASHINGTON AVENUE, ALBANY, NY 12231

(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.

STATE OF NEW YORK  
DEPARTMENT OF STATE

**FILED**

APR 01 2003

MISCELLANEOUS  
& STATE RECORDS

County  
City of East Syracuse  
Town  
Village

Local Law No. 1 of the year 2003

A local law Adopting a Municipal Code Book  
(Insert Title)  
for the Village of East Syracuse  
(supercedes all previous local laws  
and ordinances)

Be it enacted by the Board of Trustees of the  
(Name of Legislative Body)

County  
City of East Syracuse  
Town  
Village as follows:

See attached

(If additional space is needed, attach pages the same size as this sheet, and number each.)

**East  
Syracuse  
Municipal  
Code**

---

# Overview

Table of Contents	1	<i>Part 03 – Amending This Law</i>	19
Overview	2	§030 Continuity	19
Title 0: General Provisions	18	§031 Amendments to Titles 7 and 8	19
<i>Part 00 – Scope</i>	18	§031.0 Source of Amendments	19
§000 Durability	18	§031.1 Review by Planning Board	19
§001 Prior Laws	18	§031.2 Time and Place of Public Hearing	19
§002 Effective Date	18	§031.3 Public Notice of Hearing Date	19
§003 Application	18	§031.4 Written Notice of Public Hearing	19
<i>Part 01 – Structure</i>	18	§031.5 Written Notice to Affected Parties	19
§010 Divisions	18	§031.6 Protest by Landowners	20
§010.0 Titles	18	<i>Part 04 – Notices</i>	20
§010.1 Parts	18	§040 Public Notice	20
§010.2 Sections	18	§040.0 Publishing Public Notices	20
§010.3 Subsections	18	§040.1 Posting Public Notices	20
§010.4 Paragraphs	18	§041 Individual Notice	20
§010.5 Subparagraphs	18	§041.0 Inclusions in Notices	20
§011 Source Annotations and Citations	18	§041.1 Addressing Notices	20
§011.0 LLX of XX	18	§041.10 Notices to Property Owners	20
§011.1 GVO	18	§041.11 Notices to Occupants	20
§011.2 ZO	18	§041.12 Notices to Applicants	20
§011.3 Unannotated Provisions	18	§041.13 Other Notices	20
§011.4 Subsequent Amendments	18	§042 Notice to Village of Lawsuits	20
§011.5 Internal Citations	18	§042.0 Prior Written Notice Required	20
§011.6 External Citations	18	§042.1 Transmittal of Notices	20
§012 Placement of Source Annotations	18	§042.10 Transmittal to Clerk	20
§012.0 Source Annotations Following Titles	18	§042.11 Transmittal to Village Board	20
§012.1 Source Annotations Following Text	18	§042.2 Retention of Notices	20
<i>Part 02 – Language</i>	19	Title 1: Public Administration	21
§020 General Word Rules	19	<i>Part 10 – Public Records</i>	21
§020.0 Standard English	19	§100 Village Records	21
§020.1 Variants of Defined Terms	19	§100.0 Public Inspection	21
§020.2 Singular and Plural	19	§100.1 Place Maintained	21
§020.3 Interchange of Pronouns	19	§100.2 Prohibition of Removal	21
§020.4 Village Officials	19	§100.3 Penalty for Removing Public Records	21
§021 General Definitions	19	<i>Part 11 – Public Proceedings</i>	21
§021.00 County	19	§110 Candidate Elections	21
§021.01 Public Officials	19	§111 Public Referendums	21
§021.02 Sidewalk	19	§112 Village Court	21
§021.03 State	19	§113 Public Hearings	21
§021.04 Street	19	§114 Village Board Meetings	21
§021.05 Town	19	§115 Meetings of Other Bodies	21
§021.06 Village	19	<i>Part 12 – Purchasing</i>	21
§021.07 Village Board	19		

# Table of Contents

<b><u>Overview</u></b>	<b>2</b>		
<b><u>Title 0: General Provisions</u></b>			
Part 00 – Scope	17		
Part 00 – Structure	17		
Part 02 – Language	18		
Part 03 – Amending This Law	18		
Part 04 – Notices	19		
<b><u>Title 1: Public Administration</u></b>			
Part 10 – Public Records	20		
Part 11 – Reserved for Public Proceedings	20		
Part 12 – Reserved for Public Purchasing	20		
Part 13 – Taxes	20		
Part 14 – Reserved for Annual Budget	21		
<b><u>Title 2: Public Officials</u></b>			
Part 20 – All Public Officials	22		
Part 21 – Bodies	23		
Part 22 – Elected Officials	26		
Part 23 – Administrative Officials	26		
Part 24 – Public Safety Officials	27		
Part 25 – Reserved for Volunteer Firefighters	30		
Part 26 – Retained Professionals	30		
Part 27 – Reserved for Public Employees	30		
<b><u>Title 3: Public Property</u></b>			
Part 30 – Reserved for Public Buildings	31		
Part 31 – Reserved for Public Equipment	31		
Part 32 – Public Parking	31		
Part 33 – Public Parks	35		
Part 34 – Public Pedestrian Thoroughfares	35		
Part 35 – Public Vehicular Thoroughfares	37		
Part 36 – Street Margins	40		
<b><u>Title 4: Public Services</u></b>			
Part 40 – Reserved for Dependent Care	41		
Part 41 – Reserved for Health Services	41		
Part 42 – Reserved for Homesteading	41		
Part 43 – Reserved for Housing	41		
Part 44 – Reserved for Recreation	41		
Part 45 – Reserved for Rental Assistance	41		
		Part 46 – Reserved for Senior Programs	41
		Part 47 – Solid Waste Removal	41
		<b><u>Title 5: Public Utilities</u></b>	
		Part 50 – Reserved for Cable Television Service	46
		Part 51 – Reserved for Electric Service	46
		Part 52 – Reserved for Internet Service	46
		Part 54 – Reserved for Telephone Service	46
		Part 54 – Sewers	46
		Part 55 – Reserved for Water	52
		<b><u>Title 6: Conduct &amp; Criminal Code</u></b>	
		Part 60 – Curfew	53
		Part 61 – Disorderly Conduct	54
		Part 62 – Village Fire Alarm System	54
		Part 63 – Public Nudity	54
		Part 64 – Public Nuisance	55
		Part 65 – Weapons	55
		<b><u>Title 7: Regulation of Private Property</u></b>	
		Part 70 – Codes	56
		Part 71 – Licenses	59
		Part 72 – Restricted Commerce	63
		Part 73 – Storage	64
		Part 74 – Domestic Animals and Plants	66
		<b><u>Title 8: Zoning</u></b>	
		Part 80 – General Rules for Zoning	68
		Part 81 – Zoning Permits and Variances	72
		Part 82 – Sites	78
		Part 83 – Structures	80
		Part 84 – Non-Commercial Zones	83
		Part 85 – Commercial Zones	88
		Part 86 – Zoning Map	Insert
		Part 87 – Flood Control	89
		<b><u>Appendices</u></b>	
		Appendix 1 – Dictionary	97
		Appendix 2 – Fees	106
		Appendix 3 – Penalties	107

§235 Dept of Public Works Foremen	28	§262 Village Engineer	31
§236 Parks and Recreation Director	28	The Village Engineer's Duties Include:	31
§237 Parks and Recreation Supervisors	28	§263 Insurance Agent	31
§238 Assessor	28	<i>Part 27 – Public Employees</i>	<i>31</i>
§239 Bingo Inspectors	28		
<i>Part 24 – Public Safety Officials</i>	<i>28</i>	<b>Title 3: Public Property</b>	<b>32</b>
§240 Police Chief	28	<i>Part 30 – Public Buildings</i>	<i>32</i>
§240.0 Assistance From Other Municipalities	28	<i>Part 31 – Public Equipment</i>	<i>32</i>
§240.00 Requesting Assistance	28	<i>Part 32 – Public Parking</i>	<i>32</i>
§240.01 Granting Assistance	28	§320 General Rules	32
§240.02 Notification of Assistance	28	§320.0 Exception for Emergency Stops	32
§240.1 Delegation to Police Chief	28	§320.1 Definitions	32
§240.10 Placement of Parking Signs	28	§320.10 Park	32
§240.11 Designate School Loading Zone Times	28	§320.11 Stand	32
The Police Chief's Duties Also Include:	29	§320.12 State Department of Motor Vehicles	32
§241 Acting Justice	29	§321 Emergency Parking Prohibitions	32
§242 Building Inspector	29	§322 Prohibited Parking	32
§242.0 Purpose	29	§322.00 Parking on Sidewalks	32
§242.1 Appointment and Terms	29	§322.01 Blocking Driveways	32
§242.2 Removing the Building Inspector	29	§322.02 Front Yards	32
§242.3 Qualifications of the Building Inspector	29	§322.03 Allen St	32
§242.4 Reviewing and Acting Upon Applications	29	§322.04 Bagg St	32
§242.5 Inspections	29	§322.05 Ball St	32
§242.6 Notices and Orders	29	§322.06 Bridge St (Original)	32
§242.7 Field Testing by Expert Personnel	29	§322.07 Burke St	33
§242.8 Cooperation Of Other Departments	29	§322.08 Burrows St	33
§242.9 Indemnification from Liability	29	§322.09 Charles St	33
The Building Inspector's Duties Also Include:	29	§322.10 Clark St	33
§243 Codes Enforcement / Economic Development Officer	30	§322.11 Dausman St	33
The Code Enforcement Officer's Duties Include:	30	§322.12 Division St	33
§244 Crossing Guards	30	§322.13 East Ave	33
§245 Fire Inspectors	30	§322.14 East Ellis St	33
§245.0 Who Are Fire Inspectors	30	§322.15 East Heman St	33
§245.1 Reporting Structural Fires	30	§322.16 Henrietta St	33
§245.2 Employing Technical Inspectors	30	§322.17 East Irving St	33
§245.3 Quarterly Reports	30	§322.18 East Manlius St:	33
§245.4 Amendments to the Fire Code	30	§322.19 East Second St	33
§245.5 New Materials, Processes and Occupancies	30	§322.20 East Terrace St	33
§245.6 Appeals	30	§322.21 East Yates St	33
§245.60 Applications and Permits	30	§322.22 East First St	33
§245.61 Application of the Fire Code	30	§322.23 Hartwell Ave	33
§245.62 Interpretation of the Fire Code	30	§322.24 Henry St	33
The Fire Inspector's Duties Also Include:	30	§322.25 Highland Ave	33
<i>Part 25 – Volunteer Firefighters</i>	<i>30</i>	§322.26 Horton Place	33
<i>Part 26 – Retained Professionals</i>	<i>31</i>	§322.27 Kane St	33
§260 Village Attorney	31	§322.28 Kinne St	33
The Village Attorney's Duties Include:	31	§322.29 Marcy St	33
§261 Planning and Zoning Attorney	31	§322.30 McCool Ave	33
		§322.31 Midland Ave	33
		§322.32 Mosher St	33
		§322.33 North St	33

<b>Part 13 – Taxes</b>	<b>21</b>	§213 Parks & Recreation Commission	25
§130 Tax Exemptions	21	§214 Planning Board	25
§130.0 Seniors Partial Property Tax Exemption	21	The Planning Board's Duties Also Include:	25
§130.00 Reference to State Law	21	§215 Zoning Board of Appeals	25
§130.01 Qualification for Seniors Exemption	21	§215.0 Members and Method of Appointment	25
§130.02 Application for Seniors Exemption	21	§215.1 Chairperson and Vice-Chairperson	25
§130.03 Amount of Seniors Exemption	22	§215.2 Secretary	25
§130.1 Veterans Partial Property Tax Exemption	22	§215.3 Zoning Board of Appeals Quorum	25
§130.10 Reference to State Law	22	§215.4 Zoning Board Rules	25
§130.11 Qualification for Veterans Exemptions	22	§215.5 Authority to Hear Appeals	25
§130.12 Application for Veterans Exemptions	22	§215.6 Scope of Decisions	25
§130.13 Amount of Veterans Exemptions	22	§215.7 Basis for Decisions	25
<b>Part 14 – Annual Budget</b>	<b>22</b>	§215.70 Deprivation of Reasonable Use	25
		§215.71 Unique Circumstances	25
		§215.72 Need and General Prosperity	26
		§215.73 Consistent and Not Adverse	26
		§215.74 Minimum Deviation	26
		§215.8 Variance Conditions	26
		The Zoning Board's Duties Also Include:	26
		Special Permits are Required for:	26
<b>Title 2: Public Officials</b>	<b>23</b>	§216 Traffic Violations Bureau	26
<b>Part 20 – All Public Officials</b>	<b>23</b>	§216.0 Staffing, Hours and Purpose	26
§201 Code of Ethics	23	§216.1 Public Records	26
§201.0 General	23	§216.2 Purpose	26
§201.00 Purpose	23	§216.3 Collection of Fines	26
§201.01 Basis and Subordination	23	§216.4 Assignment of Appearances	26
§201.02 Notice of this Section	23	§216.5 Letter to Non-Respondents	26
§201.1 Prohibited Actions	23	§216.6 Summons	26
§201.10 Conflicts of Interest	23	§216.7 Records	26
§201.11 Conflicting Employment	23	§216.8 Right to Counsel	26
§201.12 Unwarranted Privileges	23	§216.9 Additional Duties	26
§201.13 Conflicting Transactions	23		
§201.14 Personal Investments	23	<b>Part 22 – Elected Officials</b>	<b>27</b>
§201.15 Disclosure of Personal Investments	23	§220 Mayor	27
§201.16 Prohibited Sales	23	The Mayor's Duties Include:	27
§201.2 Penalties	23	§221 Deputy Mayor	27
All Village officials' duties under this Law include:	23	§222 Trustees	27
<b>Part 21 – Bodies</b>	<b>24</b>	§223 Village Justice	27
§210 Village Board	24	The Village Justice's Duties Include:	27
§210.0 Setting Fees	24		
§210.00 Setting Fees by Resolution	24	<b>Part 23 – Administrative Officials</b>	<b>27</b>
§210.01 Effective Date of Changes	24	§230 Village Clerk	27
§210.02 Notice of Changes	24	§230.0 Custodian of Village Records	27
§210.1 Review of Building Inspector Decisions	24	§230.1 Records of the Clerk's Office	27
The Village Board's Duties Also Include:	24	The Village Clerk's Duties Also Include:	27
§211 Assessment Review Board	24	§231 Deputy Village Clerk	27
§212 Board of Ethics	25	§232 Village Treasurer	27
§212.0 Constitution	25	The Village Treasurer's Duties Include:	27
§212.00 Number and Appointment	25	§233 Village Court Clerks	27
§212.01 Inclusion of Village Officials	25	§234 Public Works Superintendent	27
§212.02 Ex Officio Members	25	§234.0 Inspection of Utility Subways	27
§212.1 Advisory Opinions	25	The Superintendent's Duties Also Include:	28
§212.10 Legal Counsel	25		
§212.11 At Officials Request	25		
§212.12 Code of Ethics Amendments	25		
§212.13 Confidentiality	25		
§212.2 Appropriations	25		

§350 General Traffic Rules	38	§354.38 West Heman St:	40
§350.0 Materials and Excavations on Streets	38	§354.39 West Henrietta St	40
§350.00 Removal of Material	38	§354.40 West Irving St:	40
§350.01 Spillage	38	§354.41 West Second St:	40
§350.02 Barricades and Refilling	38	§354.42 West Yates St:	40
§350.1 Penalties for Traffic Violations	38	§354.43 William St:	40
§350.10 Traffic Control Device Violations	38	§354.44 Worth St:	40
§350.11 Speed Limit Violations	38	§355 Public Thoroughfare Speeds	40
§350.12 All Other Violations	38	§355.0 General Rules	40
§351 Definitions	38	§355.00 Speed Limit Signs on Main Arteries	40
§352 Traffic Control Devices	38	§355.01 Speed Limit Signs at Entrances	40
§352.0 Traffic Lights	38	§355.02 Unsafe Speeds	40
§352.1 Auxiliary Control Lights	38	§355.1 General Speed Limits	40
§353 One-Way Streets	38	§355.2 School Zones	40
§353.0 Ray Street	38	§355.20 East Heman St	40
§353.1 Upton St	38	§355.21 East Irving St	40
§354 Stop and Yield Intersections	38	§355.22 Kinne St	40
§354.00 Allen St:	38	§355.23 West Heman	40
§354.01 Bagg St	39	§355.24 West Irving St	40
§354.02 Ball St:	39	§356 School Bus Loading Zones	40
§354.03 Basile Rowe	39	§356.0 Traffic Prohibited	40
§354.04 Bridge St (Original)	39	§356.1 School Bus Loading Zones Penalties	40
§354.05 Charles St:	39	§357 Truck Route System	41
§354.06 Chevy Dr	39	§357.0 Trucks Defined	41
§354.07 Dausman St:	39	§357.1 Designated Routes	41
§354.08 Division St:	39	§357.2 To and From Destinations	41
§354.09 East Ave:	39	§357.3 Truck Exclusion Penalties	41
§354.10 East Ellis St;	39	§358 Impounded Vehicles	41
§354.11 East First St	39	§358.0 Authority to Impound Vehicles	41
§354.12 East Heman St:	39	§358.00 Abandoned During emergencies	41
§354.13 East Henrietta St	39	§358.01 Parked Illegally	41
§354.14 East Irving:	39	§358.1 Storage Charges	41
§354.15 East Second St	39	§358.2 Notice of Removal	41
§354.16 East Yates St:	39	§358.3 Lien Against Impounded Vehicles	41
§354.17 Highland Ave:	39	Part 36 – Street Margins	41
§354.18 Horton Pl	39	§360 Definition of Street Margins	41
§354.19 James St:	39	§361 General Rules for Street Margins	41
§354.20 Kane St	39	§361.0 Debris	41
§354.21 Kinne St	39	§361.1 Poles	41
§354.22 Marcy St	39	§361.2 Trees	41
§354.23 McCool Ave:	39	Title 4: Public Services	42
§354.24 Midland Ave:	39	Part 40 – Dependent Care	42
§354.25 Mosher St	39	Part 41 – Health Services	42
§354.26 North St:	39	Part 42 – Homesteading	42
§354.27 North Center St:	39	Part 43 – Housing	42
§354.28 Phelps St:	39	Part 44 – Recreation	42
§354.29 Schrouder St:	39		
§354.30 Silver St:	39		
§354.31 Spring St:	40		
§354.32 South Center St:	40		
§354.33 Stoutenger St:	40		
§354.34 Upton St:	40		
§354.35 Welch St	40		
§354.36 West Ave:	40		
§354.37 West Ellis St:	40		

§322.34 North Center St:	33	§324.4 Loading Zones	35
§322.35 Phelps St	33	§324.40 Manlius St:	35
§322.36 Schrouder St	33	§324.5 Municipal Parking lots	35
§322.37 Silver St	33	§324.6 Handicapped Parking	35
§322.38 South Center St	33	§324.60 Permit Required	35
§322.39 Spring St	33	§324.61 Designated Areas	35
§322.40 Stoutenger St	33	§325 Extended Period Parking	35
§322.41 Third St	33	§326 All Night Parking	35
§322.42 Upton St	33	§327 Angle Parking	35
§322.43 Welch St	34	§328 Parking Violation Penalties	36
§322.44 West Ave	34	§328.0 General Parking Violations	36
§322.45 West Ellis St	34	§328.00 Fines Paid Within 7 Days	36
§322.46 West First St	34	§328.01 Fines Paid After 7 Days	36
§322.47 West Heman St	34	§328.02 Summons for Failure to Respond	36
§322.48 Henrietta St	34	§328.03 Arrest Warrants	36
§322.49 West Irving St	34	§328.1 Fire Lane Penalties	36
§322.50 West Manlius St:	34	§328.10 Illegal Use	36
§322.51 West Second St	34	§328.11 Illegal Use	36
§322.52 West Terrace St	34	<i>Part 33 – Public Parks</i>	36
§322.53 West Yates St	34	<i>Part 34 – Public Pedestrian Thoroughfares</i>	36
§322.54 Williams St	34	§340 General Rules for Sidewalks	36
§322.55 Worth St	34	§340.0 Awnings	36
§323 No Parking or Standing	34	§340.1 Littering Sidewalks	36
§323.0 No Parking or Standing Anytime	34	§340.2 Sidewalks Are for Pedestrians	36
§323.00 East Ave	34	§340.3 Property Owners and Snow Removal	36
§323.01 East Ellis St	34	§341 Sidewalk Maintenance	36
§323.02 West Manlius St	34	§341.0 Duty to Repair Sidewalks	36
§323.1 No Parking or Standing Here to Corner	34	§341.1 Defective Sidewalk Conditions	36
§323.10 Intersections	34	§341.10 Irregular Surfaces	37
§323.11 Division St:	34	§341.11 Uneven Blocks	37
§323.12 Manlius St, north side:	34	§341.12 Not Level	37
§323.13 Manlius St, south side:	34	§341.2 Notice Requirements	37
§323.2 No Parking – Bus Stop	34	§341.20 Jurisdiction to Issue Notice of Defects	37
§323.20 Bus Stops	34	§341.21 Inspection and Report	37
§323.21 Manlius St:	34	§341.22 Confirmation and Notice	37
§323.3 Fire Lanes	34	§341.23 Extensions	37
§323.30 Definition	34	§341.3 Work And Material Requirements	37
§323.31 Fire Lane Width	34	§341.30 Inspection and Correction	37
§323.32 Loading Zones Within	34	§341.31 Application and Permit	37
§323.33 Loading Zone Ticketing	35	§341.32 Fees	37
§323.34 Bennett Manor	35	§341.33 Workers' Compensation Certificate	37
§323.35 BJ's Wholesale Club	35	§341.34 Prohibition of Substandard Work	37
§323.36 Wal-Mart	35	§341.35 Concrete Required	37
§324 Limited Parking	35	§341.36 Standards for Construction	37
§324.0 Two-Hour Parking	35	§341.37 Permit to be Available for Inspection	37
§324.00 East Manlius St	35	§341.4 Enforcement	37
§324.01 West Manlius St	35	§341.40 Prohibition of Obstruction	37
§324.02 William St	35	§341.41 Ineligible Replacements	38
§324.1 One-Hour Parking	35	§341.42 Sidewalk Violation Penalties	38
§324.10 North Center St	35	§341.43 Reimbursement for Village Work	38
§324.2 Thirty Minute Parking	35	§341.5 Village Sidewalk Repair Program	38
§324.20 East Ave	35	<i>Part 35 – Public Vehicular Thoroughfares</i>	38
§324.21 North Center St	35		
§324.22 West Manlius St	35		
§324.3 Fifteen Minute Parking	35		
§324.30 West Manlius St	35		

§540.13 Public Sewer	48	§544.5 Connections Conform to Plumbing Codes	50
§540.14 Sanitary Sewers	48	§544.6 Barricading of Excavations	50
§540.15 Sewage	48	§544.7 Sewer Extensions Installed by Village	50
§540.16 Sewage Treatment Plant	48	§544.70 Cost Basis Decisions	50
§540.17 Sewage Works	48	§544.71 Owners' Costs	50
§540.18 Sewer	48	§544.72 Petition Property Owners	50
§540.19 Slug	48	§544.8 Sewer Extensions Installed by Owner	51
§540.20 Storm Drain or Storm Sewer	48	§544.80 Becoming Village Property	51
§540.21 Suspended Solids	48	§544.81 One Year Guarantee	51
§540.22 Water Course	48	§544.9 Vents and Clean-outs	51
§541 Use Of Public Sewers Required	48	§545 Use of Public Sewers	51
§541.0 Discharge to Natural Watercourses	48	§545.0 Industrial Sewage	51
§541.1 Septic Systems	48	§545.1 Unpolluted Water	51
§541.2 Dumping	48	§545.2 Prohibited Discharges	51
§541.3 Toilet Facilities Required	48	§545.20 Unpolluted Water	51
§542 Private Sewage Disposal	48	§545.21 Flammables	51
§542.0 Where Required	48	§545.22 Toxic or Injurious Matter	51
§542.1 Application	48	§545.23 Corrosives	51
§542.2 Inspection by Public Works Superintendent	48	§545.24 Obstructive	51
§542.3 Compliance with NYS Requirements	48	§545.3 Questionable Discharges	51
§542.4 Connect to Available Public Sewers	48	§545.30 Hot Substances	51
§542.5 Owner Bears Operating Expense	49	§545.31 Congealable Substances	51
§543 Connection Applications	49	§545.32 Improperly Shredded Material	51
§543.0 Permit Required for Connection	49	§545.33 Strong Acids	51
§543.1 Sewer Permits	49	§545.34 Toxic Substances	51
§543.10 Applications for Sewer Permits	49	§545.35 Odor-Producing Substances	51
§543.11 Fee for General Sewer Permits	49	§545.36 Excessively Radioactive Material	51
§543.12 Fee for Industrial Waste Sewer Permits	49	§545.37 Excessively Alkaline Material	51
§543.2 Sewers Required for New Construction	49	§545.38 Materials Which Interfere with Treatment	51
§543.3 Inspection	49	§545.39 Untreatable Substances	52
§543.4 Privately Built Sewer Extensions	49	§545.4 Treatments Processes	52
§543.40 Permission to Build	49	§545.40 Pretreatment and Equalization	52
§543.41 Developer Bears Cost	49	§545.41 Handling of Prohibited Substances	52
§543.42 Sewers Design	49	§545.42 Garbage Grinders	52
§543.43 Inspection by the Village Engineer	49	§545.43 Grease, Oil and Sand	52
§543.44 Exfiltration Test	49	§545.44 Continuance of Pretreatment	52
§543.5 Sewer Design	49	§545.5 Control Manholes for Industrial Wastes	52
§543.50 Pipe	49	§545.6 Analysis of Sewage	52
§543.51 Joints	49	§545.60 Standard Methods	52
§543.52 O-Rings	49	§545.61 Control Manholes	52
§543.6 Design Specifications	49	§545.62 Sampling	52
§543.60 Design per Federal Standards	49	§545.63 BOD and Suspended Solids	52
§543.61 Manholes	49	§545.7 Standards for Sewage Works	52
§543.7 Exfiltration Test	49	§546 Protection From Damage	52
§543.70 Exfiltration Test Required	50	§547 Inspectors' Powers and Authority	52
§543.71 Method of Testing	50	§547.0 Entry and Pertinence of Inquiries	52
§543.72 Sewers with Steep Grades	50	§547.1 Inspectors Shall Observe Safety Rules	53
§543.73 Test Period and Results	50	§547.2 Indemnification	53
§543.74 Repeating the Test	50	§547.3 Entry into Easements	53
§543.8 Plumbing Requirements	50	§548 Effluent Concentration Limits	53
§544 Sewer Connections	50	§549 Sewer Violation Penalties	53
§544.0 Owner Bears Expense	50	§549.0 General Penalties	53
§544.1 Separate Connection for Each Building	50	§549.1 Violations Beyond Time Limits	53
§544.2 Testing of Old Sewers	50	§549.2 Liability for Cost of Correction	53
§544.3 Elevation	50		
§544.4 Prohibition of Surface and Groundwater	50		

*Part 45 – Rental Assistance* 42

*Part 46 – Senior Programs* 42

*Part 47 – Solid Waste Removal* 42

§470 Definitions 42

§470.00 Approved Disposal Site 42

§470.01 Ashes 42

§470.02 Construction Debris 42

§470.03 Containers 42

§470.04 County Designated Recyclable Materials 42

§470.05 Curb 43

§470.06 Curbside Collection 43

§470.07 Eligible Household 43

§470.08 Garbage 43

§470.09 Hauler 43

§470.10 Hazardous Waste is: 43

§470.11 Landfill 43

§470.12 Large Household Furnishings 43

§470.13 Major Appliances 43

§470.14 Materials Recovery Facility or MIRE 43

§470.15 Medical Waste 43

§470.16 OCRRA 43

§470.17 OCRRA Facility 43

§470.18 Recyclables 43

§470.19 Recycling Container 43

§470.20 Recycling Law 44

§470.21 Regulated Medical Waste 44

§470.22 Solid Waste 44

§470.23 Stickers 44

§470.24 Storage 44

§470.25 System 44

§470.26 Trash 44

§470.27 Vehicle 44

§470.28 Waste Generator 44

§470.29 Waste Hauler License 44

§470.30 Waste Paper 44

§470.31 White Goods 44

§470.32 Yard Waste 44

§471 Storage and Disposal 44

§471.0 Littering 44

§471.1 Containers 44

§471.2 Curblines Storage 44

§471.3 Debris from Collections 44

§471.4 Dumping 44

§471.5 Fire-Proof Receptacles 44

§471.6 Food Waste in Water Tight Containers 44

§472 Village Collection of Solid Waste 44

§472.0 Removal Only by Village 44

§472.1 Fees 44

§472.10 Use Of Village Garbage Stickers 45

§472.11 Sale Of Village Stickers 45

§472.12 Who Can Purchase Village Stickers 45

§472.13 Prohibition of Resale of Village Stickers 45

§472.14 Use of Unauthorized Stickers Prohibited 45

§472.15 Special Handling 45

§472.16 General Fees 45

§472.2 Collection Schedules 45

§472.3 Restrictions 45

§472.30 Container Limits 45

§472.31 Condition of Containers 45

§472.32 Location of Containers 45

§472.33 Access to Containers 45

§472.34 Furniture and Appliances 45

§472.35 Yard Waste 45

§472.36 Construction Debris 45

§472.37 Dumpsters 45

§472.4 Prohibited Disposal 45

§472.40 On Public Property 45

§472.41 On Private Property 45

§472.42 Non-Originating Materials 45

§472.43 Burning or Burying 45

§472.5 Recyclable Materials 45

§472.50 Newspapers 45

§472.51 Metal, Plastic and Glass 45

§472.52 Cardboard 46

§472.6 Collection Vehicles 46

§472.60 Covered Vehicles Required 46

§472.61 No Tarrying on Public Streets 46

§473 Solid Waste Violation Penalties 46

§473.0 Penalties for General Violations 46

§473.1 Penalties for Disposal Violations 46

§473.10 Littering 46

§473.11 Storage and Disposal 46

§473.12 Prohibited Disposal 46

§473.13 Putting Out Garbage for Collection 46

Title 5: Public Utilities 47

*Part 50 – Cable Service* 47

*Part 51 – Electric Service* 47

*Part 52 – Internet Service* 47

*Part 53 – Phone Service* 47

*Part 54 – Sewers* 47

§540 Definitions 47

§540.00 Biochemical Oxygen Demand (BOD) 47

§540.01 Building Drain 47

§540.02 Building Sewer 47

§540.03 Combined Sewer 47

§540.04 Contractor 47

§540.05 Developer 47

§540.06 Garbage 47

§540.07 Hearing Board 47

§540.08 Industrial Wastes 47

§540.09 Natural Outlet 47

§540.11 Pretreatment 47

§540.12 Properly Shredded Garbage 48

§700.42 Confirmation by State Supreme Court	58	§710.42 Safe Exits	60
§700.5 Compelling Compliance	58	§710.43 Sanitation	60
§700.6 Building Code Violation Penalties	58	§710.44 Gambling	60
§701 Fire Prevention Code	58	§710.45 Licenses Limited to One Location	60
§701.0 Fire Prevention Code	58	§710.46 Minors	61
§701.00 Storage of Explosives and Blasting Agents	58	§710.47 Early Morning Pool Rooms	61
§701.01 Flammable Liquids Above Ground	58	§710.5 Amusement License Violations Penalties	61
§701.02 Bulk Plants for Flammable Liquids	58	§710.6 Revocation of Amusement Licenses	61
§701.03 Storage of Liquified Petroleum Gasses	59	§711 Games of Chance	61
§701.04 Outdoor Fires	59	§711.0 General Rules for Games of Chance	61
§701.1 Fire Code Definitions	59	§711.1 Games of Chance License Applications	61
§701.10 Municipality	59	§711.2 Games of Chance License Fees	61
§701.11 Corporation Counsel	59	§711.3 Granting Games of Chance Licenses	61
§701.12 Chief of the Bureau of Fire Prevention	59	§711.4 Games of Chance Licensee Obligations	61
§701.2 Fire Prevention Code Penalties	59	§711.5 Games of Chance License Enforcement	61
§702 Fire and Smoke Detection Code	59	§712 Junk Dealers	61
§702.0 Compliance	59	§712.0 General Rules for Junk Dealer Licenses	61
§702.1 Location	59	§712.1 Junk Dealer License Applications	61
§702.10 Sleeping Areas	59	§712.2 Junk Dealer License Fees	61
§702.11 Stairways and Hallways	59	§712.3 Granting Junk Dealer Licenses	61
§702.2 Alternative Systems	59	§712.4 Junk Dealer License Holder Obligations	61
§702.3 Approved Devices and Purposes List	59	§712.5 Junk Dealer License Penalties	61
§702.4 Installation	59	§713 Peddlers	61
§702.5 Adequate Power Source	59	§713.0 General Rules for Peddler Licenses	61
§702.6 Supplemental Standards	59	§713.1 Peddler License Applications	61
§702.7 Electrical Permits	59	§713.2 Peddler License Fees	61
§702.8 Smoke Detector Penalties	59	§713.3 Granting Peddler Licenses	61
<b>Part 71 – Licenses</b>	<b>60</b>	§713.4 Peddler License Holder Obligations	61
§710 Amusements	60	§713.5 Peddler License Penalties	61
§710.0 General Rules for Amusement Licenses	60	§714 Waste Haulers	61
§710.00 Amusement Centers	60	§714.0 History	61
§710.01 Billiard Halls and Bowling Alleys	60	§714.1 Limitations	62
§710.02 Carnivals	60	§714.10 Village Vehicles	62
§710.03 Dances	60	§714.11 Out-of-State Disposals	62
§710.04 Exhibitions	60	§714.12 Material Prohibited by the FAA	62
§710.05 Parades	60	§714.2 Definitions	62
§710.1 Amusement License Applications	60	§714.3 Waste Hauler Licenses	62
§710.10 Applicant Information	60	§714.30 Waste Hauler License Required	62
§710.11 Purpose of Application	60	§714.31 Waste Hauler License Fees	62
§710.12 Criminal Record of Applicant	60	§714.32 Plan of Operation	62
§710.13 Person in Charge	60	§714.33 Calendar Year Licenses	62
§710.14 Games to Be Operated	60	§714.34 Indemnification	62
§710.15 Additional Information	60	§714.35 Insurance	62
§710.2 Amusement License Fees	60	§714.36 Cancellation of Waste Hauler Licenses	62
§710.20 Amusement Centers	60	§714.4 Collection of Solid Waste	62
§710.21 Carnivals and Circuses	60	§714.40 Licensed Waste Hauler Sticker	62
§710.22 Exhibitions	60	§714.41 Vehicles Must Be Kept Sanitary	62
§710.23 Parades	60	§714.42 Prohibited Days and Hours	63
§710.3 Granting Amusement Licenses	60	§714.43 Solid Waste Containers	63
§710.30 Action in Reasonable Time	60	§714.44 Deviation from Operating Plan	63
§710.31 Distance to Schools and Churches	60	§714.45 Removal of Uncollected Waste	63
§710.32 License Holders With Criminal Record	60	§714.5 Disposal of Solid Waste	63
§710.4 Amusement License Holder Obligations	60	§714.50 Approved Disposal Sites	63
§710.40 Inspections of Amusement License Holders	60	§714.51 Restrictions on Vehicles and Handling	63
§710.41 Responsible Person	60	§714.52 Storage of Solid Waste	63
		§714.53 Outdoor Burning Prohibited	63

<i>Part 55 – Water</i>	53	<i>Part 64 – Public Nuisance</i>	56
<b>Title 6: Conduct &amp; Criminal Code</b>	<b>54</b>	§640 What Constitutes Public Nuisance	56
<i>Part 60 – Curfew</i>	54	§640.0 Burning	56
§600 Definitions	54	§640.1 Damage or Disrespect to Public Property	56
§600.0 Curfew Hours	54	§640.10 General Public Property	56
§600.1 A Minor	54	§640.11 Street Activities	56
§600.2 A Parent	54	§640.12 Trees	56
§601 Prohibited Actions	54	§640.2 Damage to or Disrespect of Utility Poles	56
§601.0 Prohibited to Minors	54	§640.3 Intoxication	56
§601.1 Prohibited to Parents	54	§640.4 Offensive Emissions	56
§602 Exceptions	54	§641 Public Nuisance Penalty	56
§602.0 When Accompanied by an Adult	54	<i>Part 65 – Weapons Possession</i>	56
§602.1 When on Lawful Errands	54	§650 Weapons	56
§602.2 When Necessary for Employment	54	§650.0 Prohibition of Discharge of Weapons	56
§602.3 When in Transit to an Authorized Event	54	§650.1 Confiscation of Weapon	56
§602.30 Education	54	§650.2 Weapons Violations Penalty	56
§602.31 Work Study	54	§651 Firearms On Public Property	56
§602.32 Religious Instruction	54	§651.0 Definitions	56
§602.33 Civic Organizations	54	§651.00 Person	56
§602.4 Limitation on Exceptions	54	§651.01 Possession	56
§603 Procedures	54	§651.02 Village Property	56
§603.0 Detention	54	§651.03 Weapon	56
§603.1 Disposition	54	§651.1 No Firearms on Village Property	56
§604 Curfew Violation Penalties	54	§651.2 Surrender and Return of Weapons	56
§604.0 Minors in Violation	54	§651.3 Exceptions	56
§604.1 Parents in Violation	54	§651.4 Firearms On Public Property Penalties	56
<i>Part 61 – Disorderly Conduct</i>	55	<b>Title 7: Regulation of Private Property</b>	<b>57</b>
§610 Definitions	55	<i>Part 70 – Codes</i>	57
§610.0 Abusive Language	55	§700 Building Code	57
§610.1 Annoyance	55	§700.0 New York State Building Code	57
§610.2 Disturbing the Peace	55	§700.1 Prohibitions	57
§610.3 Harassing Pedestrians	55	§700.10 Work on Structures	57
§610.4 Illegal Assembly	55	§700.11 Electrical Work	57
§610.5 Panhandling	55	§700.2 Electrical Inspectors	57
§610.6 Public Intoxication	55	§700.20 Reports	57
§611 Disorderly Conduct Penalties	55	§700.21 Inspections	57
<i>Part 62 – Village Fire Alarm System</i>	55	§700.22 Emergency Inspections	57
§620 Prohibition of Tampering	55	§700.23 Certificates of Compliance	57
§621 Fire Alarm Penalties	55	§700.3 Unsafe Structures	57
<i>Part 63 – Public Nudity</i>	55	§700.30 Definition of Unsafe Buildings	57
§630 Public Lewdness	55	§700.31 Determination of Unsafe Buildings	57
§631 Public Exposure <b>Error! Bookmark not defined.</b>		§700.32 Notice of Unsafe Buildings	57
§632 Promoting Exposure	55	§700.33 Extensions	57
§633 Public Nudity Penalties	55	§700.34 Hearing	57
		§700.35 Correction and Re-inspection	57
		§700.36 Final Notice	58
		§700.37 Closure for imminent Dangers	58
		§700.38 Emergency Measures	58
		§700.4 Demolition Order	58
		§700.40 Determination to Demolish	58
		§700.41 Notice of Demolition Order	58

<b>Part 80 – General Rules for Zoning</b>	<b>69</b>	§805.0 Continuing Pre-existing Non-conformances	71
§800 Purposes and Rights	69	§805.1 Limitations on Non-Conformance	71
§801 Word Rules and Synonyms	69	§805.2 Limits on Alterations and Extensions	71
§801.0 Tense	69	§805.20 No Increased Nuisance	71
§801.1 Shall	69	§805.21 No New Violation	71
§801.2 Building	69	§805.22 No Increased Non-Conformance	71
§801.3 Lot	69	§805.3 No Change in Non-Conforming Use	71
§801.4 Occupied,	69	§805.4 Abandonment of Use	71
§801.5 Used	69	§805.5 Restoration	71
§802 General Zoning Definitions	69	§805.6 Junk Yards and Billboards	71
§802.00 Accessory	69	<b>§806 Zoning Enforcement</b>	<b>71</b>
§802.01 Alcoholic Beverages	69	<b>§807 Environmental Assessment</b>	<b>71</b>
§802.02 Corner Lot	69	§807.0 Environmental Assessment General Rules	71
§802.03 Dwelling	69	§807.00 Definitions per NYS Law	71
§802.04 Dwelling Unit	69	§807.01 Prior Actions	71
§802.05 Family	69	§807.02 Village Services with Significant Impact	71
§802.06 Height of a Building	69	§807.03 Village Services with No Significant Impact	71
§802.07 Lot	69	§807.1 Environmental Assessment Statements	72
§802.08 Lot Coverage	69	§807.10 Filing Assessment Statements	72
§802.09 Lot Lines	69	§807.11 Environmental Assessment Information	72
§802.10 Pre-Existing Non-Conforming Use	69	§807.2 Environmental Assessment Fees	72
§802.11 Principal Structure	69	§807.20 Environmental Assessment Application Fee	72
§802.12 Yard	69	§807.21 Reimbursement of Review Costs	72
§803 Zoning Use Definitions	69	§807.3 Making Environmental Assessments	72
§803.00 Cultural Facilities	70	§807.30 Assessment Reviewing Officer	72
§803.01 Extractive Uses	70	§807.31 Multiple Agencies	72
§803.02 Home Occupation	70	§807.32 Hearings on Environmental Assessments	72
§803.03 Hospital	70	§807.33 Environmental Assessment Deadlines	72
§803.04 Hotel	70	§832.34 Environmental Assessment Findings	72
§803.05 Light Manufacturing	70	§807.35 Negative Determination	72
§803.06 Mobile Home	70	§807.36 Positive Determination	72
§803.07 Motel	70	§807.37 Actions by Reviewing Officer	72
§803.08 Multi-Family Dwelling	70	§807.38 Applicant Declines to Prepare	72
§803.09 Nursing or Convalescent Home	70	§807.4 Environmental Assessment Exemptions	73
§803.10 Public Facilities	70	§807.40 Exception for Conducting Studies	73
§803.11 Religious Facilities	70	§807.41 Exception for Technical Specifications	73
§803.12 Retail Businesses	70	<b>Part 81 – Zoning Permits and Variances</b>	<b>73</b>
§803.13 Rooming House	70	§810 All Permits	73
§803.14 Row Dwelling	70	§811 Building Permits	73
§803.15 Sanitary Landfill	70	§811.0 General Rules for Building Permits	73
§803.16 Schools	70	§811.1 Building Permit Applications	73
§803.17 Single-Family Detached Dwelling	70	§811.10 Application Form and Receiving Official	73
§803.18 Tourist House	70	§811.11 Authority to Apply	73
§803.19 Two-Family Dwelling	70	§811.12 General Information	73
§803.20 Vehicle Shops	70	§811.13 Project Plans	73
§804 Establishment Of Zones	71	§811.14 Amended Applications	73
§804.0 Zones	71	§811.2 Granting Building Permits	73
§804.1 Zoning Map	71	§811.20 General Review Procedure	73
§804.2 Zone Boundaries.	71	§811.21 Disapproval	73
§804.20 Lot Line Rule	71	§811.22 Approval	74
§804.21 Distances Shown	71	§811.23 Multiple Dwellings	74
§804.22 Boundary by Scale	71	§811.24 Non-Residential Fencing	74
§804.3 Lots in more than one zone	71	§811.3 Building Permit Holder Obligations	74
§805 Pre-existing Non-conformances	71	§811.30 Right of Entry	74
		§811.31 Water and Sewer Connections	74

§714.54 Yard Waste Prohibited	63	§732.13 Property Maintenance Vehicles	66
§714.6 Recycling	63	§732.14 Seasonal Vehicles	66
§714.60 Source Separation Law	63	§732.15 Unregistered Vehicle	66
§714.61 Recycling Must Be Included	63	§732.16 Unusable Vehicle	66
§714.62 Recyclables Must Be Separated	63	§732.2 Prohibited Acts	66
§714.63 Recycling Containers	63	§732.20 General Prohibition	66
§714.7 Special Events	63	§732.21 Vehicle Repair Shops	66
§714.8 Hauler Violation Penalties	64	§732.22 Seasonal and Maintenance Vehicles	66
§714.80 Each Day is a Separate Offense	64	§732.23 Vehicles for Sale	66
§714.81 Fine and Imprisonment	64	§732.24 Vehicle Not in Use Waiver	66
§714.82 Revocation Upon Conviction	64	§732.3 Notice	66
§714.83 Revocation Upon Hearing	64	§732.4 Penalties for Outdoor Storage of Vehicles	67
§714.84 Compelling Compliance	64		
§714.85 Enforcement Agents	64	<b>Part 74 – Domestic Animals and Plants</b>	<b>67</b>
<b>Part 72 – Restricted Commerce</b>	<b>64</b>	§740 Pets Permitted	67
§720 Sexually Related Businesses	64	§740.0 Definitions	67
§720.0 Sexual Displays	64	§740.00 Exotic Animals	67
§720.00 Aroused Genitalia	64	§740.01 Pet	67
§720.01 Sex Acts	64	§740.02 Vicious Animal	67
§720.02 Sexual Contact	64	§740.1 Prohibition	67
§720.03 Lower Nudity	64	§740.2 Exotic or Vicious Pets Penalties	67
§720.04 Erections	64	§741 Dogs	67
§720.1 Sex-Related Businesses	64	§741.0 Dogs Must Be Licensed	67
§720.10 Adult Book and Video Shops	64	§741.1 Leashing	67
§720.11 Hotels	64	§741.10 Dogs Must Be Leashed	67
§720.12 Live Sex Shows	64	§741.11 Seizure Of Unleashed Dogs	67
§720.13 Massage Parlors	64	§741.12 Notification of Owner	67
§720.14 Nude Modeling	64	§741.13 Kenneling and Care	67
§720.15 Sexual Device Shops	64	§741.14 Issuance of Appearance Ticket	67
§720.16 Exceptions	64	§741.15 Redemption Fee for Transport and Boarding	67
§720.2 Prohibitions	65	§741.16 Disposal of Dog after Nine Days	68
§720.20 Specifically Prohibited Businesses	65	§741.2 Habitually Barking Dogs	68
§720.21 Prohibition of Proximity	65	§741.20 Prohibition	68
§720.22 Measurement of distance:	65	§741.21 Ticketing	68
§720.3 Termination of Sex-Related Businesses	65	§741.3 Control Of Dog Waste	68
§720.30 One Year Deadline	65	§741.30 Damaging or Destroying Property	68
§720.31 Extensions of the One Year Deadline	65	§741.31 Depositing Waste on Private Property	68
§720.4 Penalties for Sex-Related Businesses	65	§741.32 Depositing Waste on Public Property	68
		§741.33 Appearance Tickets	68
<b>Part 73 – Storage</b>	<b>65</b>	§742 Cats	68
§730 Combustibles and Explosives	65	§742.0 Owner	68
§731 Outdoor Storage of Material	65	§742.1 Responsibilities Of Owners	68
§731.0 Prohibition	65	§742.10 Nuisances	68
§731.1 Notice of Violations	65	§742.11 Public Parks	68
§731.2 Person in Charge	66	§742.2 Right Of Entry For Enforcement	68
§731.3 Outdoor Storage Penalties	66	§742.3 Cat Violation Penalties	68
§731.30 First Violation	66	§743 Livestock	68
§731.31 Second Violation	66	§743.0 Prohibition of Keeping Livestock	68
§731.32 Third and Subsequent Violations	66	§743.1 Penalties for Keeping Livestock	68
§732 Outdoor Storage of Motor Vehicles	66	§744 Weeds	68
§732.0 Purpose	66	§744.0 Responsibilities	68
§732.1 Definitions	66	§744.1 Charge for Cutting	68
§732.10 Inoperable Vehicle	66		
§732.11 Motor Vehicle / Vehicle	66		
§732.12 Nuisance Vehicles	66		
		<b>Title 8: Zoning</b>	<b>69</b>

§823 Greenspace	80	§833.23 Roof Signs	82
§824 Sidewalks	80	§833.24 Wall Signs	82
§825. Driveways	80	§833.25 Enclosed Storage	82
§825.0 Commercial Access in Residential Zones	80	§833.3 Rules for Specific Types of Signs	82
§825.1 Access Roads in Service Center Zones	80	§833.30 Double-Faced Signs	82
§826 Parking Areas	80	§833.31 Roof Signs	82
§826.0 Automobile Parking Facilities.	80	§833.32 Ground Signs	82
§826.00 Residences	80	§833.33 Billboards	82
§826.01 Rented Rooms	80	§833.34 Movable Signs	82
§826.02 Places of Assembly	80	§833.35 Sandwich-Board Signs	82
§826.03 Amusement Facilities	80	§833.36 Projecting Signs	82
§826.04 Care Facilities	80	§833.4 Building Permits Required.	83
§826.05 Retail and Professional Space	80	§833.5 Unsafe Signs	83
§826.06 Warehouses	80	§833.50 Action on Unsafe Signs	83
§826.1 Parking in Residential Zone Front Yards.	80	§833.51 Action on Immediate Danger	83
§827 Loading Areas	80	§834. Fences	83
§827.0 Loading Space.	80	§834.0 Building Permits Required	83
§827.1 Off-Street Loading	80	§834.1 Commercial Lot Fencing	83
§828 Abandoned Excavations	81	§834.2 Fences in Front Yards	83
<b>Part 83 – Structures</b>	<b>81</b>	§834.3 Fences in Other Yards	83
§830 All Structures	81	§834.4 Fencing Materials	83
§830.0 Dwelling Floor Area	81	§834.5 Prohibition of Dangerous Fences	83
§830.00 Efficiency Apartments	81	§834.6 Location of Fencing	83
§830.01 One-Bedroom Apartments	81	§834.7 Orientation of Fencing	83
§830.02 Two-Bedroom Apartments	81	§834.8 Pool enclosures	83
§830.1 Corner Visibility	81	§835 Retaining Walls	83
§831 Fixed Buildings	81	§836 Storage Tanks	83
§831.0 Dwelling Units Below Grade.	81	§837 Communications Antennae	83
§831.1 Accessory Buildings in Residential Zones	81	§838 Other Communications Devices	83
§831.10 Rear Yards Only	81	§838.0 Definition of Satellite Dish	83
§831.11 No More than 25% of Rear Yards	81	§838.1 Requirements of Satellite Dishes	83
§831.12 Three-Foot Setback	81	§838.10 Ten Feet in Diameter	83
§831.13 No More Than Twenty Feet High	81	§838.11 Twelve Feet in Height	83
§831.14 Exceptions	81	§838.12 Location on Lot	83
§832 Movable Buildings	81	§838.13 Roof-Mounted Dishes	83
§833. Signs	81	§838.14 One Dish Per Lot	83
§833.0 General Rules and Regulations	81	§838.15 Permit Required	83
§833.00 Business Zones	81	§838.16 Compliance with FCC Regulations	83
§833.01 Safety Restrictions	81	§838.17 Resistance to Wind Load	83
§833.02 Moving Display Permit	81	§838.2 Requirements of Special permits	84
§833.03 Christmas Decorations Permitted	82	§838.20 No Change in Diameter and Height	84
§833.04 Sign Maintenance	82	§838.21 Additional Setbacks	84
§833.1 Sign Types	82	§838.22 Additional Conditions	84
§833.10 Billboards	82	§838.3 Prohibition of Transmitting Devices	84
§833.11 Business Signs	82	<b>Part 84 – Non-Commercial Zones</b>	<b>84</b>
§833.12 Illuminated Signs	82	§840 All Non-Commercial Zones	84
§833.13 Directional or Informational Signs	82	§840.0 Prohibited Uses	84
§833.14 Double-Faced or V-Type Signs	82	§841 R1 Residential Zones	84
§833.2 Location Types	82	§841.0 Purpose	84
§833.20 Ground Signs	82	§841.1 Permitted Uses	84
§833.21 Movable Signs	82	§841.10 Dwellings	84
§833.22 Projecting Signs	82	§841.11 Golf Courses	84
		§841.12 Public Facilities	84

§811.32 Testing	74	§815.2 Granting Site Plan Permits	77
§811.33 Commencement of Work	74	§815.20 All Site Plans	77
§811.4 Stop Orders	74	§815.21 Site Plans for C-1 Commercial Zones	78
§811.40 Basis for Issuing a Stop Order	74	§815.3 Site Plan Permit Holder Obligations	78
§811.41 Specification and Delivery of Stop Orders	74	§816 Special Permits	78
§811.42 Requirement of Stop Orders	74	§816.0 General Rules for Special Permits	78
§811.5 Revoking Building Permits	74	§816.00 Special Permits are Required for:	78
§811.50 Expiration of Building Permit	74	§816.01 One Use	78
§811.51 Falsification of Building Permit	74	§816.02 Expiration of Special Permits	78
§811.52 Erroneous Issuance of Building Permit	74	§816.1 Special Permit Applications	78
§811.53 Improper Work	74	§816.2 Granting Special Permits	78
§811.54 Non-Compliance with a Stop Order	74	§816.20 Hearings Before ZBA	78
§812 Communications Permits	74	§816.21 Individual Basis	78
§812.0 General Rules for Communications Permits	74	§816.22 Compliance with this Law	78
§812.00 Permit Required	74	§816.23 Orderly Development of the Zone	78
§812.01 Purpose and Intent	75	§816.24 Impact on Nearby Properties	78
§812.02 Definitions	75	§816.25 Objectionable Emanations	78
§812.03 Subordination to Federal Laws	75	§816.26 Multiple Dwellings and Nursing Homes	78
§812.04 Towers Restricted to Southside	75	§816.27 Conditional Approval	78
§812.05 No Alteration of Non-Complying Structures	75	§816.3 Special Permit Holder Obligations	78
§812.06 10% Rule for Non-Complying Structures	75	§817 Subdivision Permits	79
§812.1 Communications Permit Applications	75	§818 Area Variances	79
§812.10 Filing and Review	75	§819 Use Variances	79
§812.11 Proof of Non-Interference	75	<i>Part 82 – Sites</i>	79
§812.12 Co-Location Letter of Intent	75	§820 Lots	79
§812.13 Notification of Adjacent Municipalities	75	§820.0 Minimum Lot Size	79
§812.14 Design of Antennas, Towers, and Structures	75	§820.00 Single-Family Detached Dwellings	79
§812.2 Granting Communications Permits	75	§820.01 Two-Family Dwellings	79
§812.20 Planning Board Review	75	§820.02 Multi-Family Dwellings	79
§812.21 Village Board Action	75	§820.03 Non-Residential Use In A Residential Zone	79
§812.22 Hearings on Communications Permits	75	§820.04 Commercial and Industrial Zones	79
§812.23 Existing Facilities Are Inadequate	76	§820.05 Service Center Zones	79
§812.24 Tower Building Requirements	76	§820.06 Planned Development Zones	79
§812.25 Tower Height Limitations	76	§820.1 Multiple Buildings	79
§812.26 Tower and Accessory Structure Setbacks	76	§820.2 Existing Sub-Standard Sized Lots	79
§812.27 Screening and Security	76	§820.3 Changes of Size and Shape of Lots.	79
§812.28 Co-Location Capability	76	§821 Yards	79
§812.29 Decennial Review	76	§821.0 Yards Abutting a Street Line	79
§812.3 Communications Permit Obligations	77	§821.1 Houses in Residential Zones	79
§812.30 Compliance With Other Laws	77	§821.10 Front Yards	79
§812.31 Transfer of Permit	77	§821.11 Rear Yards	79
§812.32 Antenna Safety	77	§821.12 Side Yards	79
§812.33 Tower Lighting	77	§821.13 Lot Coverage	79
§812.34 Signs and Advertising	77	§821.2 All Buildings in Service Center Zones	79
§812.35 Co-Location Letter of Intent	77	§821.20 Front Yards	79
§812.36 Unused Towers	77	§821.21 Rear Yards	79
§812.37 Unused Sections	77	§821.22 Side Yards	79
§813 Curbcut Permits	77	§821.23 Principal Building Coverage	80
§814 Occupancy Permits	77	§821.3 Commercial and Industrial Yards	80
§814.0 General Rules for Occupancy Permits	77	§821.30 Front Yard Transition.	80
§814.1 Occupancy Permit Applications	77	§821.31 Side and Rear Yard Transition.	80
§814.2 Granting Occupancy Permits	77	§821.4 Projections in Yards.	80
§814.3 Occupancy Permit Holder Obligations	77	§822 Fill and Drainage	80
§815. Site Plan Permits	77		
§815.0 General Rules for Site Plan Permits	77		
§815.1 Site Plan Permit Applications	77		

§856.1 Permitted Uses	88	§871.23 Lowest Floor	91
§856.10 Extractive Uses	88	§871.24 Manufactured Home	91
§856.11 Manufacturing	88	§871.25 Manufactured Home	91
§856.12 Watchman's Quarters	88	§871.26 Mean Sea Level	91
§856.13 Wholesale	88	§871.27 Mobile Home	92
§856.2 Limited Uses	88	§871.28 National Geodetic Vertical Datum or NGVD92	
§856.3 Specially Permitted Uses	88	§871.29 New Construction	92
§856.30 Combustibles and Explosives	88	§871.30 100-year Flood	92
§856.31 Objectionable Emissions	88	§871.31 Principally Above Ground	92
<b>Part 86 – Zoning Map</b>	<b>89</b>	§871.32 Regulatory Floodway	92
<b>Part 87 – Flood Control</b>	<b>90</b>	§871.33 Sand Dunes	92
§870 Authorization, Fact and Purposes	90	§871.34 Start of Construction	92
§870.0 Findings of Fact	90	§871.35 Structure	92
§870.00 Flood Damage	90	§871.36 Substantial Improvement	92
§870.01 Avoidable Flood Damage	90	§871.37 Variance	92
§870.1 Statement of Purpose	90	§872 General Provisions	92
§870.10 Dangerous Uses	90	§872.0 Lands to Which This Local Law Applies	92
§870.11 Protection of Vulnerable Property	90	§872.1 Establishing Special Flood Hazard Areas	92
§870.12 Maintain Natural Protection	90	§872.2 Penalties for Noncompliance	92
§870.13 Control Land Alteration	90	§872.3 Conflict With Other Laws	92
§870.14 Control Flood Barriers	90	§872.4 Warning and Disclaimer of Liability	92
§870.15 National Flood Insurance Program	90	§873 Administration	93
§870.2 Objectives	90	§873.0 Local Administrator	93
§870.20 Protect Human Life	90	§873.1 Development Permits	93
§870.21 Minimize Public Costs	90	§873.10 Development Permits in General	93
§870.22 Minimize Rescue and Relief	90	§873.11 Application Stage	93
§870.23 Minimize Interruptions	90	§873.12 Construction Stage	93
§870.24 Minimize Damage to Public Facilities	90	§873.2 Local Administrator's Responsibilities	93
§870.25 Maximize Development	90	§873.20 Permit Application Review	93
§870.26 Notification of Potential Buyers	90	§873.21 Use of Other Base Flood Data	93
§870.27 Responsibility for Individual Actions	90	§873.22 Information to Be Obtained and Maintained	93
§871 Definitions	90	§873.23 Alteration of Watercourses	93
§871.00 Adversely Affects	90	§873.24 Interpretation of FIRM Boundaries	94
§871.01 Appeal	90	§873.25 Stop Work Orders	94
§871.02 Area of Shallow Flooding	90	§873.26 Inspections	94
§871.03 Area of Special Flood Hazard	90	§873.27 Certificate of Compliance	94
§871.04 Automatically	91	§874 Flood Hazard Reduction	94
§871.05 Base Flood	91	§874.0 General Standards	94
§871.06 Basement	91	§874.00 Anchoring	94
§871.07 Breakaway Wall	91	§874.01 Construction of Materials and Methods	94
§871.08 Building	91	§874.02 Utilities	94
§871.09 Cellar	91	§874.03 Subdivision Proposals	94
§871.10 Coastal High Hazard Area	91	§874.04 Encroachments	95
§871.11 Development	91	§874.1 Specific Standards	95
§871.12 Elevated Building	91	§874.10 Residential Construction	95
§871.13 Elevation	91	§874.11 Non-residential Construction	95
§871.14 Flood or Flooding	91	§874.12 Areas Without Base Flood Elevations	95
§871.15 Flood Insurance Rate Map	91	§874.13 Construction Standards Criteria	95
§871.16 Flood Boundary and Floodway Map	91	§874.2 Floodways	96
§871.17 Flood Hazard Boundary Map	91	§875 Variance Procedure	96
§871.18 Flood Insurance Study	91	§875.0 Appeals	96
§871.19 Floodway	91	§875.00 ZBA Hears Variance Appeals	96
§871.20 Floor	91	§875.01 Alleged Error by Village	96
§871.21 Functionally Dependent Use	91	§875.02 Appealing ZBA Decisions	96
§871.22 Highest Adjacent Grade	91	§875.03 ZBA Considerations	96
		§875.04 Conditional Approvals	96

§841.13 Religious Facilities	84	§851.3 Specially Permitted Uses	86
§841.14 Schools	84	§851.30 Cemeteries	86
§841.2 Limited Uses	84	§851.31 Dwellings	86
§841.20 Accessory Buildings	84	§851.32 Nursing Homes	86
§841.21 Parking	84	§851.33 Taverns	86
§841.22 Signs	84	§852 C-2 General Commercial Zones	86
§841.3 Specially Permitted Uses	84	§852.0 Purpose	86
§841.30 Cemeteries	84	§852.1 Permitted Uses	86
§841.31 Temporary Commercial Buildings	84	§852.10 Golf Courses	86
§842 R-2 Residential Zones	84	§852.11 Public Amusements	86
§842.0 Purpose	85	§852.12 Public Facilities	86
§842.1 Permitted Uses	85	§852.13 Retail Businesses	86
§842.10 Dwellings	85	§852.14 Schools	86
§842.11 Golf Courses	85	§852.2 Limited Uses	86
§842.12 Public Facilities	85	§852.20 Hospitals	86
§842.13 Religious Facilities	85	§852.3 Specially Permitted Uses	86
§842.14 Schools	85	§852.30 Cemeteries	86
§842.2 Limited Uses	85	§852.31 Taverns	86
§842.20 Hospitals	85	§852.32 Vehicle Shops	86
§842.21 Parking	85	§853 C-3 Special Commercial Zones	87
§842.22 Signs	85	§853.0 Purpose	87
§842.3 Specially Permitted Uses	85	§853.1 Permitted Uses	87
§842.30 Cemeteries	85	§853.10 Golf Courses	87
§842.31 Dwellings	85	§853.11 Public Amusements	87
§842.32 Temporary Commercial Buildings	85	§853.12 Public Facilities	87
§843 LC Land Conservation Zones	85	§853.13 Retail Businesses	87
§843.0 Purpose of Land Conservation Zones	85	§853.14 Schools	87
§843.00 Special Conditions	85	§853.2 Limited Uses	87
§843.01 Lack of Facilities	85	§853.20 Hospitals	87
§843.02 Correction of Conditions.	85	§853.3 Specially Permitted Uses	87
§843.1 Permitted Uses	85	§853.30 Cemeteries	87
§843.10 Parks	85	§853.31 Taverns	87
§843.11 Utilities	85	§854 SC Service Center Zones	87
§843.2 Limited Uses	85	§854.0 Purpose	87
§843.3 Specially Permitted Uses	85	§854.1 Permitted Uses	87
§843.30 Disposal Facilities	85	§854.10 Commercial Shops	87
<b>Part 85 – Commercial Zones</b>	<b>86</b>	§854.11 Processing Facilities	87
§850 All Commercial Uses	86	§854.12 Professionals	87
§850.0 Prohibited Uses	86	§854.13 Retail	87
§850.1 Prohibited Proximity to Residential Zones	86	§854.14 Vehicle Shops	87
§850.10 Animals	86	§854.15 Warehouses	87
§850.11 Auto Servicing	86	§854.2 Limited Uses	87
§850.12 Places of Assembly	86	§854.3 Specially Permitted Uses	87
§850.13 Service and Industrial Uses	86	§855 I-1 Light Industrial Zones	87
§851 C-1 Central Commercial Zones	86	§855.0 Purpose	87
§851.0 Purpose	86	§855.1 Permitted Uses	87
§851.1 Permitted Uses	86	§855.10 Manufacturing	87
§851.10 Golf Courses	86	§855.11 Watchman's Quarters	87
§851.11 Public Amusements	86	§855.12 Wholesale	87
§851.12 Public Facilities	86	§855.2 Limited Uses	87
§851.13 Religious Facilities	86	§855.3 Specially Permitted Uses	87
§851.14 Retail Businesses	86	§855.30 Combustibles and Explosives	87
§851.15 Schools	86	§855.31 Objectionable Emissions	87
§851.2 Limited Uses	86	§856 I-2 Heavy Industrial Zones	88
§851.20 Hospitals	86	§856.0 Purpose	88

# Title 0: General Provisions

## Part 00 – Scope

### §000 Durability

Each provision of this law shall be fully enforceable until and unless specifically invalidated by a court of competent jurisdiction. (All predecessor laws, variously worded)

### §001 Prior Laws

All prior laws are hereby replaced, without lapse in all things formerly and currently compelled or prohibited.

### §002 Effective Date

This Law is effective upon filing with the Secretary of State.

### §003 Application

Unless otherwise specified, all provisions herein apply to the municipal territory of the Village of East Syracuse.

## Part 01 – Structure

### §010 Divisions

This Law is divided and subdivided as follows.

#### §010.0 Titles

are the most general divisions of this Law, have single-digit numbers, and are subdivided into up to ten parts each of which starts with the Title number.

#### §010.1 Parts

have two-digit numbers, and are subdivided into up to ten sections each of which starts with the Part number.

#### §010.2 Sections

have three-digit numbers, and are subdivided into up to ten subsections each of which starts with the section number.

#### §010.3 Subsections

have the three-digit numbers with one decimal place, and are subdivided into up to ten paragraphs each of which starts with the subsection number.

#### §010.4 Paragraphs

have three-digit numbers with two decimal places, and are subdivided into up to ten subparagraphs each of which starts with the paragraph number.

#### §010.5 Subparagraphs

have three-digit numbers with three decimal places, and are not further subdivided.

#### §011.0 LLX of XX

is a Local Law, with the number and year of adoption.

#### §011.1 GVO

is the general Village Ordinance of 1954.

#### §011.2 ZO

is the Zoning Ordinance, as adopted in 1964 and subsequently amended.

#### §011.3 Unannotated Provisions

are clarifications of predecessor laws or universal definitions of terms and phrases used therein.

#### §011.4 Subsequent Amendments

to this law are annotated with their effective date.

#### §011.5 Internal Citations

©§ marks a reference to another provision within this Law.

#### §011.6 External Citations

§Ⓢ marks a reference to a provision in another law.

### §012 Placement of Source Annotations

The following annotations indicate the source of provisions.

#### §012.0 Source Annotations Following Titles

Source annotations which follow the title of a part, section, etc. refer to that entire subdivision.

#### §012.1 Source Annotations Following Text

Source annotations which follow a block of text indicate the source for that block of text only.

### §011 Source Annotations and Citations

The following annotations indicate the source of provisions.

§875.05 Records of Appeals	96
§875.1 Conditions for Variances	96
§875.10 Justification in Relation to Lot Size	96
§875.11 National Historic Register	96
§875.12 Community Improvements	96
§875.13 Variances within Floodways	96
§875.14 Minimum Variance	96
§875.15 Basis for Issuing	96
§875.16 Written Notice of Increased Risk	97

---

Appendices	98
<i>Appendix 1: Dictionary</i>	98
<i>Appendix 2: Fees</i>	107
<i>Appendix 3: Penalties</i>	108

---

**§031.6 Protest by Landowners**

If a protest is presented to the Village Clerk, signed by the owners of 20% or more of the land area directly effected by a proposed amendment or within 100 feet of the ef-

ected land or the street frontage opposing the effected land, four affirmative votes of the Village Board shall be required for adoption. (ZO §@21.7.4)

**Part 04 – Notices****§040 Public Notice****§040.0 Publishing Public Notices**

All public notices required under this or other laws shall be published in a periodical printed at least weekly with substantial local circulation. The notice shall include all pertinent details, including the text of proposed amendments to this Law, except that, where such inclusions would cause the notice to run in excess of 250 words, the title and a summary shall be published, with notice that the full text is available from the Village Clerk's Office and listing its street and e-mail addresses and phone number.

**§040.1 Posting Public Notices**

Public notices required under this Law shall be posted in the window of the Village Clerk's Office with all pertinent details, including the full text of proposed amendments.

**§041 Individual Notice****§041.0 Inclusions in Notices**

Where this or other laws require notice to be mailed to an individual, two copies of the notice shall be sent, one by Certified Mail, return receipt requested, and one by regular mail with a receipt showing the date of mailing and destinating office. Such mailing shall be presumptive evidence of receipt by the addressee.

**§041.1 Addressing Notices**

Required individual notices shall be addressed as follows.

**§041.10 Notices to Property Owners**

shall be sent to the address listed on the current tax rolls, or a more current address if the property owner has notified the Village Clerk's office of one.

**§041.11 Notices to Occupants**

of any property shall be sent to the address of that property, or to a more current address if the property owner has notified the Village Clerk's office of one.

**§041.12 Notices to Applicants**

for employment, licenses, permits, etc. shall be sent to the address listed on the most recent application or

amendment, or to a more current address if the applicant has notified the Village Clerk's office of one.

**§041.13 Other Notices**

not covered by ©§041.10 through ©§041.12 shall be sent to the noticee's last known address.

**§042 Notice to Village of Lawsuits**

(LL1 of 1984)

**§042.0 Prior Written Notice Required**

No civil action may be made against the Village for any damages or injury caused by any public property which is or was broken, dangerous or obstructed unless written notice of such defect was filed with the Village Clerk or Public Works Superintendent, and the Village failed to correct it within a reasonable time following such notice.

**§042.1 Transmittal of Notices****§042.10 Transmittal to Clerk**

The Public Works Superintendent shall transmit all notices received pursuant to ©§042.0 to the Village Clerk in writing within five days of receipt.

**§042.11 Transmittal to Village Board**

The Village Clerk shall transmit all notices received pursuant to ©§042.0 and ©§042.10 to the Village Board at its next meeting or within ten days, whichever is sooner.

**§042.2 Retention of Notices**

Notices filed pursuant to this Part shall be kept by the Village Clerk for five years from the date received.

## Part 02 – Language

### §020 General Word Rules

#### §020.0 Standard English

Terms used in this Law and not herein defined or referenced are as defined by a standard dictionary of American English.

#### §020.1 Variants of Defined Terms

The meaning of all terms shall also apply to their variants, such as, but not limited to, nouns expressed as adjectives (i.e. Special Permit and Specially Permitted), use of operative portions (i.e. Sexually Related Business and Sex Business), and reconstructions (i.e. Outdoor Waste Storage and Storage of Waste Outdoors).

#### §020.2 Singular and Plural

All singular nouns shall include the plural and vice versa.

#### §020.3 Interchange of Pronouns

Third person pronouns (he, she, they, it), their objects (him, her, them, it), their possessives (his, hers, their, theirs, its), and universal equivalents (anyone, any person, no one, no person, etc.) are interchangeable and include, as applicable within context, any resident, property owner, tenant, owner, operator, proprietor, dba, partnership, corporation, civic or social organization, religious group or institution, or any variant or combination thereof.

#### §020.4 Village Officials

All officials referred to by title are officials of the Village unless another government is specified in the title.

### §021 General Definitions

#### §021.00 County

is Onondaga County.

#### §021.01 Public Officials

are any elected or appointed Village officer, including employees, retained professionals and consultants.

#### §021.02 Sidewalk

is any public pedestrian thoroughfare.

#### §021.03 State

is the State of New York.

#### §021.04 Street

is any public vehicular thoroughfare.

#### §021.05 Town

is the Town of DeWitt.

#### §021.06 Village

is the incorporated Village of East Syracuse, New York.

#### §021.07 Village Board

is the East Syracuse Board of Trustees.

## Part 03 – Amending This Law

### §030 Continuity

No local law shall hereafter be adopted, except as an integrated amendment to this consolidated law.

### §031 Amendments to Title 8

#### §031.0 Source of Amendments

The Village Board may, on its own motion or on recommendation of the Planning Board, amend Title 8 after public notice and hearing. (ZO §@21.7)

#### §031.1 Review by Planning Board

The Planning Board shall review and report on all proposed amendments to Title 8 before a public hearing is held. (ZO §@21.7)

#### §031.2 Time and Place of Public Hearing

The time and place of public hearings on proposed amendments shall be set by resolution of the Village Board. (ZO §@21.7)

#### §031.3 Public Notice of Hearing Date

Notice of the time and place of hearings shall be published at least 15 days in advance. (ZO §@21.7.1)

#### §031.4 Written Notice of Public Housing

Written notice of proposed amendments affecting property authorized by the Public Housing Law shall be given to the project's housing authority and its appointing government at least 10 days in advance. (ZO §@21.7.2)

#### §031.5 Written Notice to Effected Parties

Written notice of proposed amendments affecting property within 600 feet of any other municipality must be given to the Clerks of that municipality of the County Legislature at least 10 days in advance. (ZO §@21.7.3)

Application for the seniors partial property tax exemption must be filed with the Village Clerk before the tax rolls for a given fiscal year close.

#### §130.03 Amount of Seniors Exemption

Seniors partial property tax exemptions are on a sliding scale based on the combined income of the owners, as follows:

- §130.030 \$17,500 or less are eligible for a 50% exemption;
- §130.031 \$17,501 to \$18,499 are eligible for a 45% exemption;
- §130.032 \$18,500 to \$19,499 are eligible for a 40% exemption;
- §130.033 \$19,500 to \$20,499 are eligible for a 35% exemption;
- §130.034 \$20,500 to \$21,399 are eligible for a 30% exemption;
- §130.035 \$21,400 to \$22,299 are eligible for a 25% exemption;
- §130.036 \$22,300 to \$23,199 are eligible for a 20% exemption;
- §130.037 \$23,200 to \$24,099 are eligible for a 15% exemption;
- §130.038 \$24,100 to \$24,999 are eligible for a 10% exemption;

#### §130.1 Veterans Partial Property Tax Exemption

(LL4 of 1997)

##### §130.10 Reference to State Law

All references, qualification and definitions in this subsection are pursuant to State Real Property Tax Law §@458a:

##### §130.11 Qualification for Veterans Exemptions

- §130.110 Property qualifies for a general veterans partial exemption if owned by a veteran.
- §130.111 Property qualifies for a combat veterans partial exemption if owned by a veteran, who served in a combat theater or zone as

documented by a United States campaign ribbon or service medal.

- §130.112 Property qualifies for a compensable veterans partial exemption if owned by a veteran, who received a compensation rating from the United States Veteran's Administration or Department of Defense because of a service-connected disability.

##### §130.12 Application for Veterans Exemptions

Application for the Seniors Partial Property Tax Exemption must be filed with the Village Clerk before the tax rolls for a given fiscal year close.

##### §130.13 Amount of Veterans Exemptions

- §130.130 The general veterans partial property tax exemption is 15% of the Village property tax assessment, up to a limit of \$12,000 multiplied by the most recent State equalization rate or class ratio in a special assessment unit, whichever is less.
- §130.131 The combat veterans partial property tax exemption is 10% of the Village property tax assessment, up to a limit of \$8000 multiplied by the most recent State equalization rate or class ratio in a special assessment unit, whichever is less.
- §130.132 The compensable veterans partial property tax exemption is a percentage of the Village property tax assessment equal to one-half of the veteran's disability rating, up to a limit of \$40,000 multiplied by the most recent State equalization rate or class ratio in a special assessment unit, whichever is less.
- §130.133 Anyone who served in the United States active military during a period of war and died while in-service of a service-connected disability shall have a 100% compensation rating for the purposes of ©§130.122.

## Part 14 – Annual Budget

(Reserved)

# Title 1: Public Administration

## Part 10 – Public Records

### §100 Village Records

#### §100.0 Public Inspection

All public records are open to public inspection during business hours. (LL4 of 1980 §7)

#### §100.1 Place Maintained

All public records shall be kept in the Village Office. (GVO §1.2)

#### §100.2 Prohibition of Removal

No one shall remove any public records from the Village Office. (GVO §1.2)

#### §100.3 Penalty for Removing Public Records

Anyone convicted of violating this part shall be fined up to \$100, imprisoned for up to one year, or both. (GVO §1.2)

## Part 11 – Public Proceedings

### §110 Candidate Elections

*(Reserved)*

### §111 Public Referendums

*(Reserved)*

### §112 Village Court

*(Reserved)*

### §113 Public Hearings

*(Reserved)*

### §114 Village Board Meetings

*(Reserved)*

### §115 Meetings of Other Bodies

*(Reserved)*

## Part 12 – Purchasing

*(Reserved)*

## Part 13 – Taxes

*(Reserved)*

### §130 Tax Exemptions

#### §130.0 Seniors Partial Property Tax Exemption

(LL5 of 1994)

##### §130.00 Reference to State Law

All references, qualification and definitions in this subsection are pursuant to State Real Property Tax Law §467:

#### §130.01 Qualification for Seniors Exemption

The following properties qualify for the partial exemption for seniors:

§130.010 those owned by one or more persons all of whom are 65 years or older;

§130.011 those owned by husband and wife, one of whom is 65 years or older.

#### §130.02 Application for Seniors Exemption

# Title 2: Public Officials

## Part 20 – All Public Officials

### §201 Code of Ethics

See also ©§212 Board of Ethics

#### §201.0 General

##### §201.00 Purpose

This section is enacted to insure the high moral conduct of Village officials and to maintain public confidence in the Village. (LL1 of 1970 §@ 1.1)

##### §201.01 Basis and Subordination

This section is enacted pursuant to §@806 of the General Municipal Law, and is inferior and supplemental to Article 18 of that law and any other law regulating the ethical conduct of Village officials. (LL1 of 1970 §@ 1.1)

##### §201.02 Notice of this Section

The Village Clerk shall make copies of this section available to all Village officials, and shall post a copy in the Village office. Failure to so post shall not effect compliance with or enforcement of this section (LL1 of 1970 §@ 4.1)

#### §201.1 Prohibited Actions

##### §201.10 Conflicts of Interest

No Village official shall have any financial or other interest, engage in any business, or incur any obligation in substantial conflict with their discharge of duties in the public interest. (LL1 of 1970 §@2.2)

##### §201.11 Conflicting Employment

No Village official shall accept any other employment, present or future, which impairs their independence of judgement in exercising their duties. (LL1 of 1970 §@2.3a)

##### §201.12 Unwarranted Privileges

No Village official shall use or attempt to use their official position to secure unwarranted privileges for themselves or others. (LL1 of 1970 §@2.3b)

##### §201.13 Conflicting Transactions

No Village official shall engage in any transaction as agent of the Village in which they have any financial interest that might reasonably conflict with the proper discharge of duties. (LL1 of 1970 §@2.3c)

##### §201.14 Personal Investments

No Village official shall make personal investments in any enterprise which they have reason to believe may be directly involved in their decisions or will create a conflict between the public and their private interests. (LL1 of 1970 §@2.3d)

##### §201.15 Disclosure of Personal Investments

Any Village official who learns that a personal investment would appear to influence them in their official duties shall immediately file a written disclosure of this interest with the Village Clerk, and shall refrain from discussion, deliberation or decisions on such matters. (LL1 of 1970 §@2.3e)

##### §201.16 Prohibited Sales

No sale of goods or services to anyone who is licensed or whose rates are fixed by the Village shall be made by any fulltime Village employee or firm or association of which such employee is a member, or corporation substantially owned or controlled by such employee. (LL1 of 1970 §@2.3f)

#### §201.2 Penalties

In addition to any other penalty under law, any Village official who knowingly and intentionally violates this section may be fined, suspended or removed from office or employment in the manner provided by law. (LL1 of 1970 §@2.3f)

#### All Village officials' duties under this Law include:

board of ethics, inclusion on ©§212.01,  
requesting opinions from ©§212.11;  
building inspector, cooperating with ©§242.8.

## Part 21 – Bodies

### §210 Village Board

#### §210.0 Setting Fees

(LL1 of 2002)

##### §210.00 Setting Fees by Resolution

The Village Board sets fees, reimbursement requirements, bonds and advance deposits for all permits and amusement center licenses by resolution

##### §210.01 Effective Date of Changes

Fees are effective for all applications made on or after the date the resolution setting the fee was adopted.

##### §210.02 Notice of Changes

Within 10 days of adoption, copies of a fee resolution must be posted conspicuously near the entrance to the Village Clerk's office, published in a newspaper of general circulation and provided to the Codes Enforcement / Economic Development Officer.

#### §210.1 Review of Building Inspector Decisions

All actions of the Building Inspector are reviewable by the Village Board. (LL4 of 1980 §@1b)

#### *The Village Board's Duties Also Include:*

amendments, setting hearings times and places, ©§031.2,  
source of amendments ©§031.0,  
2/3 vote of Board if landowners protest ©§031.6;

appointing Board of Ethics, ©§212.00,  
Building Inspector ©§242.1,  
Codes Enforcement/Economic Devlpmnt Ofc ©§243;  
Planning Board members, ©§214,  
ZBA chair/vice-chair ©§215.1,  
ZBA members ©§215.0,

cats, designating enforcement agents ©§742.3;  
defective public property, prior notice of ©§042.11;

dogs, designating enforcement agents ©§741.33,  
setting fines for violations ©§741.14,

environmental assessment, setting form ©§807.30,  
acting on if no other body designated ©§807.30;

fire inspectors, appeals on smoke detectors ©§245.6,  
receiving quarterly reports from ©§245.3,  
recommendations for technical inspectors ©§245.2;

firearms, permitting on Village property ©§651.1;

garbage stickers, setting the design for ©§470.24,  
setting the times and places at which sold ©§472.11;

licenses, amusements, acting on ©§710.30,  
determining application information ©§710.15,  
setting the fee and term for exhibitions ©§710.22,  
setting the fees for amusement centers ©§710.20,  
setting fees for parades ©§710.23,  
setting the fee and term for carnivals ©§710.21;

licenses, junk dealer, issuing ©§712.3,

receiving applications for ©§712.1;  
licenses, peddlers, issuing §713.3;  
licenses, waste haulers, burning/burying waste ©§714.53,  
determining form of proof of insurance ©§714.356,  
setting application forms ©§714.30,  
setting fees and deposits ©§714.31,  
setting fees for special events ©§714.7,  
setting insurance coverage ©§714.35;  
loading zones within fire lanes, establishing ©§323.32  
permits, approving building application forms ©§811.10,  
review for multiple dwellings ©§811.233;  
permits, communications, action on ©§812.21,  
authorizing transfer of permit ©§812.31,  
decennial review of permits ©§812.29,  
extending time to remove unused towers ©§812.36,  
finding existing facilities inadequate ©§812.23,  
public hearing on ©§812.22,  
receiving co-location letter of intent ©§812.35,  
receiving planning board advisory ©§812.20,  
reducing required setbacks ©§812.262,  
restricting use of non-compliant antennae ©§812.32,  
varying height limits ©§812.251 and §812.252;  
permits, occupancy, allowing non-conforming ©§814.2;  
permits, site plan, basis for issuing, general ©§815.20,  
basis for issuing in C-1 zones ©§815.21,  
determining application information ©§815.1,  
imposing conditions on ©§815.3;  
removing building inspector ©§242.2;  
sewers, acting as or appointing hearing board ©§540.07,  
authorizing extensions ©§543.40,  
whether village or developer pays for ©§544.70,  
receiving petition from property owners ©§544.72;  
sidewalk, hearings on defective ©§341.224,  
cost of repairs may be added to tax levy ©§341.225,  
resolution for cost-sharing repair program ©§341.5,  
setting contractors permit fees ©§341.32,  
setting maximum fines for contractors ©§341.42;  
solid waste, authorization to burn or bury ©§472.44,  
determining disposal of ©§472.0,  
notice of unpaid special handling fees ©§472.15,  
setting collection and disposal fees ©§472.16;  
traffic violations bureau, monthly reports from ©§359.07;  
unsafe structures, determining to demolish ©§700.40,  
directing issuance of final notices ©§700.36,  
extending compliance time ©§700.33,  
receiving reports of ©§700.31,  
requests for hearings before the Board ©§700.322,  
setting time and place for hearings on ©§700.34..

### §211 Assessment Review Board

(Reserved)

**§215.72 Need and General Prosperity**

There is a need for the use that will enhance the Village's convenience and prosperity.

**§215.73 Consistent and Not Adverse**

The variance is consistent with this Law's intentions and won't adversely affect neighboring persons or property or alter the essential character of the locality.

**§215.74 Minimum Deviation**

The variance granted is the minimum deviation from the provisions of Title 8 that will accomplish the purposes of §215.70 through §215.73

**§215.8 Variance Conditions**

Variances may include any conditions the Zoning Board of Appeals believes will improve compliance with the letter or spirit of this Law.

**The Zoning Board's Duties Also Include:**

extending deadline for termination of sex shops  
§720.31;

flood control variances, court appeals §875.02,  
authority to hear §875.00,  
basis for considering §875.01,  
basis for acting upon §875.03,  
placing conditions on §875.04;  
special permits, basis for multiple dwellings  
§816.26,  
hearing applications on §816.20,  
setting application information §816.1;

**Special Permits are Required for:**

auto shops/gas sales in southside C-2 zones §852.32;  
cemeteries in C-1 zones §851.30,  
C-2 zones §852.30,  
C-3 zones §853.30,  
R-1 zones §841.30,  
R-2 zones §842.30;  
explosives manufacturing in I-1 zones §855.30,  
I-2 zones §856.30;  
landfills in land conservation zones §843.30;  
multiple dwellings in C-1 zones §851.31,  
R-2 zones §842.32;  
nursing homes in C-1 zones §851.32;  
objectionable emissions in I-1 zones §855.31,  
I-2 zones §856.31;  
satellite dish, additional conditions for §838.22,  
no more than 10 feet across §838.20,  
no more than 12 feet high §838.20,  
over 8 feet above roofs §838.13,  
requiring greater setbacks for §838.21;

signs, freestanding §833.005;

taverns in C-1 zones §851.33,

C-2 zones §852.31,

C-3 zones §853.31;

temporary commercial buildings in R-1 §841.31,

R-2 zones §842.31.

**§216 Traffic Violations Bureau**

(LL1 of 1989 §60)

**§216.0 Staffing, Hours and Purpose**

The Village Justice shall determine the staff and operating hours of the Traffic Violations Bureau, which shall process violations of Parts 32 and 35.

**§216.1 Public Records**

All records kept by the Traffic Violations Bureau are public records.

**§216.2 Purpose**

Fines for violations of Parts 32 and 35 may be paid to the Traffic Violations Bureau.

**§216.3 Collection of Fines**

The Traffic Violations Bureau shall accept fines, issue receipts and represent violators who plead guilty and waive appearance in Court.

**§216.4 Assignment of Appearances**

The Traffic Violations Bureau shall assign and notify defendants of times for Court appearances.

**§216.5 Letter to Non-Respondents**

If a violator doesn't appear, the Traffic Violations Bureau may notify the owner of the ticketed vehicle of the violation and their responsibility to appear.

**§216.6 Summons**

If the owner or violator doesn't respond within three days of notification, the Traffic Violations Bureau may issue a summons requiring the owner to appear.

**§216.7 Records**

The Traffic Violations Bureau shall keep records of all fines collected and the status of every case, and report these monthly to the Village Board.

**§216.8 Right to Counsel**

Nothing in this section shall be construed to deprive anyone of their right to counsel or to appear in Court upon any charge under this Law.

**§216.9 Additional Duties**

The Traffic Violations Bureau shall perform additional duties as the Village Justice deems appropriate.

## §212 Board of Ethics

### §212.0 Constitution

(LL1 of 1970 §3.1)

#### §212.00 Number and Appointment

The Board of Ethics shall consist of five Village residents appointed by and serving at the pleasure of the Village Board.

#### §212.01 Inclusion of Village Officials

At least one, and not more than two, members of the Board of Ethics shall be Village officials.

#### §212.02 Ex Officio Members

The Village Attorney shall be an ex officio non-voting member of the Board of Ethics.

### §212.1 Advisory Opinions

(LL1 of 1970 §3.2)

#### §212.10 Legal Counsel

All opinions of the Board of Ethics shall be on the advice of counsel employed by them, or, if none, the Village Attorney.

#### §212.11 At Officials Request

The Board of Ethics shall issue advisory opinions on the Code of Ethics at the written request of Village officials.

#### §212.12 Code of Ethics Amendments

The Board of Ethics shall recommend amendments to the Code of Ethics at the Village Board's request.

#### §212.13 Confidentiality

Advisory opinions of the Board of Ethics are confidential and the identity of officials involved shall not be disclosed except as required by law.

### §212.2 Appropriations

The Board of Ethics shall not commit to the expenditure of any monies except as appropriated by the Village Board. (LL1 of 1970 §4.2)

## §213 Parks & Recreation Commission

(Reserved)

## §214 Planning Board

The Planning Board has seven members, one appointed by the Village Board each year to a seven-year term. (LL3 of 1996)

### *The Planning Board's Duties Also Include:*

- amendments to Title 8, recommending ©§031.0,
- reviewing and reporting on proposed ©§031.1;
- building permits, multiple dwellings ©§811.23,
- review of non-residential fencing ©§811.24;
- communications permits, decennial review ©§812.29,
- receiving applications for ©§812.10,

review and recommendation on ©§812.20;

## §215 Zoning Board of Appeals

(ZO §21.1)

### §215.0 Members and Method of Appointment

The five members of the Zoning Board of Appeals shall be village residents appointed by majority vote of the Village Board to three years terms, or the remainder thereof.

### §215.1 Chairperson and Vice-Chairperson

The Village Board appoints a Chairperson to chair meetings, administer oaths and compel witnesses' attendance, and a Vice-Chairperson to act in their absence.

### §215.2 Secretary

The Zoning Board of Appeals may appoint a Secretary to take minutes of all meetings and keep records.

### §215.3 Zoning Board of Appeals Quorum

Three members shall constitute a quorum.

### §215.4 Zoning Board Rules

The Zoning Board of Appeals shall adopt rules for its actions and procedures when and as it deems appropriate.

### §215.5 Authority to Hear Appeals

The Zoning Board of Appeals shall hear and decide appeals from any denied building or occupancy permit, or review any order or decision issued by a Village official under Title 8. All actions require a resolution, adopted by at least three affirmative votes.

### §215.6 Scope of Decisions

The Zoning Board of Appeals has authority to vary the application of any provision of Title 8 so that the spirit of this Law is observed, the public safety and welfare secured, and substantial justice done.

### §215.7 Basis for Decisions

In making its decisions, the Zoning Board of Appeals shall consider the health, safety and general welfare of the Village. No variance shall be granted absent the following findings regarding the site or structure(s) for which the variance is sought.

#### §215.70 Deprivation of Reasonable Use

The strict application of Title 8 would deprive the applicant of reasonable use of the site or structure(s).

#### §215.71 Unique Circumstances

There are special circumstances which:

- §215.710 are peculiar to the site or structure(s);
- §215.711 do not apply generally to the area or neighborhood; and
- §215.712 aren't the result of an act of the applicant, or a predecessor, taken after the adoption of the provision of Title 8, or a predecessor law, which the appeal seeks to vary.

underground work shall be performed only with the permission of, and are subject to the inspection of, the Public Works Superintendent. (GVO §@6.37)

**The Superintendent's Duties Also Include:**

defective public property, receiving notice of ©§042.0;  
transmitting notice of ©§042.1;

sewers, determining applications information ©§543.10,  
determining harmful discharge ©§545.3,  
determining need for control manholes ©§545.5,  
determining need for interceptors ©§545.43,  
easements, entry into for inspections ©§547.3,  
giving permission to pretreat ©§545.40,  
handling prohibited substances ©§545.41,  
inspecting connections ©§543.3,  
inspection of vents ©§544.9,  
inspection of work ©§547.0,  
inspecting private ©§542.2,  
issuing permits for connections ©§543.0,  
issuing permits to construct private ©§542.1,  
plumbing deviations in connections ©§544.5,  
safety rules when inspecting work ©§547.1,  
setting radioactive discharge limits ©§545.36,  
setting limits for toxic discharge ©§545.34,  
setting limits for odorous discharges ©§545.35,  
setting standards for garbage grinders ©§545.42,  
testing old sewers in new construction ©§544.2,  
unpolluted water discharge ©§545.1;

sidewalks, certifying the cost of repairs ©§341.43,  
determining contractors' insurance ©§342.33,  
granting extensions for repair ©§341.23,  
hearings on defective ©§341.224,  
inspecting defective ©§341.21,

inspection of repair permits ©§341.37,  
issuing notice of defective ©§341.22,  
issuing permits for repairs ©§341.31,  
ordering repair of defective ©§341.20,  
setting construction standards ©§341.36;  
solid waste, collection days for yard waste ©§472.35,  
determining collection schedules ©§472.2,  
prior notice of excessive yard waste ©§472.35,  
public service by violators ©§473.12;  
streets, permission for poles in margins ©§361.1,  
inspecting filled trenches in ©§350.03,  
permission to remove material from ©§350.01;  
waste haulers, enforcing regulations on ©§714.85;  
weed law, issuing notice of violation of ©§744.2;

**§235 Dept of Public Works Foremen**

*(Reserved)*

**§236 Parks and Recreation Director**

*(Reserved)*

**§237 Parks and Recreation Supervisors**

*(Reserved)*

**§238 Assessor**

*(Reserved)*

**§239 Bingo Inspectors**

*(Reserved)*

**Part 24 – Public Safety Officials**

**§240 Police Chief**

**§240.0 Assistance From Other Municipalities**  
(LL5 of 1992)

Pursuant to State General Municipal Law §@209m, the Police Chief is authorized to request assistance from and grant assistance to other municipalities.

**§240.00 Requesting Assistance**

Whenever the Police Chief deems it in the public interest, s/he may request the use of forces or materials from the commanding officer of any other law enforcement agency or local government.

**§240.01 Granting Assistance**

The Police Chief is authorized to provide the assistance of law enforcement personnel and material to

any other law enforcement agency or local government in need thereof.

**§240.02 Notification of Assistance**

The Police Chief shall expeditiously notify the Mayor or the Trustee liaison to the Police Department of provision of assistance under ©§240.01.

**§240.1 Delegation to Police Chief**

(LL1 of 1989 §@100)

Pursuant to §@2303(a) of the State Vehicle and Traffic Law and subject to the limitations of §@2345 and §@2384, the following powers granted the Village under Article 39 are assigned to the Police Chief:

**§240.10 Placement of Parking Signs**

to post "No Parking Here to Corner" or "No Standing Here to Corner" signs as needed to regulate traffic;

**§240.11 Designate School Loading Zone Times**

## Part 22 – Elected Officials

### §220 Mayor

***The Mayor's Duties Include:***

acting building inspector, appointing ©§243;  
 imminent danger, concurring ©§700.380;  
 police assistance to other villages, notified of ©§240.02;  
 waste haulers, revocation proceedings against ©§714.83.

### §221 Deputy Mayor

*(Reserved)*

### §222 Trustees

*(Reserved)*

### §223 Village Justice

***The Village Justice's Duties Include:***

traffic bureau, assigning additional duties to ©§359.09,  
 setting staff and hours of ©§359.00;  
 weapons, disposing of charges ©§650.1.

## Part 23 – Administrative Officials

### §230 Village Clerk

**§230.0 Custodian of Village Records**

The Village Clerk is custodian of all Village records.  
 (GVO §®®1.1)

**§230.1 Records of the Clerk's Office**

The Village Clerk keeps the permanent official records of all transactions and activities conducted by their office, including applications received, permits and licenses issued, fees charged and collected, inspection reports, and notices and orders issued. (LL4 of 1980 §®7)

***The Village Clerk's Duties Also Include:***

address changes, notification of ©§041.1;  
 amendments, dispensing full text of proposed ©§040.0,  
 receiving landowner protests ©§031.6;  
 amusement licenses, receiving applications for ©§710.1;  
 building notices and orders, receiving copies of ©§242.6;  
 building permits, receiving applications ©§811.10;  
 code of ethics, making available ©§201.02,  
 posting notice of ©§201.02,  
 receiving notice of conflicts under ©§201.15;  
 communications permits, receiving apps ©§812.10,  
 receiving copies of other licenses for ©§812.30;  
 defective public property, notifying the Board ©§042.11,  
 receiving notice of ©§042.0 and §042.10;  
 demolition orders, notifying owners of ©§700.41;  
 flood insurance study, on file with ©§872.1;

games of chance, receiving applications for ©§711.1;  
 public notices, dispensing full text of proposed ©§040.0,  
 fee resolutions ©§210.03,  
 posted in office window ©§040.1;  
 sidewalk, proof of workers' compensation ©§341.33,  
 receiving cost certification ©§341.43,  
 receiving standards for ©§341.36;  
 solid waste, bills for special handling fees ©§472.15;  
 seniors exemptions, receiving applications for ©§130.02,  
 deadline for receiving ©§130.12;  
 waste haulers, receiving proof of insurance ©§714.356;  
 weed removal, receiving cost certification for ©§744.2.

### §231 Deputy Village Clerk

*(Reserved)*

### §232 Village Treasurer

***The Village Treasurer's Duties Include:***

notice to waste haulers to replenish funds ©§714.44.

### §233 Village Court Clerks

*(Reserved)*

### §234 Public Works Superintendent

**§234.0 Inspection of Utility Subways**

Whenever anyone performs any subway work for telephone, electric light or similar work, all excavations and

finding to be unsafe ©§833.50,  
issuing permits ©§833.4;

structural fires, receiving reports of ©§245.1;  
structures, all must comply with orders of ©§700.10;  
unsafe buildings, demolition order, issuing ©§700.40,  
demolition orders, abated danger ©§700.412,  
determination of ©§700.31,  
emergencies, certifying costs incurred ©§700.383,  
emergencies, determining existence ©§700.380,  
emergencies, entry to enforce ©§700.381,  
emergencies, measures to safeguard ©§700.382,  
final order on, issuing ©§700.36,  
imminent danger, closure for ©§700.370,  
imminent danger notice, no removal ©§700.372,  
notice of correction ©§700.35,  
notice to owner of ©§700.31,  
requesting hearings on ©§700.322;  
waste haulers, enforcing regulations on ©§714.85.

### §243 Codes Enforcement / Economic Development Officer (CE/EDO)

The Village Board shall appoint a Codes Enforcement / Economic Development Officer to enforce all provisions of Titles 7 and 8. (ZO §@21.2)

#### *The CE/EDO's Duties Include:*

dogs, issuing tickets for habitually barking ©§741.162;  
fee changes, receiving notice of ©§210.03;  
occupancy permits, issuing ©§814.0,  
issuing for violative uses ©§814.2;  
sidewalk, authority to order repairs ©§341.20,  
granting extensions to repair ©§341.23,  
hearing on finding of defect ©§341.224,  
report of defect and inspections ©§341.21,  
serving notice on defective ©§341.22;  
signs with moving parts, granting a permit for ©§833.02;  
vehicles, 30-day extensions to sell unlicensed ©§732.23,  
not in use waiver ©§732.4.  
waste haulers, enforcing regulations on ©§714.85,  
inspecting vehicles of ©§714.41,  
receiving applications from ©§714.30.

### §244 Crossing Guards

(Reserved)

## §245 Fire Inspectors

### §245.0 Who Are Fire Inspectors

The Fire Prevention Code (©§701) and Fire and Smoke Detection Code (©§702) are enforced by the Building Inspector and the appointed Fire Inspector. (LL5 of 1980)

### §245.1 Reporting Structural Fires

All structural fires must be reported to the Building Inspector as soon as practical. (LL1 of 1976 §@6D)

### §245.2 Employing Technical Inspectors

The Fire Inspectors recommend employment technical inspectors to the Village Board when appropriate. (LL1 of 1976 §@6B)

### §245.3 Quarterly Reports

The Fire Inspectors report all proceedings under the Fire Codes, and statistics they deem appropriate, to the Village Board quarterly. (LL1 of 1976 §@6C)

### §245.4 Amendments to the Fire Code

The Fire Inspectors recommend desirable amendments to the Fire Codes. (LL1 of 1976 §@6C)

### §245.5 New Materials, Processes and Occupancies

After giving affected persons an opportunity to be heard, The Fire Inspectors determine and specify new materials, processes or occupancies which shall require permits, in addition to those listed in §701. (LL1 of 1976 §@6)

### §245.6 Appeals

The following decisions of the Fire Inspectors may be appealed to the Village Board within 30 days. (LL1 of 1976 §@4):

#### §245.60 Applications and Permits

Any disapproved applications or permits;

#### §245.61 Application of the Fire Code

Any claims that the provisions to the code do not apply to a specific situation.

#### §245.62 Interpretation of the Fire Code

Any claims that the true intent and meaning of the code have been misconstrued or wrongly interpreted.

#### *The Fire Inspector's Duties Also Include:*

waste haulers, enforcing requirements of §714.85.

## Part 25 – Volunteer Firefighters

(Reserved)

to set school bus loading zones times under ©§356.

**The Police Chief's Duties Also Include:**

extended parking, granting permission for ©§325;  
games of chance, supervising and controlling ©§711.5;  
outdoor storage violations, giving notice of ©§731.1;  
vehicle storage violations, giving notice of, 722.5.

**§241 Acting Justice**

*(Reserved)*

**§242 Building Inspector**

**§242.0 Purpose**

The Building Inspector enforces Titles 7 and 8, and other applicable requirements. (LL4 of 1980 §@1b and §@5a)

**§242.1 Appointment and Terms**

The Village Board appoints and fixes compensation for the Building Inspector for a one year term.

**§242.2 Removing the Building Inspector**

The Building Inspector can be removed only for cause after a public hearing before the Village Board on specific charges. (LL4 of 1980 §@6a)

**§242.3 Qualifications of the Building Inspector**

The Building Inspector must have satisfactory experience or professional training in building construction and design. (LL4 of 1980 §@6b)

**§242.4 Reviewing and Acting Upon Applications**

The Building Inspector receives, reviews and acts on all building and occupancy permit applications. (LL4 of 1980 §@5a-c)

**§242.5 Inspections**

The Building Inspector inspects all work sites and takes necessary action to insure compliance with all applicable laws. (LL4 of 1980 §@5b-c)

**§242.6 Notices and Orders**

The Building Inspector insures compliance with all applicable laws throughout construction, and issues notices and orders to correct illegal or unsafe conditions. Copies of all notices, orders and reports must be filed with the Village Clerk within 24 hours. (LL4 of 1980 §@5b-c)

**§242.7 Field Testing by Expert Personnel**

The Building Inspector may require tests in the field by expert personnel or testing agencies whenever s/he finds doing so necessary to insure compliance with applicable laws. (LL4 of 1980 §@5d)

**§242.8 Cooperation Of Other Departments**

All Village officials must cooperate with and assist the Building Inspector in performing her/his duties. (LL4 of 1980 §@8)

**§242.9 Indemnification from Liability**

The Village shall defend and indemnify the Building Inspector against judgment or liability for any official action taken or decision made under this Law or other applicable laws. (LL4 of 1980 §@25)

**The Building Inspector's Duties Also Include:**

actions may be reviewed by Village Board ©§210.1;  
building permits, application additional info ©§811.127,  
applications, approved ©§811.220,  
applications, approving amended ©§811.14,  
applications, disapproved ©§811.21,  
applications, review in reasonable time ©§811.20,  
entry, right of to inspect ©§811.30,  
extending expiration of ©§811.50,  
project plans, additional information ©§811.134,  
project plans, kept on file ©§811.222,  
revoking for erroneous issuance ©§811.52,  
revoking for falsification ©§811.51,  
revoking for improper work ©§811.53,  
revoking for non-compliance ©§811.54,  
sewer connections, inspecting ©§811.31,  
stop orders, basis for issuing §811.40;  
testing work or materials, order to ©§811.32,  
water connections, approving ©§811.31,  
electrical, copies of certificate of compliance ©§700.23,  
receiving reports of violations ©§700.20;  
fencing, setting equivalent sidewalk line for ©§834.6;  
fire inspector, designated as §245.0,  
appealing decisions by ©§245.6,  
determining new material requirements ©§245.5,  
issuing quarterly report ©§245.3,  
receiving reports of structural fires ©§245.1,  
recommending fire code changes ©§245.4,  
recommending technical inspectors ©§245.2;  
flood control, designated as local administrator ©§873.0,  
alteration of watercourses ©§873.23,  
appeals from BI's interpretation of ©§875.0,  
certificates of compliance ©§873.20,  
development permit applications ©§873.1,  
FIRM boundaries, implementing ©§873.24,  
inspections ©§873.26,  
obtaining and maintaining information ©§873.22,  
permit application review ©§873.20,  
stop work orders ©§873.25,  
use of flood base data ©§873.21;  
no work in defiance of an order by ©§700.10;  
satellite dish permits, receives applications for ©§838.15;  
signs, finding to be an immediate danger ©§833.51,

# Title 3: Public Property

## Part 30 – Public Buildings

(Reserved)

## Part 31 – Public Equipment

(Reserved)

## Part 32 – Public Parking

### §320 General Rules

#### §320.0 Exception for Emergency Stops

The provisions of this Part don't apply when it is necessary to stop a vehicle to avoid conflict with other traffic or to comply with the directions of a police officer or official traffic control device. (LL1 of 1989)

#### §320.1 Definitions

##### §320.10 Park

means stopping a vehicle and leaving it unattended by a person capable of operating it longer than necessary to load or unload passengers or freight. (GVO §7.14)

##### §320.11 Stand

means stopping a vehicle, with or without an operator in attendance, for a period longer than necessary to load or unload passengers or freight. (GVO §7.21)

##### §320.12 State Department of Motor Vehicles

All other terms are as defined in State Department of Motor Vehicles regulations.

### §321 Parking Prohibitions

To facilitate emergency services, plowing, road maintenance and traffic control, no person shall park a vehicle, attended or not, on any part of a street posted as "No Parking: Tow Away Zone". (LL1 of 1989 §70)

### §322 Prohibited Parking

(LL1 of 1989 §71, except as otherwise noted)

Parking is prohibited in the following areas:

#### §322.00 Parking on Sidewalks

any sidewalk or any area between the sidewalk and curb, except on (exceptions are Local Law 5 of 1991):

§322.000 both sides of East Manlius St between McCool and Hartwell Aves;

§322.001 both sides of Hartwell Ave between East Manlius and East Ellis Sts;

§322.002 on the east side of Hartwell Ave for 106 feet north from East Ellis St;

§322.003 on the east side of Hartwell Ave for 62 feet south from East Yates St;

§322.004 on the east side of Hartwell Ave for 55 feet north from East Heman St;

§322.005 on the east side of Hartwell Ave for 115 feet south from East Irving St;

§322.006 on the east side of Hartwell Ave for 82 feet north from East Irving St;

§322.007 on the east side of Hartwell Ave for 130 feet south from NYT Pole #15/22.

#### §322.01 Blocking Driveways

all streets in the Village in such manner as to block private or public driveways.

#### §322.02 Front Yards

on front yards, between dwelling and sidewalk and on any front yard equivalent in any residential area (LL7 of 1991).

§322.03 Allen St  
on the west side;

§322.04 Bagg St  
on both sides;

§322.05 Ball St  
on the east side;

§322.06 Bridge St (Original)  
on both sides;

## Part 26 – Retained Professionals

### §260 Village Attorney

***The Village Attorney's Duties Include:***

- board of ethics, advising ©§212.10,  
ex officio member of §212.02;
- demolition order, presenting to court ©§700.42;
- fire code, as corporation counsel ©§701.11;
- unsafe structures, compelling compliance ©§700.5,  
concurring on §700.380.

### §261 Planning and Zoning Attorney

*(Reserved)*

### §262 Village Engineer

***The Village Engineer's Duties Include:***

- sewers, acceptance of private ©§544.80,  
approving specifications for extensions ©§545.7,  
inspecting private ©§543.43,  
requiring information on permits ©§543.10.

### §263 Insurance Agent

*(Reserved)*

## Part 27 – Public Employees

*(Reserved)*

**§322.43 Welch St**

on both sides;

**§322.44 West Ave**

on the east side;

**§322.45 West Ellis St**

on the south side between Kinne and North Center Sts;

**§322.46 West First St**

on the south side;

**§322.47 West Heman St**

on the south side;

**§322.48 Henrietta St**

on the north side;

**§322.49 West Irving St**

on the north side;

**§322.50 West Manlius St:**

§322.500 on the south side between Ball and North Center Sts;

§322.501 on the north side from Silver St to North St (LL4 of 1998),

§322.502 on the south side for a distance of 150 feet east of William St;

§322.503 on the north side between Highland Ave and West Yates St;

§322.504 on the south side opposite West Yates St for a distance of approximately 130 feet west as posted;

**§322.51 West Second St**

on the south side;

**§322.52 West Terrace St**

on the north side from Ball St to Clark St Bridge;

**§322.53 West Yates St**

on the north side;

**§322.54 Williams St**

on the east side (LL3 of 1998).

**§322.55 Worth St**

on the west side.

**§323 No Parking or Standing****§323.0 No Parking or Standing Anytime**

(LL1 of 1989 §@73f)

Parking or standing is prohibited on:

**§323.00 East Ave**

on the east side of the 100 block;

**§323.01 East Ellis St**

on the north side for 224 feet east of North Center St;

**§323.02 West Manlius St**

on the south side from 40 feet west of Allen St to 30 feet east of it.

**§323.1 No Parking or Standing Here to Corner**

(LL1 of 1989 §@73a, except as otherwise noted)

Parking is prohibited between posted signs and intersections on/at:

**§323.10 Intersections**

all intersections as posted pursuant to this Law.

**§323.11 Division St:**

§323.110 for 15 feet south of West Manlius St;

§323.111 for 15 feet north of Terrace St.

**§323.12 Manlius St, north side:**

§323.120 for 91 feet east of North Center;

§323.121 for 20 feet west of North Center St;

§323.122 for 35 feet east of Kinne St;

§323.123 for 33 feet west of Kinne St;

§323.124 for 39 feet east of East Ave;

§323.125 for 48 feet west of East Ave;

§323.126 for 40 feet east of Highland Ave.

**§323.13 Manlius St, south side:**

§323.130 for 29 feet west of Ball St;

§323.131 for 51 feet east of Division St (LL1 of 1997);

§323.132 for 15 feet west of Division St;

§323.133 for 20 feet west of William St;

§323.134 for 85 feet east of Burnet Ave;

§323.135 for 253 feet west of Burnet.

**§323.2 No Parking – Bus Stop**

(LL1 of 1989 §@73b)

Parking at posted bus stops is prohibited on/at:

**§323.20 Bus Stops**

other points throughout the Village along the approved bus route as posted.

**§323.21 Manlius St:**

§323.210 on the north side for 36 feet east of Silver St;

§323.211 on the north side for 26 feet east of North St;

§323.212 on the north side for 109 feet east of North Center St.

**§323.3 Fire Lanes**

(LL1 of 2000, except as otherwise noted)

**§323.30 Definition**

Fire lanes are areas in which parking or standing is prohibited for any but emergency vehicles.

**§323.31 Fire Lane Width**

All fire lanes shall be thirty feet wide, measured from the curbing in front of the building where located.

**§323.32 Loading Zones Within**

The Village Board may, by resolution, establish loading zones within designated fire lanes for use by any vehicle for loading merchandise for no more than fifteen minutes. (LL2 of 2002)

**§322.07 Burke St**  
on the west side (LL 2 of 1997);

**§322.08 Burrows St**  
on the east side;

**§322.09 Charles St**  
on the east side;

**§322.10 Clark St**  
on both sides;

**§322.11 Dausman St**  
on the east side;

**§322.12 Division St**  
on the east side;

**§322.13 East Ave**  
on the east side;

**§322.14 East Ellis St**  
on the south side between its intersections with North Center and Dausman Sts;

**§322.15 East Heman St**  
on the south side;

**§322.16 Henrietta St**  
on the north side;

**§322.17 East Irving St**  
on the north side;

**§322.18 East Manlius St:**

    §322.180 on the south side from a point 115 feet east of the east curb line of southerly North Center St to a point 50 feet east of the east curb line of Bridge St.

    §322.181 on the north side from the west curbline of Upton St to a point 130 feet west of the west curb line of Upton St.

    §322.182 on the north side for a distance of 200 feet east of the east curbline of Upton St.

    §322.183 on both sides between McCool and Hartwell Aves.

**§322.19 East Second St**  
on the south side;

**§322.20 East Terrace St**  
on both sides between Ray and North Center Sts;

**§322.21 East Yates St**  
on the north side;

**§322.22 East First St**  
on the south side;

**§322.23 Hartwell Ave**  
on both sides between East Manlius and East Ellis Sts.

**§322.24 Henry St**  
on both sides;

**§322.25 Highland Ave**  
on the west side between Yates and James Sts, and on both sides between West Manlius and Yates Sts.

**§322.26 Horton Place**  
on the west side;

**§322.27 Kane St**  
on the west side;

**§322.28 Kinne St**  
on the east side between West Manlius and James Sts, and on the west side for a distance of 100 feet north of West Manlius St.

**§322.29 Marcy St**  
on the west side;

**§322.30 McCool Ave**  
on the west side, and on the East Side of from East Irving to James Sts;

**§322.31 Midland Ave**  
on the north side;

**§322.32 Mosher St**  
on the north side;

**§322.33 North St**  
on the west side;

**§322.34 North Center St:**

    §322.340 the east side between East Manlius East Ellis Sts for a distance of 150 feet between signs immediately in front of the fire truck entrance of the Municipal Building. This restriction constitutes a tow-away zone.

    §322.341 the west side between West Manlius and West Ellis Sts for a distance of approximately 180 feet between the signs immediately across the street from the fire truck entrance of the Municipal Building. This restriction constitutes a tow-away zone.

    §322.342 the west side between Ellis and James Sts, and between Manlius and Terrace Sts.

**§322.35 Phelps St**  
on the north side;

**§322.36 Schrouder St**  
on the west side;

**§322.37 Silver St**  
on both sides between West Manlius and West Ellis Sts, and on the west side between West Ellis and Henrietta Sts.

**§322.38 South Center St**  
on the west side;

**§322.39 Spring St**  
on the west side;

**§322.40 Stoutenger St**  
on the west side;

**§322.41 Third St**  
on the south side;

**§322.42 Upton St**  
on the west side;

**§323.33 Loading Zone Ticketing**

Fire Department Chiefs are authorized to issue tickets for fire lane violations. (LL2 of 2002)

**§323.34 Bennett Manor**

at 100 Bennett Manor Dr for approximately 75 feet along the building front as marked;

**§323.35 BJ's Wholesale Club**

at 2 Chevy Dr for approximately 300 feet along the building front as marked;

**§323.36 Wal-Mart**

at 6438 Basile Rowe for approximately 425 feet along the building front as marked;

**§324 Limited Parking****§324.0 Two-Hour Parking**

(LL1 of 1989 §@72a)

Parking is prohibited for more than 2 hours on Mondays through Saturdays from 8 am to 6 pm on:

**§324.00 East Manlius St**

on the north side from 160 feet west of Upton St to North Center St, except as otherwise posted;

**§324.01 West Manlius St**

§324.010 on both sides between Highland Ave and Ball St, except as otherwise posted,

§324.011 on the north side from directly opposite Ball St to North Center St, except as otherwise posted;

**§324.02 William St**

on the east side.

**§324.1 One-Hour Parking**

(LL1 of 1989 §@72b)

Parking is prohibited for more than 1 hour on Mondays through Saturdays from 8 am to 6 pm on:

**§324.10 North Center St**

§324.100 on the east side from 30 to 143 feet north of East Manlius St;

§324.101 on the west side from 36 to 127 feet north of West Manlius St.

**§324.2 Thirty Minute Parking**

(LL1 of 1989 §@73c, except as otherwise noted)

Parking is prohibited for more than 30 minutes on Mondays through Saturdays from 8 am to 6 pm on:

**§324.20 East Ave**

on the west side for approximately 190 feet north of West Manlius St;

**§324.21 North Center St**

on the west side from 30 feet north of West Manlius St to 30 feet south of East Ellis St (LL1 of 1991);

**§324.22 West Manlius St**

§324.220 on the north side from 10 feet west of the Post Office driveway to 39 feet east of East Ave;

§324.221 on the south side from 20 feet west of Williams St to opposite East Ave.

**§324.3 Fifteen Minute Parking**

(LL1 of 1989 §@72c)

Parking is prohibited for more than 15 minutes on:

**§324.30 West Manlius St**

on the north side from 20 to 80 feet west of North Center St.

**§324.4 Loading Zones**

(LL1 of 1989 §@73d)

Parking is prohibited in posted Loading Zones from 8 am to 6 pm on:

**§324.40 Manlius St:**

§324.400 on the north side for 26 feet east of Allen St as posted;

§324.401 on the north side from 91 to 109 feet east of North Center St.

**§324.5 Municipal Parking lots**

Except for persons on Village business, parking is prohibited from 2 am to 6 am in the Village's lots at North Center and West Ellis Sts. (LL1 of 1989 §@72d)

**§324.6 Handicapped Parking**

(LL1 of 1994)

**§324.60 Permit Required**

Parking is prohibited in any area designated as handicapped parking, unless the vehicle displays a handicapped parking permit under §@1203-a of the State Vehicle and Traffic Law and the person to whom such permit was issued is being transported.

**§324.61 Designated Areas**

The following is designated as handicapped parking:

§324.610 North Center St, on the west side from 25 to 110 feet north of West Manlius St.

**§325 Extended Period Parking**

Parking is prohibited for more than 120 hours without written approval from the Police Chief. (LL1 of 1989 §@73g)

**§326 All Night Parking**

Parking is prohibited from 2 am and 6 am from November 1 to April 1. (LL1 of 1989 §@74)

**§327 Angle Parking**

Angle parking is prohibited except on the west side of McCool Ave from 315 to 772 feet north of East Irving St. (LL1 of 1989 §@73e)

**§328 Parking Violation Penalties**

(LL3 of 2000)

**§328.0 General Parking Violations****§328.00 Fines Paid Within 7 Days**

Anyone charged with violating this Part shall respond within 7 days of the issuance of the summons, and, if convicted, shall be fined: \$15

§328.000 \$20 for All Night Parking;

§328.001 \$25 for Handicapped Parking;

§328.002 \$15 for all other violations.

**§328.01 Fines Paid After 7 Days**

If a violator does not respond within 7 days, the Traffic Violations Bureau shall issue a letter to the violator advising of an increased fine and directing the violator to respond within 7 days of this letter. The increased fines shall be:

§328.010 \$30 for All Night Parking;

§328.011 \$50 for Handicapped Parking;

§328.012 \$25 for all other violations.

**§328.02 Summons for Failure to Respond**

If a violator does not respond to the letter from the Traffic Violations Bureau within 7 days of issuance,

a criminal summons shall be issued by the court, and the fine shall be:

§328.020 \$40 for All Night Parking;

§328.021 \$50 for Handicapped Parking;

§328.022 \$30 for all other violations.

**§328.03 Arrest Warrants**

Upon service of this summons by the Police Department and the violator's failure to respond to the summons, a warrant for the arrest of the violator shall be issued and the fine shall be

§328.030 \$60 for All Night Parking;

§328.031 \$50 for Handicapped Parking;

§328.032 \$50 for all other violations.

**§328.1 Fire Lane Penalties****§328.10 Illegal Use**

Anyone convicted of parking or standing in a Fire Lane illegally, other than in a designated loading zone (©§323.3) shall be fined from \$100 to \$500.

**§328.11 Illegal Use**

Anyone convicted of parking illegally in a designated loading zone within a Fire Lane (©§323.32) shall be fined up to \$50.

**Part 33 – Public Parks***(Reserved)***Part 34 – Public Pedestrian Thoroughfares****§340 General Rules for Sidewalks****§340.0 Awnings**

No one shall build any awning over any Village sidewalk or street without a written permit. (GVO §2.1)

**§340.1 Littering Sidewalks**

No one shall deposit any article on any Village sidewalk without a written permit, or sweep, throw or dispose of any ashes, stones, grass, weeds or rubbish of any kind thereon. (GVO §2.2 and §6.29)

**§340.2 Sidewalks Are for Pedestrians**

Except for vehicles using driveways which cross them, sidewalks are for the exclusive use of pedestrians. (GVO §2.3)

**§340.3 Property Owners and Snow Removal**

Property owners shall keep sidewalks adjacent to their property free of obstructions, and shall remove all snow and ice. If any property owner fails to do so within a reasonable length of time, the Village may, upon verbal notice to the property owner, remove the snow or ice and add the cost thereof to the tax levy for that property. (GVO §2.3)

**§341 Sidewalk Maintenance****§341.0 Duty to Repair Sidewalks**

Property owners are responsible for all necessary maintenance on sidewalks adjacent to their property, and shall keep them in reasonably good and safe repair regardless of the type of sidewalk. (LL7 of 2001 §1.1)

**§341.1 Defective Sidewalk Conditions**

(LL7 of 2001 §1.2)

Defective sidewalks are any:

**§341.10 Irregular Surfaces**

whose surface is peeling or crumbling, or has gaps, holes, depressions, breaks, projections or other irregularities;

**§341.11 Uneven Blocks**

with ridges or gaps or differences in elevation between adjoining sections;

**§341.12 Not Level**

with sections that aren't level, except for handicap ramps, driveway approaches or similar situations;

**§341.2 Notice Requirements**

(LL7 of 2001 §@2)

**§341.20 Jurisdiction to Issue Notice of Defects**

The Public Works Superintendent, Codes Enforcement / Economic Development Officer or their designated agents may order the repair of defective sidewalks and take remedial action.

**§341.21 Inspection and Report**

The Public Works Superintendent or Codes Enforcement / Economic Development Officer shall inspect any sidewalk reported to be defective and file a report in their office.

**§341.22 Confirmation and Notice**

Where sidewalk defects are confirmed, the Public Works Superintendent or Codes Enforcement / Economic Development Officer shall serve notice on the owner or agent and post a copy of the notice in a conspicuous place on the premises. The notice shall contain the following:

- §341.220 the premises where the defective sidewalk is located;
- §341.221 specification of the sidewalk's defects;
- §341.222 designation of the area where repair or replacement must be made;
- §341.223 an order that repairs commence within 40 days of the notice;
- §341.224 the procedure to request a hearing before the Village Board if the owner does not agree with the findings of the Public Works Superintendent or Codes Enforcement / Economic Development Officer, which hearing shall be scheduled not less than 20 business days from the date of service of the written notice;
- §341.225 a statement that, if this order is not complied with, the Village Board is authorized to have the sidewalk repaired and add the cost to the tax levy for the property.

**§341.23 Extensions**

The Public Works Superintendent or Codes Enforcement / Economic Development Officer may extend the compliance deadline in writing for cause and with reasonable terms and conditions.

**§341.3 Work And Material Requirements**

(LL7 of 2001 §@3)

**§341.30 Inspection and Correction**

The property owner/contractor is responsible for the quality of the finished sidewalk. A representative of the Public Works Dept will inspect the project from time to time, and may require the owner to remove and replace new construction that does not meet the construction standards herein.

**§341.31 Application and Permit**

Before starting sidewalk repair or construction, the contractor or owner must obtain a sidewalk permit from the Public Works Superintendent or his designee. Applications are furnished by the Public Works Superintendent.

**§341.32 Fees**

The sidewalk permit fee, as set by resolution of the Village Board, is paid when application is made.

**§341.33 Workers' Compensation Certificate**

No sidewalk permit shall be issued until the contractor has filed a certificate with the Village Clerk proving worker's compensation insurance coverage for all employees and such other insurance as the Public Works Superintendent may require.

**§341.34 Prohibition of Substandard Work**

All work shall conform to the grade established by the Department of Public Works.

**§341.35 Concrete Required**

All replacement sidewalks shall be made of concrete.

**§341.36 Standards for Construction**

All sidewalk work must conform to regulations established by the Public Works Superintendent and filed with the Village Clerk, which shall include:

- §341.360 minimum width and depth of sidewalk sections in residential and business areas;
- §341.361 excavation and sub-base requirement;
- §341.362 forming and reinforcement;
- §341.363 concrete mixture specifications, fine and coarse aggregate specifications;
- §341.364 water quality;
- §341.365 mixing of concrete ingredients;
- §341.366 joints and finishing;
- §341.367 protection of wet concrete;
- §341.368 construction safeguards;
- §341.369 any other items the Public Works Superintendent deems appropriate.

**§341.37 Permit to be Available for Inspection**

Contractors shall make sidewalk permits available for inspection by the Public Works Superintendent or their agent.

**§341.4 Enforcement**

(LL7 of 2001 §@4)

**§341.40 Prohibition of Obstruction**

It shall be unlawful for any person, whether or not interested in the property affected by this Part to hinder or obstruct the Department of Public Works or any person acting on his behalf and including any contractor not performing the work pursuant to this Part.

#### **§341.41 Ineligible Replacements**

Sidewalk work performed by the Village because the owner failed to agree to the work shall be ineligible for any Village sidewalk reimbursement plan.

#### **§341.42 Sidewalk Violation Penalties**

Any one violating this Part shall be subject to a fine set by resolution of the Village Board, and to any other remedies or actions under this or other laws.

#### **§341.43 Reimbursement for Village Work**

When the Village performs work under this Part, the Public Works Superintendent shall notify the Village Clerk of the cost of this work, and the Village Clerk shall send a bill for this amount plus 25% to the property owner, along with a copy of this Part. Any balance not paid within 30 days shall be added to the tax levy for that property

#### **§341.5 Village Sidewalk Repair Program**

When a program, as set by resolution of the Village Board, is in effect to share the cost of sidewalk repair with residents, repair of a defective sidewalk through participation in that program shall constitute compliance with this Part. (LL7 of 2001 §@5)

## **Part 35 – Public Vehicular Thoroughfares**

### **§350 General Traffic Rules**

#### **§350.0 Materials and Excavations on Streets**

##### **§350.00 Removal of Material**

No one shall remove any stone, earth, sand or gravel from any street without permission from the Public Works Superintendent. (GVO §@2.30)

##### **§350.01 Spillage**

No one shall transport gravel, stone, sand, dirt or other substance through Village streets, except in a vehicle constructed to prevent the material from falling in the street. (GVO §@2.33)

##### **§350.02 Barricades and Refilling**

Anyone who digs any hole in any street shall place suitable barricades and signals marking it, and shall refill and finish the hole to the Public Works Superintendent's satisfaction. (GVO §@2.28)

#### **§350.1 Penalties for Traffic Violations**

(LL3 of 2000)

##### **§350.10 Traffic Control Device Violations**

Anyone convicted of traffic control device violations shall be fined \$5 for the first offense, \$8 for the second, and \$10 for the third and succeeding offenses.

##### **§350.11 Speed Limit Violations**

Anyone convicted of speeding shall be fined up to \$250, imprisoned for up to 250 days, or both.

##### **§350.12 All Other Violations**

Anyone convicted of violating any other provision of this Part shall be fined up to \$50, imprisoned for up to 30 days, or both.

### **§351 Definitions**

(LL1 of 1989 §@1)

Terms used in this Part and not herein defined, are defined by Article 1 of the State Vehicle and Traffic Law.

### **§352 Traffic Control Devices**

#### **§352.0 Traffic Lights**

Traffic at the intersection of Burnet Ave and Clinton St is controlled by a light. (LL1 of 1989 §60)

#### **§352.1 Auxiliary Control Lights**

Signs auxiliary to traffic control devices, such as "no right turn on red", may be erected as authorized by the State Dept of Transportation. (LL1 of 1989 §61)

### **§353 One-Way Streets**

(LL1 of 1989 §@30)

The following streets are one-way in the cited direction:

#### **§353.0 Ray Street**

southbound;

#### **§353.1 Upton St**

in the 100 block, northbound.

### **§354 Stop and Yield Intersections**

(LL1 of 1989 §40, except as otherwise noted)

Traffic on the following streets is controlled by stop signs at the listed intersections.

#### **§354.00 Allen St:**

§354.000 at James St;

§354.001 at Midland Ave (LL4 of 1993);

§354.002 at West Manlius St.

§354.302 at West Yates St;  
 §354.303 at West Manlius St.

**§354.31 Spring St:**

§354.310 at East Irving St;  
 §354.311 at Spring St at East Heman St.

**§354.32 South Center St:**

§354.320 at East/West First Sts;  
 §354.321 at South Center St at West Second St;  
 §354.322 at South Center St at Third St.

**§354.33 Stoutenger St:**

§354.330 at West First St;  
 §354.331 at West Second St.

**§354.34 Upton St:**

§354.340 at East Heman Street;  
 §354.341 at East Yates St;  
 §354.342 at East Ellis St (LL5 of 1998).

**§354.35 Welch St**

at East Second St.

**§354.36 West Ave:**

§354.360 at James St;  
 §354.361 at Midland Ave;  
 §354.362 at West Yates St.

**§354.37 West Ellis St:**

§354.370 at Kinne St;  
 §354.371 at Silver St;  
 §354.372 at North Center St.

**§354.38 West Heman St:**

§354.380 at Kinne St;  
 §354.381 at Silver St;  
 §354.382 at North Center St.

**§354.39 West Henrietta St**

at North Center St.

**§354.40 West Irving St:**

§354.400 at Kinne St;  
 §354.401 at Silver St;  
 §354.402 at North Center St.

**§354.41 West Second St:**

§354.410 at Bagg St;  
 §354.411 at South Center St;  
 §354.412 at Stoutenger St (LL1 of 1991).

**§354.42 West Yates St:**

§354.420 at West Manlius St;  
 §354.421 at East Ave;  
 §354.422 at Highland Ave (LL1 of 2001);  
 §354.423 at Kinne St;  
 §354.424 at Silver St;  
 §354.425 at North Center St.

**§354.43 William St:**

§354.430 at West Manlius St;  
 §354.431 at West Terrace St.

**§354.44 Worth St:**

§354.440 at James St;  
 §354.441 at West Manlius St.

**§355 Public Thoroughfare Speeds****§355.0 General Rules****§355.00 Speed Limit Signs on Main Arteries**

Speed limit signs shall be posted on every main artery entering the Village in accordance with the State Vehicle and Traffic Laws. (GVO §8.17)

**§355.01 Speed Limit Signs at Entrances**

Signs shall be posted on any highway where the speed limit is regulated by Section 54 of the State Vehicle and Traffic Laws. (GVO §8.19)

**§355.02 Unsafe Speeds**

No one shall operate a vehicle at speeds dangerous to people or property, either in terms of controlling or safely stopping the vehicle. (GVO §8.20)

**§355.1 General Speed Limits**

The speed limit on all Village streets is 30 miles per hour, except as listed in §355.2 and on the Bridge St – Route 290 arterial from the southern to eastern Village lines. (LL1 of 1989 §50)

**§355.2 School Zones**

(LL1 of 1989 §51)

Except as otherwise prescribed by State Law, the speed limit is 20 miles per hour in the school zones on:

**§355.20 East Heman St**

for 300 feet east and west of Heman St Elementary School;

**§355.21 East Irving St**

from 300 feet east and west of Heman St Elementary School;

**§355.22 Kinne St**

from 250 feet north of the Kinne St Elementary School building to 300 feet south of St. Matthew's School building;

**§355.23 West Heman**

for 300 feet east of Kinne St;

**§355.24 West Irving St**

for 300 feet east of Kinne St.

**§356 School Bus Loading Zones**

(LL1 of 1989 §757)

**§356.0 Traffic Prohibited**

Traffic is prohibited on East Irving St between McCool Ave and the western boundary of School property, during such times as directed by the Police Chief.

**§356.1 School Bus Loading Zones Penalties**

Any person convicted of violating this section shall be fined between \$25 and \$50. (LL3 of 2000)

- §354.01 Bagg St**  
at West Second St.
- §354.02 Ball St:**  
§354.020 at West Manlius St;  
§354.021 at West Terrace St.
- §354.03 Basile Rowe**  
at Route 290.
- §354.04 Bridge St (Original)**  
at East Second St.
- §354.05 Charles St:**  
§354.050 at West Manlius St;  
§354.051 at West Terrace St.
- §354.06 Chevy Dr**  
at Bridge St Extension.
- §354.07 Dausman St:**  
§354.070 at Hartwell Ave;  
§354.071 at East Irving St/Bennett Manor Dr;  
§354.072 at East Heman/Mosher Sts;  
§354.073 at East Ellis/Yates Sts.
- §354.08 Division St:**  
§354.080 at West Manlius St;  
§354.081 at West Terrace St.
- §354.09 East Ave:**  
§354.090 at James St;  
§354.091 at Midland Ave;  
§354.092 at West Yates St;  
§354.093 West Manlius St.
- §354.10 East Ellis St;**  
§354.100 at North Center St;  
§354.101 at Upton St;  
§354.102 at McCool Ave;  
§354.103 at Hartwell Ave.
- §354.11 East First St**  
at East Manlius St.
- §354.12 East Heman St:**  
§354.120 at North Center St;  
§354.121 at Upton St;  
§354.122 at McCool Ave;  
§354.123 at Hartwell Ave;  
§354.124 at St Dausman St.
- §354.13 East Henrietta St**  
at North Center St.
- §354.14 East Irving:**  
§354.140 at North Center St;  
§354.141 at Heman St School Crosswalk between North Center St and McCool Ave;  
§354.142 at McCool Ave;  
§354.143 at Hartwell Ave;  
§354.144 at Dausman St.
- §354.15 East Second St**  
at South Center St.
- §354.16 East Yates St:**  
§354.160 at North Center St;  
§354.161 at Upton St;  
§354.162 at Hartwell Ave;  
§354.163 at McCool Ave;  
§354.164 at East Ellis St.
- §354.17 Highland Ave:**  
§354.170 at James St;  
§354.171 at Midland Ave;  
§354.172 at West Yates St.
- §354.18 Horton Pl**  
at West Manlius St.
- §354.19 James St:**  
§354.190 at Kinne St;  
§354.191 at Silver St;  
§354.192 at North Center St (LL6 of 1997).
- §354.20 Kane St**  
at Burnet Ave.
- §354.21 Kinne St**  
at James St.
- §354.22 Marcy St**  
at West Manlius St.
- §354.23 McCool Ave:**  
§354.230 at James St;  
§354.231 at East Irving Street;  
§354.232 at East Heman St;  
§354.233 at East Manlius St.
- §354.24 Midland Ave:**  
§354.240 at Allen St;  
§354.241 at West Ave (LL1 of 1990);  
§354.242 at Highland Ave;  
§354.243 at East Ave;  
§354.244 at Kinne St.
- §354.25 Mosher St**  
at Dausman St.
- §354.26 North St:**  
§354.260 at West Ellis St;  
§354.261 at West Manlius St (LL1 of 1993).
- §354.27 North Center St:**  
§354.270 at James St;  
§354.271 at East/West Henrietta Sts (LL3 of 1993);  
§354.272 at East/West Irving Sts;  
§354.273 at East/West Heman Sts;  
§354.274 at East/West Yates Sts;  
§354.275 at East/West Ellis Sts.
- §354.28 Phelps St:**  
at Burrows St.
- §354.29 Schrouder St:**  
§354.290 at James St;  
§354.291 at West Manlius St.
- §354.30 Silver St:**  
§354.300 at West Irving St;  
§354.301 at West Heman St;

**§357 Truck Route System**

(LL1 of 1989 §@80, except as otherwise noted)

**§357.0 Trucks Defined**

For the purposes of this section, trucks are any vehicle with a maximum gross weight of more than 3 tons.

**§357.1 Designated Routes**

(LL1 of 1989 §@80a)

Through traffic for trucks is permitted only on:

- §357.100 Bagg St;
- §357.101 Bridge St;
- §357.102 Burnet Ave;
- §357.103 Burrows St;
- §357.104 East Manlius St;
- §357.105 East Second St east of Welch St;
- §357.106 First St west of Welch St;
- §357.107 Hartwell Ave;
- §357.108 James St;
- §357.109 Johnson St;
- §357.110 Kane St;
- §357.111 Phelps St;
- §357.112 Second St west of Bagg St;
- §357.113 South Center St;
- §357.114 Third St;
- §357.115 Welch St;
- §357.116 West Manlius St;
- §357.117 Worth St;

**§357.2 To and From Destinations**

Trucks may also travel on any block of any street on which they have a specific destination, and on such other streets as provide the shortest route to and from that destination and the truck routes designated in ©§357.1.

**§357.3 Truck Exclusion Penalties**

Anyone convicted of violating this section shall be fined from \$75 to \$250. (LL3 of 2000)

**§358 Impounded Vehicles****§358.0 Authority to Impound Vehicles**

(LL1 of 1989 §@80)

**§358.00 Abandoned During emergencies**

Any vehicle parked on a Village street that interferes with traffic or emergency efforts may be removed by the Police Department.

**§358.01 Parked Illegally**

Vehicles parked where stopping, standing or parking is prohibited may be removed by the Police Dept.

**§358.1 Storage Charges**

(LL1 of 1989 §@81)

Vehicles removed under ©§358.0 shall be stored in a suitable place and released only after the owner or their agent reimburses the Police Dept for incurred costs of up to \$50 for towing and \$5 per day for storage.

**§358.2 Notice of Removal**

(LL1 of 1989 §@81)

The Police Dept shall determine the owner of impounded vehicles as quickly as possible and notify them of the removal, place of storage and the costs incurred therein.

**§358.3 Lien Against Impounded Vehicles**

The proprietor of any storage place shall have a lien against any impounded vehicle for the cost of its storage.

**Part 36 – Street Margins****§360 Definition of Street Margins**

Street Margins are those areas between village sidewalks and curbs, or, where there are no sidewalks, the area within the street right-of-way outside the paved street.

**§361 General Rules for Street Margins****§361.0 Debris**

Property owners shall keep the street margin in front of their property free of all debris. (GVO §@2.5)

**§361.1 Poles**

No poles shall be placed in street margins without written permission from the Public Works Superintendent. (GVO §@2.35)

**§361.2 Trees**

Property owners are responsible for trimming shade trees in the street margins in front of their property. (GVO §@2.36)

# Title 4: Public Services

## Part 40 – Dependent Care

*(Reserved)*

## Part 41 – Health Services

*(Reserved)*

## Part 42 – Homesteading

*(Reserved)*

## Part 43 – Housing

*(Reserved)*

## Part 44 – Recreation

*(Reserved)*

## Part 45 – Rental Assistance

*(Reserved)*

## Part 46 – Senior Programs

*(Reserved)*

## Part 47 – Solid Waste Removal

### §470 Definitions

(LL5 of 2001 §86)

#### §470.00 Approved Disposal Site

is the Onondaga County Waste-to-Energy Facility on Rock Cut Road in the Town of Onondaga.

#### §470.01 Ashes

are all material remaining after combustion.

#### §470.02 Construction Debris

is discarded building material, concrete and construction by-products. (LL4 of 2002)

#### §470.03 Containers

are any plastic, metal or wood container for solid waste which won't disintegrate when wet and, as filled, weighs no more than seventy five pounds with a volume of no more than thirty gallons.

#### §470.04 County Designated Recyclable Materials

are those recyclables designated by the County and OCRRA pursuant to Local Law 12 of 1989, including the following:

§470.040 **Beverage Cartons** include gabled topped paper cartons that contained milk and juice products.

§470.041 **Corrugated Paper** is cardboard containers, boxes and packaging, including Pizza boxes, which are cleaned of contamination by food wastes or the polystyrene commonly called styrofoam, and which have been flattened for transport.

§470.042 **Glass** is empty, washed glass jars, bottles and containers of clear, green and amber (brown) glass that contained food or drink, with caps removed. Glass is not ceramics, window glass, auto glass, mirrors and kitchenware.

§470.043 **Kraft Paper** is found in brown paper bags and package wrapping.

§470.044 **Metal** is all metals, including: steel, aluminum and composite cans and containers (cleaned of food wastes), and empty aerosol cans that did not contain hazardous material. Metal is not scrap metal, wire, pipes, tubing, motors, sheet metal, etc., all of which are recyclable but must be recycled through scrap dealers.

§470.045 **Mixed Paper** is discarded and bulk mail, computer paper, colored paper, greeting cards, wrapping paper and carbonless multi-part forms. Mixed paper is not any paper coated with foil or plastic.

§470.046 **Newspaper** is common machine finished paper, free of contaminants, made chiefly from wood pulp used for printing newspapers, glossy inserts, magazines and catalogues.

§470.047 **Office Paper** is all bond paper, computer printout, stationery, photocopy and ledger paper of any color from all waste generators. Office paper is not carbon paper, chemical transfer paper, tyvek or plastic coated envelopes. Paper should, if possible,

be free of tape, adhesives, labels, rubber bands, paper clips, binders and other contaminants.

§470.048 **Paperboard** is non-corrugated paper packaging found in cereal, cracker, tissue and other boxes, and toilet tissue and paper towel tubes.

§470.049 **Plastics** are all HDPE and PET type plastic bottles with recycling #1 & #2, including empty, washed food, beverage, detergent, bleach and hair care containers with lids removed. Plastics are not photographic film, vinyl, rigid and foam plastic materials, as well as plastics with recycling #3 through #7 and 1-IDPE oil bottles, as well as #1 and #2 containers that are not bottles or contained hazardous material.

#### §470.05 Curb

is the curbing immediately in front of the property from which solid waste material and recyclables to be collected are generated, or in the absence of an actual curb, that portion of the property which is immediately adjacent to the street pavement.

#### §470.06 Curbside Collection

is the use of collection receptacles by solid waste generators and the regular periodic pick up and transfer of their contents by a solid waste hauler.

#### §470.07 Eligible Household

is a household residing in a dwelling of four units or less which is required to use recycling containers.

#### §470.08 Garbage

is all organic waste material.

#### §470.09 Hauler

is anyone, other than the Dept of Public Works, who engages in the collection, transportation, disposal or delivery of solid waste.

#### §470.10 Hazardous Waste is:

§470.100 any waste, excluding household hazardous waste, which is defined or regulated as a hazardous waste, toxic substance, hazardous chemical substance or mixture, or regulated waste under federal, state or local law, or under current rules issued subsidiary thereto, including, but not limited to: The Resource Conservation and Recovery Act of 1976 (42 USC §7901 et seq., as amended by the Hazardous and Solid Waste Amendments of 1984) and the regulations contained in 40 CFR Parts 260-281; The Toxic Substances Control Act (15 USC §6601 et seq.) and the regulations contained in 40 CFR Parts 761-766; and The State Environmental Conservation Law (Title 9 of Article 27) and the regulations contained in 6 NYCRR Parts 370-373 (Subpart 473-3);

§470.101 radioactive materials which are source, special nuclear or byproduct material as defined by the Atomic Energy Act of 1954 (42 U.S.C. Sections 2011 et seq.) and the regulations contained in 10 CFR Part 50; or

§470.102 any other material that by federal, state or local law, or under rules, regulations, policies, guidelines or orders having the force of law in relation thereto are regulated as harmful, toxic or hazardous to health and ineligible for processing at the agency facility.

#### §470.11 Landfill

is any part of a disposal facility where solid waste is placed in or on land. Landfill is not a land treatment facility, surface impoundment or injection well.

#### §470.12 Large Household Furnishings

are furniture and other large or bulky articles which equip a home for living, such as chairs, sofas, tables, beds or carpets.

#### §470.13 Major Appliances

are large or bulky home machines, such as washers, refrigerators, dryers, stoves, furnaces or water heaters.

#### §470.14 Materials Recovery Facility or MIRE

is a private or public facility for receiving and processing recyclables into marketable commodities.

#### §470.15 Medical Waste

is any solid waste which is generated in the diagnosis, treatment or immunization of human beings or animals, in research pertaining thereto, or in the production or testing of biologicals.

#### §470.16 OCRRA

is the Onondaga County Resource Recovery Agency.

#### §470.17 OCRRA Facility

is any facility operated by or designated by OCRRA, including the Transfer Stations at Ley Creek and Rock Cut Road, the Rock Cut Road Waste-to-Energy Facility, the OCRRA Landfill (when built), the Yard Waste Composting Facilities at Jamesville and Amboy, the Construction and Demolition Processing Facility at Ley Creek and OCRRA designated Materials Recovery Facilities.

#### §470.18 Recyclables

are those materials, including County Designated Recyclable Materials, which can be practically separated from non-recyclable waste for which reuse markets can be accessed for less than the cost of disposal.

#### §470.19 Recycling Container

is the blue bin or other container owned by the agency, county, village or their designee, and sup-

plied to eligible households in the village exclusively for storing county designated recyclables.

#### **§470.20 Recycling Law**

is the County Source Separation Law, Local Law No. 12, adopted March 6, 1989, as subsequently amended.

#### **§470.21 Regulated Medical Waste**

is medical wastes listed in 6 NYCRR 364.9 paragraph (c)(l) and managed pursuant thereto.

#### **§470.22 Solid Waste**

is any discarded material, except:

- §470.220 recyclables;
- §470.221 yard and garden waste;
- §470.222 human wastes;
- §470.223 rendering wastes;
- §470.224 demolition wastes;
- §470.225 junked automobiles;
- §470.226 explosives;
- §470.227 pathological, medical, toxic or radioactive material;
- §470.228 residue from incinerators or other destructive systems for processing waste (other than residue from existing individual building incinerators which is presently collected as solid waste);
- §470.229 any other waste material which require special handling in collection or disposal under federal, state or local laws.

#### **§470.23 Stickers**

are an adhesive-backed official village sticker of such size and design, as set by resolution of the Village Board to be used for the collection and disposal of garbage and trash in the Village.

#### **§470.24 Storage**

is the containment of trash, garbage, waste paper or refuse for a period of more than 15 days. (LL1 of 1992)

#### **§470.25 System**

is the County's Solid Waste Management System as operated by OCRRA and every aspect thereof, including, but not limited to, the Rock Cut Road Waste-to-Energy Facility, Agency Landfill (when built), Yard Waste Composting Facilities at Jamesville and Amboy, Construction and Demolition processing facility at Ley Creek and the Rock Cut Road and Ley Creek transfer stations.

#### **§470.26 Trash**

is all discarded material not suitable for further use which material is not garbage or recyclable materials. (LL1 of 1992)

#### **§470.27 Vehicle**

is a motor vehicle designed or adapted for use in the removal of garbage and trash.

#### **§470.28 Waste Generator**

is any Person which produces Solid Waste requiring off-site disposal.

#### **§470.29 Waste Hauler License**

is issued by the Village to a hauler as a prerequisite to their collecting Solid Waste in the Village.

#### **§470.30 Waste Paper**

is any paper product which is not a county recyclable material as defined herein.

#### **§470.31 White Goods**

are washing machines, clothes dryers, refrigerators, freezers and similar types of appliances.

#### **§470.32 Yard Waste**

is garden and grass clippings, leaves and brush.

## **§471 Storage and Disposal**

### **§471.0 Littering**

No one shall put any foreign matter on any street or sidewalk. (LL1 of 1978)

### **§471.1 Containers**

No one shall dispose of any waste matter in anything but a tightly sealed container. (GVO §@2.41)

### **§471.2 Curbline Storage**

No one shall permit containers, waste or combustibles to remain at or next to any curb. (GVO §@2.24)

### **§471.3 Debris from Collections**

Waste material shall be transported through the village in vehicles which are covered and closed to prevent debris from spilling. (GVO §@2.47)

### **§471.4 Dumping**

No one shall dump any waste material in any dump used by said Village. (GVO §@2.46)

### **§471.5 Fire-Proof Receptacles**

All wood and coal ashes must be stored in metal or other fireproof receptacles. (GVO §@2.25 and §@2.44)

### **§471.6 Food Waste in Water Tight Containers**

All waste from human edibles shall be kept in watertight containers. (GVO §@2.43)

## **§472 Village Collection of Solid Waste**

### **§472.0 Removal Only by Village**

(LL3 of 1990)

Except as otherwise provided herein, all solid waste shall be collected and removed by Village employees or contractors and disposed of as directed by resolution of the Village Board.

### **§472.1 Fees**

(LL3 of 1990)

Tin and aluminum cans, plastic containers, glass bottles and jars without lids, tops, or caps must be rinsed and placed in the separate recyclables bin provided by the Village. Labels need not be removed. Ceramics, window glass, auto glass, mirrors, kitchenware and light bulbs are not recyclable and must not be placed in the recyclables bin.

#### **§472.52 Cardboard**

Cardboard must be flattened and tied with twine; the use of tape, panty hose, yarn or any other forms of securing bundles is not permitted.

### **§472.6 Collection Vehicles**

#### **§472.60 Covered Vehicles Required**

Solid waste must be transported in covered containers; no material may be spilled on streets or other public places. (GVO §47)

#### **§472.61 No Tarrying on Public Streets**

Solid waste collection vehicles shall not stand or tarry along public streets longer than reasonably necessary for loading. (LL3 of 1990)

## **§473 Solid Waste Violation Penalties**

### **§473.0 Penalties for General Violations**

(LL1 of 1992)

Except as provided in ©§473.1, anyone convicted of violating this Part shall be fined up to \$250 for the first violation and for each day thereafter the violation remains unabated, and up to \$500 for another violation within one year of the first and for each day that violation remains unabated. A violation which continues for more than one day is one violation for the purpose of imposing fines. (LL1 of 1992)

### **§473.1 Penalties for Disposal Violations**

#### **§473.10 Littering**

Anyone convicted of violating ©§471.0 shall be fined up to \$10, imprisoned for up to 1 day, or both. (LL1 of 1978)

#### **§473.11 Storage and Disposal**

Anyone convicted of violating ©§471.1 through ©§471.6 shall be fined up to \$50, imprisoned for up to 30 days, or both. (GVO §2)

#### **§473.12 Prohibited Disposal**

Anyone convicted of violating ©§472.4 shall be fined from \$250 to \$1000 and be sentenced to up to 40 hours of satisfactory public service. The specific service to be performed, time of performance and acceptability of the work done shall be determined by the Public Works Superintendent. (LL1 of 1992)

#### **§473.13 Putting Out Garbage for Collection**

(LL1 of 1992)

The Village shall notify any one who puts out waste for collection of a violation of this law by written no-

tice left at the premises where the violation occurred. In single- and two-family residences, the occupant is responsible for such unauthorized waste; in buildings with three or more dwelling units, the owner is responsible. If the noticee fails to comply within 24 hours of presumptive receipt of the notice, the Village may pick up the unauthorized waste and, to compensate the Village for special handling, charge the noticee:

§470.130 ten times the village sticker charge per unauthorized item;

§470.131 up to \$25 for the contents of each recycling container;

§470.132 up to \$25 for each recyclable item not in a recycling container;

§470.133 any other penalties provided for under ©§473.10 and ©§473.11.

**§472.10 Use Of Village Garbage Stickers**

All trash to be collected by the village shall be placed at curbside with an appropriate number of sticker(s) attached.

**§472.11 Sale Of Village Stickers**

Stickers are sold at times and places set by resolution of the Village Board.

**§472.12 Who Can Purchase Village Stickers**

Stickers may be purchased only by Village residents and businesses.

**§472.13 Prohibition of Resale of Village Stickers**

No one shall resell stickers to any one other than Village residents and businesses.

**§472.14 Use of Unauthorized Stickers Prohibited**

No one shall duplicate or imitate village garbage stickers, or transfer any duplicated or imitated sticker.

**§472.15 Special Handling**

The Village Clerk shall bill by ordinary mail persons responsible for payment of special handling fees. The Village Clerk shall notify the Village Board of fees not paid within 30 days of billing, and the Board may add the unpaid bill to the annual tax levy on the property on which incurred.

**§472.16 General Fees**

Fees for the collection and disposal of solid waste including the price of village garbage stickers, shall be set by resolution of the Village Board, and applied to tipping fees and other expenses attendant to collecting and disposing of solid waste.

**§472.2 Collection Schedules**

Collection dates and times shall be set by the Public Works Superintendent. (LL1 of 1992)

**§472.3 Restrictions****§472.30 Container Limits**

No solid waste container shall exceed 75 pounds or 30 gallons. (LL3 of 1990)

**§472.31 Condition of Containers**

All containers must be clean, watertight, and in good condition. Garbage containers must be sealed, and containers used outside must be covered to prevent rain and snow accumulation. (LL3 of 1990)

**§472.32 Location of Containers**

No one shall place solid waste containers at the curb before 4 pm on the day before collection or leave the emptied containers at the curb past 8 pm on the day of collection. Containers must be kept inside or in the rear of the premises at all other times. (LL1 of 1992)

**§472.33 Access to Containers**

Access to containers shall be kept reasonably free from snow and ice. (LL3 of 1990)

**§472.34 Furniture and Appliances**

Furniture and white goods are trash, and shall be placed at curbside on the designated day for trash pickup. (LL4 of 2002)

**§472.35 Yard Waste**

Yard waste is trash, and shall be placed at curbside on the designated day for trash pickup. Branches shall be cut to lengths of six feet or less and tied in bundles. All other yard waste must be placed in containers. No more than 20 containers per dwelling may be placed at the curb on any single pick-up day without first contacting the Public Works Superintendent, who shall designate the date and manner of pickup. Notwithstanding, leaves placed at curbside, bagged or loose, between October 1 and December 31 shall be collected without limits on quantity. (LL4 of 2002)

**§472.36 Construction Debris**

Contractors must dispose of debris resulting from their work. Debris generated by owners or residents may be set at curbside on the designated day for trash pick-up. All material must be in containers with handles, with the combined weight of container and contents not to exceed 75 pounds. (LL4 of 2002)

**§472.37 Dumpsters**

The Village does not collect from dumpsters; anyone using a dumpster must provide for solid waste collection at their expense. (LL4 of 2002)

**§472.4 Prohibited Disposal**

(LL1 of 1992)

**§472.40 On Public Property**

No one shall dispose of solid waste in any waterway or on any public property.

**§472.41 On Private Property**

No one shall dispose of solid waste on private property, except that ashes may be used as fill with the owner's permission.

**§472.42 Non-Originating Materials**

No one shall import solid waste originating outside the Village for collection or disposal, or allow such waste to be imported to property under their control

**§472.43 Burning or Burying**

No one shall bury or burn solid waste without written authorization from the Village Board.

**§472.5 Recyclable Materials**

(LL4 of 2002)

The Village shall collect recyclables to the extent each material is accepted by OCRRA. Recycling is mandatory, and recyclable materials must be prepared for collection by the village as specified below.

**§472.50 Newspapers**

Newspapers must be unbundled and placed in brown paper or plastic bags.

**§472.51 Metal, Plastic and Glass**

ment Regulations for Existing and New Sources of Pollution.

**§540.12 Properly Shredded Garbage**

is food waste shredded sufficiently to be carried freely in public sewers, with no particle greater than 1/2 inch (1.27 centimeters) in any dimension.

**§540.13 Public Sewer**

is one controlled by a public authority and in which all abutting property owners have equal rights.

**§540.14 Sanitary Sewers**

is one which carries sewage and to which surface and ground waters aren't intentionally admitted.

**§540.15 Sewage**

is the water carried wastes from residences and businesses, together with such ground and surface water as may be present.

**§540.16 Sewage Treatment Plant**

is any devices and structures used for treating sewage.

**§540.17 Sewage Works**

is all facilities for collecting, pumping, treating and disposing of sewage.

**§540.18 Sewer**

is a pipe or conduit carrying sewage.

**§540.19 Slug**

is any water, sewage or industrial waste discharge, which for more than 15 minutes, has more than 5 times the normal 24 hour concentration or quantity of any constituent.

**§540.20 Storm Drain or Storm Sewer**

is one which carries surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

**§540.21 Suspended Solids**

is solids that either float on the surface of, or are in suspension in water, sewage, or other liquids and which are removable by laboratory filtering.

**§540.22 Water Course**

is a channel in which water flows continuously or intermittently.

**§541 Use Of Public Sewers Required**

**§541.0 Discharge to Natural Watercourses**

No one shall discharge any sewage or other polluted waters to any natural outlet, except where suitable treatment has been provided. (LL4 of 1983 §@6.2)

**§541.1 Septic Systems**

Except as herein permitted, no one shall use any private sewage disposal facility. (LL4 of 1983 §@6.3)

**§541.2 Dumping**

No one shall deposit or permit the deposition of any excrement, garbage, dirt or other objectionable waste in any unsanitary manner. (LL4 of 1983 §@6.1)

**§541.3 Toilet Facilities Required**

The owners of all structures used for human occupancy, employment or recreation on lots within 100 feet of any Village sanitary sewer must install suitable toilet facilities at their expense within 180 days of notice to do so. (LL4 of 1983 §@6.4)

**§542 Private Sewage Disposal**

**§542.0 Where Required**

Where a public sanitary or combined sewer is not available under the provisions of §541.3, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this section. (LL4 of 1983 §@3.1)

**§542.1 Application**

Before commencing construction of a private sewage disposal system, the owner shall obtain a written permit from the Public Works Superintendent. Applicants shall attach project specifications and other information deemed necessary by the Public Works Superintendent to the form furnished by the Village, along with a permit and inspection fee of \$10. (LL4 of 1983 §@3.2)

**§542.2 Inspection by Public Works Superintendent**

Permits for a private sewage disposal systems shall not become effective until the installation is completed to the satisfaction of the Public Works Superintendent, who may inspect the work at any state of construction. The applicant shall notify the Public Works Superintendent when the work is ready for final inspection and before any underground portions are covered, and inspection shall be made within 48 hours of the receipt of such notice. (LL4 of 1983 §@3.3)

**§542.3 Compliance with NYS Requirements**

The type, capacities, location and layout of private sewage disposal systems shall comply with all recommendations of the State Department of Public Health. No permit shall be issued for any system employing subsurface soil absorption facilities on a lot of less than 10,000 square feet. No septic tank or cesspool shall discharge to any natural outlet. (LL4 of 1983 §@3.4)

**§542.4 Connect to Available Public Sewers**

If a public sewer becomes available to a property served by a private sewage disposal system, as provided in §542.3, a direct connection from the building sewer to the public sewer shall be made within 60 days. The pri-

# Title 5: Public Utilities

## Part 50 – Cable Service

*(Reserved)*

## Part 51 – Electric Service

*(Reserved)*

## Part 52 – Internet Service

*(Reserved)*

## Part 53 – Phone Service

*(Reserved)*

## Part 54 – Sewers

### §540 Definitions

(LL4 of 1983 §@1)

#### §540.00 Biochemical Oxygen Demand (BOD)

is the quantity of oxygen used in the biochemical oxidation of organic matter under standard laboratory procedure in 5 days at 20° C, expressed in milligrams per liter (mg/l).

#### §540.01 Building Drain

is the lowest horizontal part of a drainage system which receives the discharge from soil, waste or other drainage pipes inside a building and conveys it to the building sewer, beginning 5 feet (1.5 meters) outside the inner face of the building wall.

#### §540.02 Building Sewer

is the line from the building drain to the public sewer or other discharge.

#### §540.03 Combined Sewer

is a sewer receiving both surface runoff and sewage.

#### §540.04 Contractor

is anyone, except the property owner, constructing sewers outside the building.

#### §540.05 Developer

is anyone who develops open land not presently subdivided.

#### §540.06 Garbage

is solid waste from food processing or storage.

#### §540.07 Hearing Board

is the Village Board, unless another board is appointed to hear appeals.

#### §540.08 Industrial Wastes

are liquid wastes from industrial manufacturing or businesses, as distinct from sanitary sewage.

#### §540.09 Natural Outlet

is any outlet to any body of surface or groundwater.

§540.10 *pH* is the logarithm of the reciprocal of the weight of hydrogen ions in solution in grams per liter (g/l).

#### §540.11 Pretreatment

is the reduction of harmful pollutants in wastewater prior to, or in lieu of introduction into, a public sewer, regardless of the means of reduction, except as prohibited by 40 CFR 403.6 of the General Pretreat-

**§543.70 Exfiltration Test Required**

All sewers must pass a final exfiltration test before being approved and sewage flow accepted from them.

**§543.71 Method of Testing**

The exfiltration test consists of filling the pipe with water to provide a head of at least 5 feet above the top of the pipe or 5 feet above ground water, whichever is higher, at the highest point of the pipe line under test. After the line has remained filled for 24 hours, loss of water is measured by the amount which must be added to maintain the original level. Exfiltration is measured by the drop of water level in a standpipe with closed bottom end, or in one of the sewer manholes available for convenience measuring.

**§543.72 Sewers with Steep Grades**

For sewers laid in steep grades, the length of line to be tested by exfiltration at any one time may be limited by the maximum allowable internal pressure on the pipe and joints at the lower end of the line.

**§543.73 Test Period and Results**

All test periods shall be at least 24 hours, with total leakage in any section tested of not more than 25-gallons per 1000-feet of pipe per 24 hours per inch of nominal pipe diameter.

**§543.74 Repeating the Test**

If leakage exceeds the specified amount, the necessary repairs or replacements shall be made to permanently reduce the leakage to within specified limits, and the tests repeated until the leakage requirement is met.

**§543.8 Plumbing Requirements**

The size, slope, alignment, materials, excavation methods, pipe placement, jointing, testing and backfilling shall conform to the requirements of the building and plumbing code or other applicable Village regulations. In the absence of code provisions, the materials and procedures of appropriate specifications of the State Plumbing Code Bulletin No. 23 apply. (LL4 of 1983 §@4.6)

**§544 Sewer Connections****§544.0 Owner Bears Expense**

All building sewer installation and connection costs shall be paid by the owner. The owner and contractor shall indemnify the Village from any loss or damage directly or indirectly caused thereby. (LL4 of 1983 §@4.3)

**§544.1 Separate Connection for Each Building**

Every building shall have an independent building sewer, except that a building sewer may be extended from one building to another building behind it on the same lot

where there is no external area through which to construct a separate building sewer. (LL4 of 1983 §@4.4)

**§544.2 Testing of Old Sewers**

Old building sewers may be used with new buildings if the Public Works Superintendent tests them and finds they fully comply with this Law. (LL4 of 1983 §@4.5)

**§544.3 Elevation**

Building sewers shall be brought to the building below the basement floor whenever possible. Where building drains are too low to permit gravity flow to the public sewer, sanitary sewage carried by the drain must be lifted by approved means and discharged to the building sewer. (LL4 of 1983 §@4.7)

**§544.4 Prohibition of Surface and Groundwater**

No source of surface runoff or groundwater shall be connected to a building sewer or drain which connects to a public sanitary sewer. (LL4 of 1983 §@4.8)

**§544.5 Connections Conform to Plumbing Codes**

All building sewer connections to public sewers shall conform to the building and plumbing code, State Plumbing Code Bulletin No. 23 and all applicable laws. All connections must be gas- and watertight, as verified by proper testing. Deviations from prescribed procedures and materials must be approved by the Public Works Superintendent before installation. (LL4 of 1983 §@4.9)

**§544.6 Barricading of Excavations**

Excavations for building sewer installations must be fully marked by barricades and lights to protect the public. Public property disturbed by the work shall be restored to the Village's satisfaction. (LL4 of 1983 §@4.11)

**§544.7 Sewer Extensions Installed by Village**

(LL4 of 1983 §@4.12)

**§544.70 Cost Basis Decisions**

Sewer extensions, including individual building sewer laterals to the property line, may be constructed by the Village under public contract if, in the opinion of the Village Board, the number of properties to be served by such extension warrants its cost.

**§544.71 Owners' Costs**

The property owner pays for and installs the building sewer from the property line to the structure in accordance with the requirements of ©§543 and ©§544. Thereafter, each property owner served by the extended public sewers is charged at the full service rate as outlined in Article IX.

**§544.72 Petition Property Owners**

Property owners may propose sewer extensions within the Village by filing a written petition with the Village Board, signed by a majority of the benefiting property owners.

vate system shall be cleaned of sludge and material within 10 days of connection. (LL4 of 1983 §@3.5)

#### **§542.5 Owner Bears Operating Expense**

The owners of all private sewage disposal facilities shall maintain them in a sanitary manner. (LL4 of 1983 §@3.6)

### **§543 Connection Applications**

#### **§543.0 Permit Required for Connection**

No unauthorized person shall uncover, make any connection with or opening into, use, alter or disturb any public sewer or appurtenance without obtaining a written permit from the Public Works Superintendent. (LL4 of 1983 §@4.1)

#### **§543.1 Sewer Permits**

(LL4 of 1983 §@4.2)

##### **§543.10 Applications for Sewer Permits**

Sewer permit applications shall be made by the owner on forms furnished by the Village, and include the project plans and any other information required by the Public Works Superintendent or Village Engineer.

##### **§543.11 Fee for General Sewer Permits**

The permit and inspection fee for any sewer permit, other than as described in §543.12, shall be \$10, payable at the time the application is filed.

##### **§543.12 Fee for Industrial Waste Sewer Permits**

The permit and inspection fee for any connection which produces industrial waste shall be \$25, payable at the time the application is filed.

#### **§543.2 Sewers Required for New Construction**

No building permit shall be issued for a new structure requiring sanitary facilities unless a suitable and approved means of waste disposal is proposed. New developments shall have sanitary sewers. (LL4 of 1983 §@4.18)

#### **§543.3 Inspection**

Sewer permit applicants shall notify the Public Works Superintendent when the building sewer is ready for inspection and connection to the public sewer. Connection shall be made under the supervision of the Public Works Superintendent or his designee. (LL4 of 1983 §@4.10)

#### **§543.4 Privately Built Sewer Extensions**

(LL4 of 1983 §@4.13)

##### **§543.40 Permission to Build**

Where the Village declines to construct a sewer extension, the developer may ask the Village Board for approval to construct an extension.

##### **§543.41 Developer Bears Cost**

The developer is responsible for all installation costs, and shall pay all sewer costs, subject to a sewer service charge proportional to their use of trunk sewers

and their proportion of operational and maintenance costs as outlined in Article IX.

#### **§543.42 Sewers Design**

Sewers must be designed, installed and inspected as required by this section, including payment of fees.

#### **§543.43 Inspection by the Village Engineer**

Installation of the sewer extension must be subject to full-time inspection by the Village Engineer, with the cost of this paid by the developer. The Village Engineer's decisions shall be final in matters of quality and methods of construction.

#### **§543.44 Exfiltration Test**

The sewer must pass the exfiltration test required in §543.7 before use.

### **§543.5 Sewer Design**

(LL4 of 1983 §@4.14)

Sewer design shall be in accordance with the following:

#### **§543.50 Pipe**

Pipe shall be either asbestos-cement conforming to the latest revision of ASTM C-428, or extra-strength vitrified clay conforming to the latest revision of ASTM C-200. No standard strength clay pipe or non-reinforced concrete pipe shall be used.

#### **§543.51 Joints**

All vitrified clay pipe shall have prefabricated resilient-type joints as specified by the latest revision of ASTM C-425. Only Type III joints shall be used. Joints of either type of pipe shall adhere to the manufacturer's published recommendations.

#### **§543.52 O-Rings**

Rubber O-ring gaskets shall be solid natural rubber.

### **§543.6 Design Specifications**

(LL4 of 1983 §@4.15)

#### **§543.60 Design per Federal Standards**

Sewer design shall be as outlined in Chapter IX of the Water Pollution Control Federation Manual of Practice No. 9, *Design and Construction of Sanitary and Storm Sewers*.

#### **§543.61 Manholes**

Manholes shall be constructed at all changes in slope or alignment or at intervals not exceeding 400 linear feet. The manholes shall be constructed with a poured 3000 psi concrete base, steel troweled concrete or mortar inverts and precast 4-ft diameter concrete manhole barrel sections and a tapered top section as specified in the latest revision of ASTM C478-61T. The manhole frame and cover shall be the standard design of the Village and shall be set with no less than 2 courses of brick underneath to allow for later adjustment in elevation.

### **§543.7 Exfiltration Test**

(LL4 of 1983 §@.16)

§545.380 Inert suspended or dissolved solids, including, but not limited to, fullers earth, lime slurries and residues, sodium chloride and sodium sulfate.

§545.381 Materials which cause excessive discoloration, including, but not limited to, dye wastes and vegetable tanning solutions.

§545.382 Materials which cause unusual BOD, chemical oxygen demand, or chlorine requirements in quantities which constitute a significant load on sewage treatment works.

§545.383 Materials which cause slugs.

#### §545.39 Untreatable Substances

Substances not sufficiently treatable for the plant effluent to meet the requirements of agencies having jurisdiction over discharge to the receiving waters.

### §545.4 Treatments Processes

#### §545.40 Pretreatment and Equalization

The design and installation of plants and equipment to pretreat or equalize waste flows, if permitted by the Public Works Superintendent, shall meet all applicable codes and laws. (LL4 of 1983 §@5.5)

#### §545.41 Handling of Prohibited Substances

(LL4 of 1983 §@5.5)

If waters or wastes to be discharged to public sewers contain questionable discharges (©§545.3) which the Public Works Superintendent determines may impair treatment or receiving waters, or be hazardous to life or constitute a public nuisance, s/he may:

§545.410 reject the wastes;

§545.411 require adequate pretreatment;

§545.412 limit quantities and rates of discharge;

§545.413 require payment of the cost of processing wastes not covered by existing taxes or sewer charges under ©§545.0.

#### §545.42 Garbage Grinders

Garbage grinders with motors of 0.75 horsepower (0.76 hp metric) or greater must be approved by the Public Works Superintendent. (LL4 of 1983 §5@.4)

#### §545.43 Grease, Oil and Sand

Grease, oil and sand interceptors shall be provided when the Public Works Superintendent deems them necessary to handle non-residential liquid wastes containing excessive amounts of grease or other flammable wastes, or sand or other harmful ingredients. The type and capacity of all interceptors must be approved by the Public Works Superintendent and they must be located where easily accessible for cleaning and inspection. (LL4 of 1983 §@5.6)

#### §545.44 Continuance of Pretreatment

Treatment facilities shall be properly maintained at the owner's expense. (LL4 of 1983 §@5.7)

### §545.5 Control Manholes for Industrial Wastes

The Public Works Superintendent may require the owner of any property serviced by a building sewer carrying industrial wastes to install a control manhole and necessary meters and appurtenances to facilitate waste observation and measurement. Manholes are installed and maintained at the owner's expense to specifications set by the Public Works Superintendent. (LL4 of 1983 §@5.8)

### §545.6 Analysis of Sewage

(LL4 of 1983 §@5.9)

#### §545.60 Standard Methods

All analyses of waters and wastes referred to in this Title shall be pursuant to the latest edition of "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association.

#### §545.61 Control Manholes

Measurements and samples shall be taken at the control manhole. Where no special manhole exists, the control manhole is the first one in the public sewer downstream of the building sewer connection.

#### §545.62 Sampling

Sampling shall be by customary methods, and analyses will determine whether a 24 hour composite of discharge or a grab sample(s) is appropriate.

#### §545.63 BOD and Suspended Solids

Normally, BOD and suspended solids analysis are by 24 hour composites, and pH by grab samples.

### §545.7 Standards for Sewage Works

Extensions to the Village sanitary sewer system shall be designed in accordance with the Recommended Standards of Sewage Works, adopted by the Great Lakes-Upper Mississippi River Board of State Sanitary Engineers and shall comply with all requirements of the State Dept of Health. Specifications for sewer extensions must be approved by the Village Engineer and State Dept of Health before construction begins. Sewer design must anticipate and allow for flow from all possible future extensions or developments. (LL4 of 1983 §@5.11)

### §546 Protection From Damage

No one shall intentionally or negligently damage or tamper with any part of the Village sewage system. Any one convicted of violating this section shall be arrested immediately for disorderly conduct. (LL4 of 1983 §@7.1)

### §547 Inspectors' Powers and Authority

#### §547.0 Entry and Pertinence of Inquiries

The Public Works Superintendent, other authorized Village officials, and agents of the US Environmental Protection Agency (USEPA) and the State Dept of Environ-

**§544.8 Sewer Extensions Installed by Owner**

(LL4 of 1983 §@4.17)

**§544.80 Becoming Village Property**

After final approval and acceptance by the Village Engineer, sewer extensions constructed at the expense of the property owner, builder or developer become the property of and be maintained by the Village

**§544.81 One Year Guarantee**

Sewer extensions shall be guaranteed, in a form provided for by the Village, by the property owner, builder or developer for 1 year after acceptance by the Village. The Village may require a completion bond or certified check.

**§544.9 Vents and Clean-outs**

If a sewer is excavated for maintenance or repair and has no vent or cleanout, the owner must install one at their expense, which must be inspected and approved by the Public Works Superintendent. (LL4 of 1983 §@4.19)

**§545 Use of Public Sewers****§545.0 Industrial Sewage**

Nothing herein shall be construed to prevent an agreement between the Village and a business to have the Village accept and treat waste of unusual strength or character at the business's expense. (LL4 of 1983 §@5.10)

**§545.1 Unpolluted Water**

Storm water, industrial cooling water, unpolluted process water and other unpolluted drainage must be discharged only to sewers specifically designated as combined or storm sewers, or to a natural outlet approved by the Public Works Superintendent. (LL4 of 1983 §@5.2)

**§545.2 Prohibited Discharges****§545.20 Unpolluted Water**

No unpolluted water may be discharged to any public sewer. (LL4 of 1983 §@5.1)

**§545.21 Flammables**

No flammable or explosive may be discharged to any public sewer. (LL4 of 1983 §@5.3a)

**§545.22 Toxic or Injurious Matter**

No toxic substance may be discharged to any public sewer in sufficient quantity, singly or mixed with other wastes, to interfere with sewage treatment, be hazardous to humans or animals, be a public nuisance, or be a hazard in the receiving waters of the sewage treatment plant, including, but not limited to, cyanides in excess of 2 mg/l of CN as discharged to the public sewer. (LL4 of 1983 §@5.3b)

**§545.23 Corrosives**

No waters or wastes may be discharged to any public sewer which has a pH lower than 5.5 or is sufficiently corrosive to be dangerous to sewage plants, equipment or personnel. (LL4 of 1983 §@5.3c)

**§545.24 Obstructive**

No solid or viscous substance may be discharged to any public sewer in quantities or sizes capable of obstructing the sewer's flow or interfering with sewage treatment. (LL4 of 1983 §@5.3d)

**§545.3 Questionable Discharges**

(LL4 of 1983 §@5.4)

Substances shall not be discharged to any public sewer if the Public Works Superintendent determines they can in any way adversely effect the sewers, treatment processes or equipment, endanger people or public property, or be a nuisance. The Public Works Superintendent shall consider the subject waste quantities relative to sewer flows and velocities, sewer construction materials, treatment process, treatment plant capacities, treatability of the subject wastes and other pertinent factors. Prohibited substances include the following.

**§545.30 Hot Substances**

Liquids or vapors hotter than 150°F or 65°C.

**§545.31 Congealable Substances**

Fats, wax, grease or oils, emulsified or not, in excess of 100 mg/l, which may solidify or become viscous between 32°F and 150°F (0°C and 65°C).

**§545.32 Improperly Shredded Material**

Any garbage not properly shredded.

**§545.33 Strong Acids**

Strong acid iron pickling wastes or concentrated plating solutions, neutralized or not.

**§545.34 Toxic Substances**

are iron, chromium, copper, zinc, similar toxic or objectionable substances, or wastes exerting an excessive chlorine requirement, such that these materials in the composite sewage at the sewage treatment works exceed the limits established by the Public Works Superintendent. See §548 for Toxic and Objectionable Substances and allowable concentrations.

**§545.35 Odor-Producing Substances**

Phenols or other taste or odor-producing substances in concentrations exceeding limits set by the Public Works Superintendent, after treatment of the composite sewage to meet State, Federal or other requirements for such discharge to the receiving waters.

**§545.36 Excessively Radioactive Material**

Radioactive material with a half-life or concentration exceeding limits set by the Public Works Superintendent pursuant to State or Federal regulations.

**§545.37 Excessively Alkaline Material**

Water or wastes having a pH in excess of 9.5.

**§545.38 Materials Which Interfere with Treatment**

# Title 6: Conduct & Criminal Code

## Part 60 – Curfew

### §600 Definitions

(LL2 of 1994 §@1)

#### §600.0 Curfew Hours

are from 10 pm to 5 am.

#### §600.1 A Minor

is any person under the age of sixteen years.

#### §600.2 A Parent

is any natural or adoptive parent or legal guardian or custodian of any minor.

### §601 Prohibited Actions

#### §601.0 Prohibited to Minors

No minor shall be in public places during curfew hours, except as provided for in §602. (LL2 of 1994 §@1)

#### §601.1 Prohibited to Parents

No parent shall allow any minor to be in any public places during curfew hours, except as provided for in ©§602. (LL2 of 1994 §@4)

### §602 Exceptions

#### §602.0 When Accompanied by an Adult

©§601 shall not apply to a minor accompanied by a parent, an adult at least 21 years old, or an immediate family member at least 18 old. (LL2 of 1994 §@6a)

#### §602.1 When on Lawful Errands

©§601 shall not apply to any minor who shows any police officer a written statement, dated that day and signed by their parent, that the minor is on a lawful errand for the parent that necessitates being in public places during curfew hours. (LL2 of 1994 §@6b)

#### §602.2 When Necessary for Employment

©§601 shall not apply to a minor who shows any police officer a written statement, dated and signed by their parent, that the minor has business or employment that necessitates being in public places during curfew hours. (LL2 of 1994 §@6c)

#### §602.3 When in Transit to an Authorized Event

(LL2 of 1994 §@6d)

©§601 shall not apply to a minor who is going to or returning directly home from any of the following:

#### §602.30 Education

is a school activity for instruction, education or training not including extracurricular activities or school events for which scholastic credit is not given.

#### §602.31 Work Study

is a school district approved work/study program.

#### §602.32 Religious Instruction

is education sponsored by a religious institution.

#### §602.33 Civic Organizations

are meetings or events sponsored by a municipal department or any private organization whose goal is the moral, ethical and educational integrity of youth.

#### §602.4 Limitation on Exceptions

The above exceptions don't apply to any minor playing or loitering in public places. (LL2 of 1994 §@3)

### §603 Procedures

(LL2 of 1994 §@5 and §@6)

#### §603.0 Detention

Any police officer may detain any minor apparently violating this Part without warrant while attempting to notify their parent of the violation.

#### §603.1 Disposition

Any police officer detaining a minor under ©§603.0 shall, at the officer's discretion, take the minor home, take the minor to the youth office and require their parent to report there, or require their parent to report to the site of the alleged violation.

### §604 Curfew Violation Penalties

#### §604.0 Minors in Violation

Any minor convicted of violating this Part may be required to perform community service as determined by the youth officer or court. (LL2 of 1994 §@7)

#### §604.1 Parents in Violation

Any parent convicted of a second violation of this Part shall be fined up to \$100. (LL2 of 1994 §@7)

mental Conservation (NYSDEC) bearing proper credentials and identification may enter any properties to inspect and test under this Part. The Public Works Superintendent or his designee may inquire only into industrial processes which bear directly on discharge to the Village sewage system. (LL4 of 1983 §@8.1)

**§547.1 Inspectors Shall Observe Safety Rules**

In conducting inspections and tests under this Part, Village Officials and other government agents shall observe that business's safety rules. (LL4 of 1983 §@8.2)

**§547.2 Indemnification**

Businesses shall be held harmless for injury or death to Village employees and indemnified against property loss or damage caused by Village employees and against personal injury or property damage liability claims from Village employees, where such issues arise from the inspection and testing and were not caused by the business's negligence. (LL4 of 1983 §@8.2)

**§547.3 Entry into Easements**

The Public Works Superintendent, other Village officials and USEPA and NYSDEC agents with proper credentials may enter any private property through a Village easement to inspect or work on the sewage system therein, subject to the terms of the easement. (LL4 of 1983 §@8.3)

**§548 Effluent Concentration Limits**

(LL4 of 1983 Appendix A)

Following are the limits for substances discharged into the Village sewage system, for samples taken over the listed time periods in milligrams per liter (mg/l)

Substance	30 days	24 hours
§548.00 Arsenic	0.2	0.4
§548.01 Barium	0.4	0.8
§548.02 Cadmium	0.4	0.8

§548.03 Available Chlorine	50.0	50.0
§548.04 Hex. Chromium	0.2	0.4
§548.05 Total Chromium	4.0	8.0
§548.06 Copper	0.8	1.6
§548.07 Cyanide, free	0.4	0.8
§548.08 Cyanide, complex	1.6	3.2
§548.09 Fluorides in fluoridated fresh water	4.0	8.0
§548.10 Fluorides in other fresh water	6.0	12.0
§548.11 Fluorides in saline water	36.0	72.0
§548.12 Gold	0.2	0.4
§548.13 Lead	0.2	0.4
§548.14 Manganese	4.0	8.0
§548.15 Mercury	0.2	0.4
§548.16 Nickel	4.0	8.0
§548.17 Phenol	4.0	8.0
§548.18 Selenium	0.2	0.4
§548.19 Silver	0.2	0.4
§548.20 Sulfide	6.0	12.0
§548.21 Zinc	1.2	2.4

**§549 Sewer Violation Penalties**

**§549.0 General Penalties**

Anyone convicted of violating this part, except ©§546, shall be sent written notice of violation and a reasonable date by which it must be correct. (LL4 of 1983 §@8.1)

**§549.1 Violations Beyond Time Limits**

Anyone whose violation continues beyond the date noticed under ©§549.0, is guilty of a misdemeanor and shall be fined up to \$150 for each day the violation continues. (LL4 of 1983 §@8.2)

**§549.2 Liability for Cost of Correction**

Anyone convicted of violating this Part shall be liable for any expense, loss or damage suffered by the Village because of such violation. (LL4 of 1983 §@8.3)

**Part 55 – Water**

(Reserved)

## Part 61 – Disorderly Conduct

### §610 Definitions

(GVO §2.18) Disorderly Conduct is hereby prohibited, and consists of:

#### §610.0 Abusive Language

is offensive, threatening, insulting or abusive language;

#### §610.1 Annoyance

is annoying, disturbing, obstructing, or being offensive;

#### §610.2 Disturbing the Peace

is shouting, singing or making noise to the annoyance or disturbance of any considerable number of people;

#### §610.3 Harassing Pedestrians

is making insulting remarks to or about passing pedestrians or annoying pedestrians in a public place;

#### §610.4 Illegal Assembly

is refusing a lawful order by police to disperse;

#### §610.5 Panhandling

is publicly soliciting alms;

#### §610.6 Public Intoxication

is attracting attention in any public place due to intoxication.

### §611 Disorderly Conduct Penalties

Anyone convicted of a violation of this part shall be fined \$10, imprisoned for up to 10 days, or both. (GVO §2)

## Part 62 – Village Fire Alarm System

### §620 Prohibition of Tampering

No one shall tamper with the Village fire alarm system. (GVO §2.13)

### §621 Fire Alarm Penalties

Anyone convicted of violating this part shall be fined up to \$200, imprisoned for up to 200 days, or both. (GVO §2.1)

## Part 63 – Public Lewdness

(LL1 of 1990)

### §630 Public Lewdness

Anyone who intentionally exposes their genitalia so that they are visible to a public area or commits any lewd act in a public place is guilty of public lewdness.

### §631 Promoting Lewdness

Anyone who knowingly operates or provides premises where public lewdness is committed is also guilty of Public exposure.

### §633 Public Lewdness Penalties

Anyone convicted of violating this part shall be fined up to \$500 for each violation.

## Part 64 – Public Nuisance

### §640 What Constitutes Public Nuisance

#### §640.0 Burning

No one shall burn any auto, truck, motorcycle, farm machine, leaves or other substance. (GVO §2.9)

#### §640.1 Damage or Disrespect to Public Property

##### §640.10 General Public Property

No one shall remove, damage or deface any gas line, hydrant, light, monument, pavement, pole, seat, sewer or warning signal in any public property. (GVO §2.20, §2.26, §2.32 and §2.34)

##### §640.11 Street Activities

No one shall cast any stone, ball or stick from or on, or engage in any game on, any Village street. (GVO §2.7 and §6.8)

##### §640.12 Trees

No person shall deface or disfigure any tree within a street margin. (GVO §2.11)

#### §640.2 Damage to or Disrespect of Utility Poles

No one shall tamper with any utility pole or fixture, or place any billboard or any sign of any nature on any utility pole or tree. (GVO §2.10 and §6.14)

#### §640.3 Intoxication

No one shall be intoxicated in any private dwelling to the annoyance of any person. (GVO §2.21)

#### §640.4 Offensive Emissions

No one shall cause or permit the unnecessary emission of smoke, noxious gases, deposits or any other pollution from any smoke stacks, chimneys, vents, flues, engine or locomotives. (GVO §2.38)

### §641 Public Nuisance Penalty

Anyone convicted of violating this part shall be fined up to \$50, imprisoned for up to 30 days, or both. (GVO §2)

## Part 65 – Weapons Possession

### §650 Weapons

#### §650.0 Prohibition of Discharge of Weapons

Except in the line of duty or in defense of self or property, no person shall discharge a fire arm, air gun, spring gun, pellet gun or slingshot. (LL2 of 1980 §1)

#### §650.1 Confiscation of Weapon

Any person charged with discharging a weapon shall have said weapon seized by the arresting officer and held by the Police Department until the Village Justice disposes of the charge and orders the weapon returned or destroyed. (LL2 of 1980 §2)

#### §650.2 Weapons Violations Penalty

Anyone convicted of violating this section shall be fined up to \$100 or imprisoned for up to 30 days for each and every offense. (LL2 of 1980 §3)

### §651 Firearms On Public Property

(LL6 of 1993)

#### §651.0 Definitions

##### §651.00 Person

is anyone except a law enforcement officer.

##### §651.01 Possession

is the possession or transport by any person of a weapon except as part of an authorized function.

#### §651.02 Village Property

is any property owned or used by the Village, including those owned or leased outside the Village.

#### §651.03 Weapon

is any firearm, electronic dart gun, dangerous knife or blade, club or bludgeon, metal knuckles, shirken, slingshot, imitation pistol or any other dangerous or deadly instrument or weapon.

#### §651.1 No Firearms on Village Property

No one shall possess any firearm on any Village property, except with the permission of the Village Board.

#### §651.2 Surrender and Return of Weapons

Any one in possession of a weapon on Village property shall surrender such weapon at the request of any law enforcement officer. Any legal weapon surrendered shall be returned as the person leaves Village property.

#### §651.3 Exceptions

Nothing in this Part shall be construed to authorize the possession of any weapon prohibited by any other law, or to prohibit the possession of a legal weapon outside of Village property.

#### §651.4 Firearms On Public Property Penalties

Anyone convicted of violating of this section shall be fined up to \$200, imprisoned for up to 10 days, or both.

# Title 7: Regulation of Private Property

## Part 70 – Codes

### §700 Building Code

#### §700.0 New York State Building Code

The New York State Uniform Fire Prevention and Building Code is the standard for all new construction or substantial alterations. (LL4 of 1980 §@1a)

#### §700.1 Prohibitions

##### §700.10 Work on Structures

No one shall work on any structure without a building permit, in violation of this Law, or in defiance of the Building Inspector's order. (LL4 of 1980 §@7a and §@26a)

##### §700.11 Electrical Work

No one shall install or alter electrical wiring without filing an application for inspection with, or connect electrical wiring to any supply source without a certificate of compliance from, the New York Board of Fire Underwriters. (LL4 of 1980 §@61C)

#### §700.2 Electrical Inspectors

(LL4 of 1980 §@61B)

The Chief Inspector, and each of the duly appointed Inspectors of the New York Atlantic-Inland Inc, the Middle Department Inspection Agency Inc, and the New York Board of Fire Underwriters are authorized and deputized as agents of the Village to inspect, re-inspect and approve or disapprove all electrical installations under this section. No cost for these actions will be paid by the Village. (LL2 of 1993) The duties of electrical inspectors shall include the following.

##### §700.20 Reports

The electrical inspectors shall report all violations of the electrical provisions of the building code and this Law, in writing, to the Building Inspector and the owners or lessees of the property in violation.

##### §700.21 Inspections

The electrical inspectors inspect and re-inspect electrical installations as required by this Law or upon the written request of an authorized Village official. The Inspector may inspect any wiring and equipment as needed to protect life and property.

##### §700.22 Emergency Inspections

In emergencies, electrical inspectors inspect at the oral request of an authorized Village official.

##### §700.23 Certificates of Compliance

Electrical inspectors issue certificates of compliance for electrical installations conforming to this Law, with copies sent to the Building Inspector.

#### §700.3 Unsafe Structures

##### §700.30 Definition of Unsafe Buildings

(LL4 of 1980 §@23a)

Unsafe structures must be repaired or demolished pursuant to this Law, and include any which:

§700.300 are structurally unsafe;

§700.301 are unsanitary;

§700.302 have inadequate egress;

§700.303 are a fire hazard;

§700.304 are dangerous due to inadequate maintenance, dilapidation, obsolescence or abandonment.

##### §700.31 Determination of Unsafe Buildings

The Building Inspector shall examine every building reported as unsafe or damaged and report any violation of this Law to the Village Board within twenty-four hours in writing. The Village Board, where it deems necessary, shall direct the Building Inspector to issue written notice of the violation to those responsible. (LL4 of 1980 §@23b)

##### §700.32 Notice of Unsafe Buildings

(LL4 of 1980 §@23c and §@23f)

Notices must:

§700.320 specify alleged violations;

§700.321 corrective action to be taken within 30 days;

§700.322 the right to request a hearing before the Village Board and the Building Inspector within 10 days;

§700.323 be sent to the property owner and posted conspicuously on the property.

##### §700.33 Extensions

The Village Board may extend time to comply with violation notices where they find a good faith effort is being made to comply, or for any other good cause. (LL4 of 1980 §@23e and §@26d)

##### §700.34 Hearing

When requested, the Village Board shall designate the time and place of hearings.

##### §700.35 Correction and Re-inspection

Owners shall notify the Building Inspector in writing within two weeks of the correction of violations. The Building Inspector shall re-inspect the site to verify compliance. (LL4 of 1980 §@26e)

**§700.36 Final Notice**

Thirty days after service of the written notice, the Village Board may direct the Building Inspector to issue a final order requiring compliance within ten days. Upon failure to comply, the Village Board shall take action under §700.5. (LL4 of 1980 §@23d)

**§700.37 Closure for imminent Dangers**

(LL4 of 1980 §@23g)

§700.370 If the Building Inspector finds that there is actual and imminent danger of failure or collapse, notice to the property owners shall also require the structure or portion thereof to be vacated immediately and until the required work is completed and approved by the Building Inspector.

§700.371 Notice shall also be posted at each entrance, saying: *This building is unsafe and its use or occupancy has been prohibited by the Building Inspector*

§700.372 This notice shall remain posted until the required work is done or the building is demolished. No one shall remove this notice without written permission of the Building Inspector, and no one shall enter the building other than to perform the required repairs or demolition.

**§700.38 Emergency Measures**

§700.380 When the Building Inspector, Mayor and Village Attorney concur that a structure poses imminent danger to human life or health, the Building Inspector shall order that the structure or portion thereof be made safe or removed. (LL4 of 1980 §@23i)

§700.381 The Building Inspector may at once enter the property and abutting properties, with such assistance and at such cost as may be necessary. (LL4 of 1980 §@23i)

§700.382 The Building Inspector may order adjacent structures vacated, barricades erected, public and private thoroughfares closed, or any other action necessary to protect life and property taken. (LL4 of 1980 §@23i)

§700.383 Costs incurred under this subsection shall be paid by the village on certificate of the Building Inspector and charged to the property owner as part of the tax levy. (LL4 of 1980 §@23j)

**§700.4 Demolition Order****§700.40 Determination to Demolish**

(LL4 of 1980 §@24) A demolition order shall be issued upon the Building Inspector and Village Board finding that only the removal of all or part of a structure will correct it's being:

§700.400 an unoccupied hazard;

§700.401 unfit for human habitation;

§700.402 dangerous to human life or health.

**§700.41 Notice of Demolition Order**

(LL4 of 1980 §@24) The Village Clerk shall promptly notify the property owner of:

§700.410 the demolition order;

§700.411 the reasons therefor;

§700.412 that demolition will be performed by the Village at the property owner's expense unless the danger is abated to the Building Inspector's satisfaction within 10 days.

**§700.42 Confirmation by State Supreme Court**

If a property owner fails to comply with a demolition order within ten days of receipt, then they and anyone else with an interest in the property shall be notified of the Village's intent to execute the order. The Village Attorney shall present the demolition order and supporting documents to a State Supreme Court Justice to review and either confirm, modify or annul. (LL4 of 1980 §@24)

**§700.5 Compelling Compliance**

If a property owner fails to comply with any notice under this section, the Village Attorney shall take action to compel compliance, with the cost of such action added to the tax levy for that property. (LL4 of 1980 §@23h)

**§700.6 Building Code Violation Penalties**

Anyone convicted of violating this section shall be fined up to \$500, imprisoned for up to thirty days, or both, for each day the violation continues. Violations of this section are not criminal, except violations of the State Building Construction Code punishable under §@385 of the State Executive Law or the Multiple Residence Law punishable under Section 304 of the State Multiple Residence Law. (LL4 of 1980 §@119b and §@26c)

**§701 Fire Prevention Code**

(See also ©§245 Fire Code Enforcement Officers)

**§701.0 Fire Prevention Code**

The 1970 edition of the Fire Prevention Code recommended by the American Insurance Association, as amended, is hereby made part of this Law to govern hazards to life and property caused by fire or explosion, with the following exceptions. (LL1 of 1976 §@1)

**§701.00 Storage of Explosives and Blasting Agents**

Storage of blasting agents and explosives is prohibited unless approved by the Enforcement Officers or the US Bureau of Alcohol, Tobacco and Firearms. (LL1 of 1976 §@4)

**§701.01 Flammable Liquids Above Ground**

Storage of flammable liquids in outside above ground tanks is permitted in light and heavy industrial zones. (LL1 of 1976 §@5)

**§701.02 Bulk Plants for Flammable Liquids**

## Part 71 – Licenses

### §710 Amusements

(GVO §@2.16 and §@5)

#### §710.0 General Rules for Amusement Licenses

##### §710.00 Amusement Centers

An *Amusement Center* is any place maintained or operated for the amusement, patronage or recreation of the public through the use of coin-control amusement devices. No one shall operate an amusement center without an amusement license issued for and a public tag affixed to each coin-control device.

##### §710.01 Billiard Halls and Bowling Alleys

No one shall operate any pool or billiard room or bowling alley without an amusement license.

##### §710.02 Carnivals

No one shall operate a carnival, circus or similar amusement for gain without an amusement license.

##### §710.03 Dances

No one shall conduct a paid-admission dance without an amusement license.

##### §710.04 Exhibitions

No one shall stage any concert, theatrical, horse show, horse race, auto race, carnival, midway ride, professional sports event, movie, amusement parlor or other exhibit without an amusement license.

##### §710.05 Parades

No one shall conduct any parade on public thoroughfares without an amusement license.

#### §710.1 Amusement License Applications

Applications for Amusement Licenses are made in writing to the Village Clerk, and shall include the following.

##### §710.10 Applicant Information

The name address and occupation of the applicant.

##### §710.11 Purpose of Application

The license shall specify the object of the exhibit and the time for which it has been granted.

##### §710.12 Criminal Record of Applicant

Whether the applicant has ever been convicted of a crime;.

##### §710.13 Person in Charge

The name and address of the person in charge of the place of amusement to be held chargeable for any offenses which occur.

##### §710.14 Games to Be Operated

A complete description of each game to be operated including manufacturer's name and address, and the serial number of each device.

##### §710.15 Additional Information

Additional information as shall be set by resolution of the Village Board.

#### §710.2 Amusement License Fees

##### §710.20 Amusement Centers

Amusement Center license fees are set by resolution of the Village Board. *See 210.0.*

##### §710.21 Carnivals and Circuses

The license fee for carnivals is \$25 for duration set by resolution of the Village Board.

##### §710.22 Exhibitions

The license fee for exhibits is \$10, with added fees and duration set by resolution of the Village Board.

##### §710.23 Parades

The license fee for parades is set by resolution of the Village Board.

#### §710.3 Granting Amusement Licenses

##### §710.30 Action in Reasonable Time

The Village Board shall take action on all amusement license applications within a reasonable time.

##### §710.31 Distance to Schools and Churches

No amusement license shall be granted for premises located within 200 feet of the lot line of any public or private school or church.

##### §710.32 License Holders With Criminal Record

No one convicted of a crime in the United States shall be issued an amusement license, and the license of anyone subsequently convicted of a crime shall be immediately revoked.

#### §710.4 Amusement License Holder Obligations

##### §710.40 Inspections of Amusement License Holders

Any applicant for a license thereby grants the Village and its police officers the right to enter and examine their premises during business hours.

##### §710.41 Responsible Person

Anyone who operates an amusement center is responsible for its compliance with this Law.

##### §710.42 Safe Exits

Anyone who operates an exhibit must provide unlocked, lighted and accessible exits during performances and for sufficient time to allow safe egress.

##### §710.43 Sanitation

License holders shall keep their premises properly maintained and properly dispose of all solid waste.

##### §710.44 Gambling

No one shall gamble, keep a gambling device, or award cash or other value for play of a device.

##### §710.45 Licenses Limited to One Location

New bulk plants for flammable or combustible liquids is permitted in light and heavy industrial zones subject to this Law. (LL1 of 1976 §@5)

#### **§701.03 Storage of Liquefied Petroleum Gasses**

Bulk storage of liquefied petroleum gas is permitted in light and heavy industrial zones subject to this Law. (LL1 of 1976 §@7)

#### **§701.04 Outdoor Fires**

(LL1 of 1976 §@7)

§@68.1 of the Fire Prevention Code is replaced with: Fires may be kindled or maintained only to cook food in fireplaces, barbecue pits or other fireproof containers, provided the fire poses no hazard to nearby flammables. The Enforcement Officers may prohibit all outdoor fires when conditions warrant.

### **§701.1 Fire Code Definitions**

#### **§701.10 Municipality**

when used in the Fire Prevention Code, is the Village. (LL1 of 1976 §@3A)

#### **§701.11 Corporation Counsel**

when used in the Fire Prevention Code, is the Village Attorney. (LL1 of 1976 §@3B)

#### **§701.12 Chief of the Bureau of Fire Prevention**

is the Enforcement Officers. (LL1 of 1976 §@3C)

### **§701.2 Fire Prevention Code Penalties**

Anyone convicted of the misdemeanor of violating this section shall be fined from \$50 to \$100, imprisoned for one to thirty days, or both, for each ten days a violation continues. (LL1 of 1976 §@10)

## **§702 Fire and Smoke Detection Code**

(See also ©§245 Fire Code Enforcement Officers)

### **§702.0 Compliance**

Owners of any building with two or more dwelling units and businesses with facilities for overnight occupancy by three or more persons shall install smoke detectors in each dwelling unit or room for rent which are capable of sensing visible or invisible combustion products and providing a suitable audible alarm. (LL7 of 1978 §@1)

### **§702.1 Location**

#### **§702.10 Sleeping Areas**

At least one smoke detector must be installed in each sleeping area; sleeping rooms separated by kitchens or living rooms, but not by bathrooms or closets, are separate areas. In commercial establishments, each sleeping room must have a smoke detector. (LL7 of 1978 §@6.1)

#### **§702.11 Stairways and Hallways**

At least one smoke detector must be installed at the top of each stairway or in the hallway leading to a sleeping area, so that rising smoke is detected before reaching that area. (LL7 of 1978 §@6.2)

### **§702.2 Alternative Systems**

An approved fire detection system may be used as an alternative to self-contained smoke detectors, if the system is individually approved and a permit issued by a Fire Codes Enforcement / Economic Development Officer. (LL7 of 1978 §@3)

### **§702.3 Approved Devices and Purposes List**

All equipment required herein shall be installed in conformance with the New York State Building Code and this Law, and approved by the Fire Prevention Board. The Fire Prevention Board shall maintain and keep updated a list of approved devices and their uses. Where previously approved devices are later determined to be unsafe, the Fire Prevention Board shall also determine whether existing installations must be replaced. Devices no longer available but still safe for use are kept on an inactive list. (LL7 of 1978 §@4)

### **§702.4 Installation**

In new residences, smoke detectors shall be hard-wired to the building's power supply. In existing multi-family dwellings of 10 units or more, the detectors shall meet the multi-family building power source requirements of State law, or in its absence, the requirements of this Law for existing dwellings. In other existing dwellings, smoke detectors should be wired directly to the power supply, but may be powered by a self-monitored battery or operated in a plug-in outlet which is fitted with a plug restrainer device, provided the outlet is controlled only by the main power supply. (LL7 of 1978 §@5)

### **§702.5 Adequate Power Source**

Every detector or system installed or maintained under this Law shall have a power source sufficient for proper operation. (LL7 of 1978 §@7)

### **§702.6 Supplemental Standards**

This section is used with and supplemented by the Village Fire Prevention Code; where there is any conflict, this Law shall prevail. (LL7 of 1978 §@7)

### **§702.7 Electrical Permits**

No smoke detector or alternative system shall be connected to a structure's electrical system without an electrical permit from the New York Board of Fire Underwriters. (LL7 of 1978 §@4)

### **§702.8 Smoke Detector Penalties**

Anyone convicted of violating this section shall be fined up to \$100, imprisoned for up to 10 days, or both, for each day a violation exists. (LL7 of 1978 §@10)

velop environmentally acceptable facilities to manage its Solid Waste. In December of 1991, the County adopted a comprehensive Solid Waste Management Plan subsequently approved by the State Department of Environmental Conservation. This Plan, applicable to County municipalities, preferred waste-to-energy as a safe and sanitary alternative to the threat to the ground water supply and other liabilities posed by the burying waste, for reasons listed in §25 of the Plan. Public Authorities Law §6045-e(7) and (8) allows OCRRA to contract with municipalities for the delivery and processing of solid waste. In compliance with both the State and County Solid Waste Management Plans, the solid waste generated here and destined for disposal within the State, must be disposed of at the site designated in §714.5.

### §714.1 Limitations

(LL5 of 2001, §1 & §3)

This section does not apply to:

#### §714.10 Village Vehicles

vehicles used by the Village for collection of waste;

#### §714.11 Out-of-State Disposals

solid waste disposed of out-of-state;

#### §714.12 Material Prohibited by the FAA

the transportation of property prohibited by the Federal Aviation Administration Authorization Act of 1994, as amended (49 U.S.C.A. §14501 et. seq.).

### §714.2 Definitions

All terms defined in §470 also apply to this section.

### §714.3 Waste Hauler Licenses

(LL5 of 2001, §3, except as otherwise noted)

#### §714.30 Waste Hauler License Required

Any hauler collecting solid waste in the Village must have a license. Applications are submitted to the Codes Enforcement / Economic Development Officer on the form set by resolution of the Village Board. The hauler will supply all business information required on the application.

#### §714.31 Waste Hauler License Fees

The annual fee for waste hauler licenses, a deposit to insure adherence to the filed operating plan, fees for costs incurred in processing the application, and any other attendant fees as set by resolution of the Village Board shall be paid at the time of application. (LL5 of 2001, §8)

#### §714.32 Plan of Operation

Each hauler shall file an operating plan showing collection schedules and a recycling plan as required by Onondaga County Local Law No. 12 of 1989.

#### §714.33 Calendar Year Licenses

Waste hauler licenses are effective from January 1 through December 31. (LL5 of 2001, §5) No hauler shall bill or contract with any customer for a

period of more than one year in advance or extending beyond December 31 of any calendar year.

#### §714.34 Indemnification

At the time their license is issued, all hauler's must sign a waiver indemnifying and holding harmless the Village and its officials from and against any and all claims and expenses resulting from any claim in any way connected with the applicant's actions as a hauler. (LL5 of 2001, §10)

#### §714.35 Insurance

The hauler shall secure and maintain insurance coverage as set forth below, or in such higher amounts as set by resolution of the Village Board:

§714.350 Public liability (CGL) with contractual coverage of a combined single limit of at least \$1,000,000 per occurrence and \$1,000,000 aggregate in the primary policy;

§714.351 Automobile liability coverage for all vehicles used, with a combined single limit of at least \$1,000,000 in the primary policy;

§714.352 An umbrella policy in the amount of at least \$5,000,000 that follows the coverage forms of the underlying liability policies or is broader; and

§714.353 Worker's Compensation coverage.

§714.354 All liability policies shall name the Village as an additional insured.

§714.355 Each policy of insurance shall be endorsed to contain the following language:

*The Village will be given thirty days prior written notification of any cancellation, non-renewal or modification of this policy which reduces coverage or limits at the following address: 207 North Center Street, East Syracuse, New York. 13057.*

§714.356 Prior to the issuance of a license, the hauler must provide the Village Clerk with proof of insurance coverage in a form to be set by resolution of the Village Board.

#### §714.36 Cancellation of Waste Hauler Licenses

If the Village establishes a new system for collecting solid waste, it may cancel any license upon thirty days written notice to the hauler. (LL5 of 2001, §7)

### §714.4 Collection of Solid Waste

#### §714.40 Licensed Waste Hauler Sticker

All haulers must display a Village issued Licensed Waste Hauler sticker on the driver's vent window or upper part of the driver's side of the windshield on each vehicle in operation. Imitation, duplication, sale or transfer of these sticker is prohibited. (LL5 of 2001, §4)

#### §714.41 Vehicles Must Be Kept Sanitary

No waste may be stored in any vehicle and all vehicles must be kept in sanitary condition and are sub-

No licensed device may be transferred from one location to another, and no device tag may be removed or transferred from one device to another.

**§710.46 Minors**

No one under the age of 18 years may be licensed to operate any gaming device unless accompanied by their parent or legal guardian.

**§710.47 Early Morning Pool Rooms**

No pool room may be open from midnight to 7 am.

**§710.5 Amusement License Violations Penalties**

Anyone convicted of operating an unlicensed carnival or circus shall be fined up to \$50, imprisoned for up to 30 days, or both.

**§710.6 Revocation of Amusement Licenses**

Any amusement device operated in violation of this Law may be seized and, upon conviction of its operator for violating this Law, may be destroyed.

**§711 Games of Chance**

(LL3 of 1978)

**§711.0 General Rules for Games of Chance**

Organizations authorized under §@186 of the State General Municipal Law may conduct Games of Chance as defined in §@186.3 of that law.

**§711.1 Games of Chance License Applications**

Application are made to the Village Clerk.

**§711.2 Games of Chance License Fees**

(Reserved)

**§711.3 Granting Games of Chance Licenses**

(Reserved)

**§711.4 Games of Chance Licensee Obligations**

Games of Chance must be conducted in accordance with §@9a of the State General Municipal Law and the Rules and Regulations of the State Racing and Wagering Board, and may be conducted on Sundays

**§711.5 Games of Chance License Enforcement**

The Police Chief shall supervise and control all Games of Chance and have all powers and duties under §@9a of the State General Municipal Law.

**§712 Junk Dealers**

(GVO §@10)

**§712.0 General Rules for Junk Dealer Licenses**

Junk Dealers are anyone who accepts automobiles, machinery, metal articles, rags, waste paper or waste materials for processing, dismantling or salvaging metals or used parts for resale or for accumulation and storage. Anyone acting as a junk dealer must be licensed.

**§712.1 Junk Dealer License Applications**

Application and renewals are made to the Village Board.

**§712.2 Junk Dealer License Fees**

The fee for a junk dealer license is \$50 per calendar year.

**§712.3 Granting Junk Dealer Licenses**

To issue or renew a junk dealer license, the Village Board must find that the operations won't be offensive or impair the safety, health or welfare of residents or visitors.

**§712.4 Junk Dealer License Holder Obligations**

(Reserved)

**§712.5 Junk Dealer License Penalties**

Anyone convicted of violating this section shall be fined up to \$100, imprisoned for up to 30 days, or both.

**§713 Peddlers**

(GVO §@2 and §@2.15)

**§713.0 General Rules for Peddler Licenses**

No one shall sell any merchandise of any nature on any public property without a peddler license.

**§713.1 Peddler License Applications**

(Reserved)

**§713.2 Peddler License Fees**

The peddler license fee is \$25 per calendar year.

**§713.3 Granting Peddler Licenses**

Peddler licenses are issued by the Village Board.

**§713.4 Peddler License Holder Obligations**

(Reserved)

**§713.5 Peddler License Penalties**

Anyone convicted of violating this Part shall be fined up to \$50, imprisoned for up to 30 days, or both.

**§714 Waste Haulers**

**§714.0 History**

(LL5 of 2001, §@1)

Reducing solid waste and recycling are important due to increasing costs of disposal and environmental impacts. Separating and collecting recyclables is in the public interest and complies with the County Source Separation Law (LL12 of 1989) and other applicable laws. In 1988, to conserve energy and natural resources, the State enacted a Solid Waste Management Act establishing a solid waste hierarchy of waste reduction, reuse, recycling and waste to energy (See State Environmental Conservation Law §@67-0106), with burial as a last resort. §@B-35 of the State Solid Waste Management Plan, 1997-98 Update, recommended the County take immediate steps to de-

**§714.8 Hauler Violation Penalties****§714.80 Each Day is a Separate Offense**

Each day a violation continues is a separate offense. (LL5 of 2001, §@60)

**§714.81 Fine and Imprisonment**

Any hauler convicted of violating this section shall be fined up to \$500 (or such other amount as set by resolution of the Board) and imprisoned for up to 15 days for each offense. (LL5 of 2001, §@60)

**§714.82 Revocation Upon Conviction**

The license of any Hauler convicted of violating this section may be revoked. (LL5 of 2001, §@60)

**§714.83 Revocation Upon Hearing**

The Village shall revoke the license of any municipal hauler who fails to comply with any provision of this Law. The hauler shall be notified in writing of the violation and the date on which the Mayor or his des-

ignee shall hear all facts regarding the violation and make a final determination on revocation. The hearing shall be at least five days after the hauler's presumptive receipt of the notice and shall be conducted informally. The decision of the Mayor or their designee shall be final. (LL5 of 2001, §@3)

**§714.84 Compelling Compliance**

Other penalties under this Law notwithstanding, the Village may take legal action to compel compliance with this law. (LL5 of 2001, §@26)

**§714.85 Enforcement Agents**

This subsection shall be enforced by the Codes Enforcement / Economic Development Officer, Fire Inspectors, Public Works Superintendent, Village Police, County Sheriff, State Police and State Department of Environmental Conservation. (LL5 of 2001, §@26)

**Part 72 – Restricted Commerce****§720 Sexually Related Businesses****§720.0 Sexual Displays**

(LL2 of 2000 §@C.2)

Sexual displays are any which involve:

**§720.00 Aroused Genitalia**

sexually stimulated or aroused human genitals;

**§720.01 Sex Acts**

human masturbation, sexual intercourse or sodomy;

**§720.02 Sexual Contact**

erotic touching of human genitals, pubic region, buttock or female breast;

**§720.03 Lower Nudity**

depiction of less than completely and opaquely covered human genitals, pubic region, buttock, anus or female breast below a point immediately above the top of the areola; or

**§720.04 Erections**

human male genitals in a discernible turgid state, even if completely and opaquely covered.

**§720.1 Sex-Related Businesses**

(LL2 of 2000 §@C and §@H)

Sex-related businesses include any of the following.

**§720.10 Adult Book and Video Shops**

are enclosed buildings which present, lend or sell visually recorded performances or publications with sexual displays.

**§720.11 Hotels**

Any hotel, motel or similar establishment which offers public accommodations that publicly advertise the provision of recorded or transmitted sexual displays, or which offers a sleeping room for rent or sub-letting for a period of less than 10 hours.

**§720.12 Live Sex Shows**

are public establishments that feature live sexual displays, or which, for any form of consideration, offer cross-sex wrestling or tumbling.

**§720.13 Massage Parlors**

or body rub parlors are businesses in which, for any form of consideration a massage, oil or alcohol rub, fomentation, electric or magnetic treatment or other manipulation of human body by means of stroking, kneading, tapping and vibrating is administered. Exempted is any place where massage is practiced as defined in New York Education Law, Article 133 §@8801, and by a medical practitioner, chiropractor, or other professional person licensed by the State under the Education Law §@8802 or authorized person under Education Law §@8805.

**§720.14 Nude Modeling**

Any place in which, for any consideration, a model is sexually displayed to be observed, sketched, drawn, painted, sculptured, photographed, or otherwise depicted. This shall not include nonprofit organizations, schools licensed by the State, or colleges.

**§720.15 Sexual Device Shops**

Any place that, for any consideration, sells devices designed for use in sexual displays.

**§720.16 Exceptions**

ject to inspection by the Codes Enforcement / Economic Development Officer. (LL5 of 2001, §@31)

#### **§714.42 Prohibited Days and Hours**

Waste haulers are prohibited from operating on Sundays, Thanksgiving, Christmas and from 9 pm to 6 am. (LL5 of 2001, §@6 and §@11)

#### **§714.43 Solid Waste Containers**

(LL5 of 2001, §@23)

§714.430 All solid waste shall be placed in containers not exceeding seventy-five pounds or thirty gallons capacity.

§714.431 No container shall be used which is filthy, leaky or defective, and all garbage containers shall be sealed.

§714.432 All containers shall be stored inside or in the rear of the premises. No solid waste may be placed at the curb prior to 4 pm on the day before the designated collection day, and all empty containers must be removed from the curb by no later than 6 pm on the day of collection.

§714.433 All containers kept or placed out of doors shall be covered to prevent rain or snow from accumulating.

§714.434 Walks, paths, driveways and alleys shall be kept reasonably free from snow and ice to permit removal of containers.

#### **§714.44 Deviation from Operating Plan**

The hauler shall collect all solid waste and recyclable materials at the curb in containers or in secured plastic bags on the scheduled collection day. Where any hauler deviates from their filed operating plan, the Village may make any missed collections and deduct the cost incurred from the hauler's adherence deposit; the hauler must replenish the deposit within thirty days of a written demand from the Village Treasurer. (LL5 of 2001, §@3)

#### **§714.45 Removal of Uncollected Waste**

Where solid waste is not collected because it was improperly prepared or containerized, the person responsible for the waste or the owner of the property shall remove the waste as soon as possible after refusal, and by no later than 6 pm on the designated collection day. (LL5 of 2001, §@12)

### **§714.5 Disposal of Solid Waste**

#### **§714.50 Approved Disposal Sites**

The hauler will deliver all non-recyclable solid waste collected destined for disposal within the state to the appropriate OCCRA facility. No hauler may deliver hazardous or medical waste into the system. (LL5 of 2001, §@3A)

#### **§714.51 Restrictions on Vehicles and Handling**

Collection and transport of solid waste must be done in covered vehicles. No hauler shall allow solid

waste to escape onto streets or other public places. (LL5 of 2001, §@13)

#### **§714.52 Storage of Solid Waste**

No hauler shall allow solid waste to be stored in vehicles or in any manner so that it emits odors, become offensive or dangerous to any person or property, or any dangerous or obnoxious substance leaches from it. (LL5 of 2001, §@22 and §@23)

#### **§714.53 Outdoor Burning Prohibited**

No Hauler shall bury or burn any Solid Waste and/or Recyclables or cause to be buried or burned any Solid Waste and/or Recyclables, papers, trash, Hazardous Waste and/or materials within the limits of the Village, unless authorized to do so in writing by the Village Board. (LL5 of 2001, §@24)

#### **§714.54 Yard Waste Prohibited**

Yard Waste isn't acceptable at any OCRRA Facility, but may be accepted for recycling at a composting facility of the hauler's choice. (LL5 of 2001, §@21)

### **§714.6 Recycling**

(LL5 of 2001, §@8)

#### **§714.60 Source Separation Law**

The Village hereby adopts as its Source Separation Legislation, required pursuant to the General Municipal Law, §@120-aa, the Onondaga County Source Separation Law (i.e. Local Law No. 12 of 1989) as adopted by the County Legislature and subsequently amended under its terms.

#### **§714.61 Recycling Must Be Included**

The hauler shall provide for the collection of recyclables in every waste hauler disposal agreement, written or oral, as part of its standard service and rates.

#### **§714.62 Recyclables Must Be Separated**

No hauler shall dispose of recyclables as solid waste or accept them for disposal as solid waste.

#### **§714.63 Recycling Containers**

Recycling containers are the property of OCRRA or the Village and are provided for the use and convenience of eligible households. No Hauler shall:

§714.630 remove any container from the village;

§714.631 willfully destroy any container;

§714.632 dispose of any container except by returning it to the village Public Works Dept.;

§714.633 use any container for other than the temporary storage of recyclables.

### **§714.7 Special Events**

(LL5 of 2001, §@25)

This section applies to all special events held in the Village, and the sponsor is responsible for sorting, properly containerizing, and arranging for the collection and disposal of all solid waste. Haulers may charge an additional fee to be set by resolution of by the Village Board.

this notice, unless you abate the violation within three (3) days of receipt of this notice.

If this is your first violation within the last year, you may be fined up to \$100 for each day the violations remains unabated including the day on which you receive this notice, unless you abate the violation within three (3) days of receipt of this notice.

Please advise the Department of Police, telephone number (315) 437-3891, of your compliance with this notice

Dated: \_\_\_\_\_ By: \_\_\_\_\_

### **§731.2 Person in Charge**

A Person in Charge is anyone that owns, occupies, manages, uses, or controls a premises. (LL2 Of 1992)

### **§731.3 Outdoor Storage Penalties**

(LL6 Of 2000)

#### **§731.30 First Violation**

Anyone convicted of violating this Part for the first time in any one year period shall be fined up to \$100 for each day the violations remains unabated, including the day on which notice is issued.

#### **§731.31 Second Violation**

Anyone convicted of violating this Part for the second time in any one year period shall be fined up to \$200 for each day the violations remains unabated, including the day on which notice is issued.

#### **§731.32 Third and Subsequent Violations**

Anyone convicted of violating this Part for the third or more times in any one year period shall be fined up to \$250 for each day the violations remains unabated, including the day on which notice is issued.

## **§732 Outdoor Storage of Motor Vehicles**

### **§732.0 Purpose**

The outdoor storage on any property of unused vehicles, and the flammables often left in them, make the Village less safe, particularly for children. Such storage is ugly, depreciates the value of neighboring properties, and discourages progressive development, and must be regulated. (LL8 of 1993 §@1)

### **§732.1 Definitions**

(LL8 of 1993 §@2)

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

#### **§732.10 Inoperable Vehicle**

is any vehicle without valid NYS motor vehicle safety inspection certificates.

#### **§732.11 Motor Vehicle / Vehicle**

is every device which may transport any person or property on a highway, except those which are human power or move on stationary rails.

#### **§732.12 Nuisance Vehicles**

are any motor vehicle that is either unregistered, inoperable, and/or unusable.

#### **§732.13 Property Maintenance Vehicles**

are unregistered and unfit for street use, and used for property maintenance (riding mowers, tractors, etc.)

#### **§732.14 Seasonal Vehicles**

are any vehicle that is fit for highway use, indicated by a current NYS vehicle inspection certificate, but used only in certain seasons – i.e. camper trailers, boat trailers, recreational vehicles, etc.

#### **§732.15 Unregistered Vehicle**

is generally any motor vehicle that doesn't have a valid NYS or other governmental registration, and specifically one which has no valid license plate, registration sticker or other lawful proof of registration.

#### **§732.16 Unusable Vehicle**

is any vehicle that is being used for parts or storage, or is otherwise incapable of being lawfully and safely used to transport persons and/or things.

## **§732.2 Prohibited Acts**

(LL8 of 1993 §@3)

### **§732.20 General Prohibition**

No one shall keep any nuisance vehicle outdoors.

### **§732.21 Vehicle Repair Shops**

Any State registered garage, service station or motor vehicle repair facility may store nuisance vehicles outdoors, provided that no vehicle remains for more than 30 days and the number stored at no time exceeds 10.

### **§732.22 Seasonal and Maintenance Vehicles**

No seasonal or property maintenance vehicle may be stored in any front yard as defined in ©§802.12, except in a lawful driveway.

### **§732.23 Vehicles for Sale**

Excluding at State registered vehicle dealers, no vehicle may be offered for sale on private property for more than 30 days. On the written request of the property owner, written extensions of up to a total of 30 days may be granted by the Codes Enforcement / Economic Development Officer.

### **§732.24 Vehicle Not in Use Waiver**

The Codes Enforcement / Economic Development Officer may grant an exemption from the provisions of this Part to the owner of an operable vehicle which is only registered and used part of the year, allowing storage of the vehicle for no more than 180 days in any consecutive 365 day period.

## **§732.3 Notice**

(LL8 of 1993 §@4)

The Police Chief or his designee shall serve written notice of violations of this Part, either personally or by certified mail, return receipt requested, upon the owner of the motor vehicle or the owner of the property on which the ve-

The section does not apply to any theater or similar establishment primarily devoted to theatrical performances.

### §720.2 Prohibitions

#### §720.20 Specifically Prohibited Businesses

(LL2 of 2000 §@C and §@D)

The following sex-related businesses are prohibited anywhere in the village.

§720.200 Massage or body rub parlors.

§720.201 Any live sex show in which the stage is less than eighteen inches high, patrons are separated from the stage by less than six feet, patrons pay or give any gratuity to any performer, or any performer solicits any pay or gratuity from any patron.

#### §720.21 Prohibition of Proximity

(LL2 of 2000 §@A)

All sex-related business are prohibited within 1000 feet of any :

§720.210 dwelling;

§720.211 public or private school;

§720.212 child or adult day care center;

§720.213 church or religious facility;

§720.214 public park.

#### §720.22 Measurement of distance:

The distances for the purpose of this section are measured by a straight line from the nearest point of the property on which the sex-related business is to be located to the nearest point of the property or the

use zone from which the sexually-related business is to be separated. (LL2 of 2000 §@B)

### §720.3 Termination of Sex-Related Businesses

(LL2 of 2000 §@E and §@F)

#### §720.30 One Year Deadline

All sex-related business shall terminate no later than one year from the effective date of this section.

#### §720.31 Extensions of the One Year Deadline

Any sex-related business which existed prior to the adoption of this law, and in which substantial investments were made prior to the adoption of this law which are of value solely in the operation of the sex-related business, may, no less than 120 days from the one year deadline for termination, apply to the Zoning Board of Appeals for an extension of that deadline sufficient to allow them to recoup the cost of said investment. The applicant must be able to demonstrate that the business complies with this law in all other respects and that the extension sought is the minimum necessary to recoup the investment.

### §720.4 Penalties for Sex-Related Businesses

Anyone convicted of violating this section shall be liable to a civil penalty of \$500 to be recovered by the Village in a civil action or special proceeding; each day a violation continues is a separate violation. The Village may also take action to compel compliance with or restrain the violation of this section, or taken any other action(s) provided by law. (LL2 of 2000 §@G)

## Part 73 – Storage

### §730 Combustibles and Explosives

No one shall store gasoline, naphtha or kerosene except in an underground tank placed in compliance with the State Building Construction Code. (GVO §@2.12)

### §731 Outdoor Storage of Material

#### §731.0 Prohibition

There shall be no outdoor storage of goods, supplies, junk or waste on any property so as to alter the character of those premises or impair the neighborhood, except and only to the extent expressly permitted in Service Center and Industrial Zones (SC, I-1 and I-2). (LL2 of 1992, ZO §@5.2 and ZO §@6.2)

#### §731.1 Notice of Violations

(LL6 of 2000)

The Police Chief or his agent shall serve written notice of any violation of this Part, either personally or by certified

mail, return receipt requested, to the persons in charge of the premises on which the violation occurred, demanding compliance with this Law. The notice shall be in substantially the following form:

*Notice is hereby given that there is a violation of Local Law #2 of 1992 as amended in that there is outside storage of goods, supplies, rubbish, refuse or junk on property which you own, occupy, manage, use, or control within the Village. Anyone convicted of violating this Part shall be fined up to \$250 for each day the violation remains unabated. You must remove the goods, supplies, rubbish, refuse or junk on the subject property on or before ten (10) days from the receipt of this notice.*

*If this is your third violation within the last year, you may be fined up to \$250 for each day the violations remains unabated including the day on which you receive this notice.*

*If this is your second violation within the last year, you may be fined up to \$200 for each day the violations remains unabated including the day on which you receive*

equal to the Village cost of transporting and boarding the animal seized.

#### **§741.16 Disposal of Dog after Nine Days**

If the owner or person having custody of a dog doesn't redeem it within 9 days after notice of seizure, the dog shall be disposed of in accordance with the provisions of §118 of the State Agriculture and Markets Law.

### **§741.2 Habitually Barking Dogs**

#### **§741.20 Prohibition**

No person shall keep, or allow to be kept on their premises, any dog which continually makes loud or long-continued noises to the disturbance or annoyance of others.

#### **§741.21 Ticketing**

The Town of Dewitt Dog Control Officer, any peace officer or the Codes Enforcement / Economic Development Officer shall issue an appearance ticket to violators of this subsection, with a brief description of the violation. The appearance date shall be at least 7 days from the date the ticket is issued.

### **§741.3 Control Of Dog Waste**

(LL1 of 2001)

The owner of a dog shall not permit his dog to:

**§741.30 Damaging or Destroying Property**  
damage or destroy the property of others.

**§741.31 Depositing Waste on Private Property**  
leave waste on the property of others except with their approval.

**§741.32 Depositing Waste on Public Property**  
leave waste on public property unless it is immediately removed for suitable and proper disposal.

**§741.33 Appearance Tickets**  
Any designee of the Village Board observing a violation of this subsection or upon the sworn complaint of an individual observing such a violation shall issue an appearance ticket with a brief description of the violation. The appearance date shall be at least 7 days from the date the ticket is issued.

### **§742 Cats**

(LL3 of 1992)

#### **§742.0 Owner**

is any person owning, harboring, feeding or allowing a cat to remain about their premises.

#### **§742.1 Responsibilities Of Owners**

##### **§742.10 Nuisances**

No cat shall be a nuisance, including, but not limited to viciousness, frequently damaging or despoiling the property of others, frequently raising disturbances be-

tween 10 p.m. and 7 a.m., or raising disturbances at extended intervals at any time

#### **§742.11 Public Parks**

No owner shall permit a cat to enter any area designated as a tot-lot in any public park or playground.

### **§742.2 Right Of Entry For Enforcement**

The Town of DeWitt Animal Control Officer or any designee of the Village Board may enter upon any premises to enforce the provisions of this section.

### **§742.3 Cat Violation Penalties**

Anyone convicted of violating this section shall be fined up to \$50.

### **§743 Livestock**

#### **§743.0 Prohibition of Keeping Livestock**

No one shall keep any cow, horse, pig or pony. (GVO §2.39)

#### **§743.1 Penalties for Keeping Livestock**

Anyone convicted of violating this section shall be liable to a fine not to exceed \$50, or imprisonment of not more than 30 days, or both. (GVO §2)

### **§744 Weeds**

(LL5 of 2000)

#### **§744.0 Responsibilities**

No owner or occupant shall allow vegetation other than trees and shrubbery to grow higher than eight inches in any yard that abuts a public thoroughfare or in a street margin abutting their property.

#### **§744.1 Charge for Cutting**

The Public Works Superintendent shall notify property owners of violations of this section by ordinary mail. If the violation isn't corrected within three days of notice, the Village shall cut the vegetation. The Public Works Superintendent shall certify the cost of this work to the Village Clerk, who shall bill the property owner for the cost plus 25%, with a minimum of \$25. If not paid within 30 days of billing, the total shall be added to the tax levy upon the property.

hicle is located or both to demanding compliance. The notice shall be in substantially the following form:

*To the owner of the motor vehicle or the owner, occupant, lessee or tenant of the property within the Village, known as:*

*Notice is hereby given that a nuisance, inoperable, unregistered, and/or unusable motor vehicle has been stored or deposited on the above described property in the Village in violation of §711 of the East Syracuse Consolidated Municipal Law. The motor vehicle must be removed within 10 days from the date of this notice. Failure to remove in accordance with this notice may subject you to a fine for each vehicle in violation of an amount not to ex-*

*ceed \$250 plus an additional fine of an amount not to exceed \$250 for each day the violation remains unabated after 10 days from receipt of this notice.*

*Please advise the Department of Police, telephone number 437-3891 of your compliance with this notice.*

*Dated: \_\_\_\_\_ By: \_\_\_\_\_*

### **§732.4 Penalties for Outdoor Storage of Vehicles**

(LL8 of 1993 §@5)

Anyone convicted of violating this Part shall be fined up to \$250 for each vehicle in violation, plus up to \$250 per day the violation remains unabated starting 10 days from the receipt of the notice of violation.

## **Part 74 – Domestic Animals and Plants**

### **§740 Pets Permitted**

(LL4 of 1986)

#### **§740.0 Definitions**

##### **§740.00 Exotic Animals**

are any live animal, except:

- §740.000 dogs and cats;
- §740.001 non-poisonous tropical and goldfish;
- §740.002 domesticated rats, mice, hamsters and guinea pigs;
- §740.003 captive-bred parrots and parakeets;
- §740.004 moths and butterflies;
- §740.004 other domestic animals as defined in §@107 of the Agriculture and Markets Law.

##### **§740.01 Pet**

is any animal kept for pleasure rather than utility.

##### **§740.02 Vicious Animal**

is any animal, other than guard dogs, that constitutes a physical threat to human beings or other animals.

#### **§740.1 Prohibition**

No one shall keep any exotic or vicious animal as a pet.

#### **§740.2 Exotic or Vicious Pets Penalties**

Anyone convicted of violating this section shall be fined \$25 per day of violation and will be required to surrender the animal to Village authorities.

### **§741 Dogs**

#### **§741.0 Dogs Must Be Licensed**

No one shall have any unlicensed dog. Anyone convicted of violating this subsection shall be fined up to \$50, imprisoned for up to 30 days, or both. (GVO §@2 and §@6.19)

#### **§741.1 Leashing**

(LL2 of 2001, except as otherwise noted)

##### **§741.10 Dogs Must Be Leashed**

No one shall allow their dog off their property unless leashed and under their control.

##### **§741.11 Seizure Of Unleashed Dogs**

The Dog Control Officer of the Town of DeWitt, any Peace or Police Officer, the Town of DeWitt Dog Control Officer or any representative of the Commissioner of Agriculture and Markets may seize any unleashed dogs found running at large as provided for in §@118 of the Agriculture and Markets Law of the State.

##### **§741.12 Notification of Owner**

The owner or person having custody of a dog shall be notified as soon as practicable after the seizure in accordance with the provisions of §@118 of the State Agriculture and Markets Law.

##### **§741.13 Kenneling and Care**

The seized dog shall be kenneled by the Village and properly fed and cared for.

##### **§741.14 Issuance of Appearance Ticket**

Any officer listed in ©§741.11 who observes a violation of this subsection shall issue and serve an appearance ticket pursuant to the Criminal Procedure Law. The person served may appear at the date, time and place specified in the ticket, or may answer within 5 days of the violation by registered or certified mail, return receipt requested. Anyone convicted of violating this subsection shall be fined up to a maximum amount set by resolution of the Village Board.

##### **§741.15 Redemption Fee for Transport and Boarding**

In addition to the payment of any fine, the owner or person having custody of a seized dog shall pay a fee

# Title 8: Zoning

## Part 80 – General Rules for Zoning

### §800 Purposes and Rights

This Title intends to promote the general welfare by regulating sites, structures and uses. (ZO §@1)

### §801 Word Rules and Synonyms

The following rules apply to this Title. (ZO §@2)

#### §801.0 Tense

Words in the present tense include the future;

#### §801.1 Shall

is always mandatory.

#### §801.2 Building

is synonymous with **Structure**;

#### §801.3 Lot

is synonymous with **Plot**;

#### §801.4 Occupied,

**Designed and Intended To Be Occupied** are all synonymous;

#### §801.5 Used

**Arranged, Designed and Intended To Be Used** are all synonymous;

### §802 General Zoning Definitions

(ZO §@2 Preamble)

#### §802.00 Accessory

is a structure or use other than the principal one on the lot, which is subordinate and customarily incidental to the principal structure or use. Accessory structures and uses can be located on adjoining lots which have no other principal building or use.

#### §802.01 Alcoholic Beverages

are as defined by those State laws regulating them.

#### §802.02 Corner Lot

is any lot with frontage on more than one street, or on a single street whose direction varies by more than 45° along its abutment with the lot.

#### §802.03 Dwelling

is any building used wholly for habitation, except for a mobile home.

#### §802.04 Dwelling Unit

is any dwelling or portion thereof used or intended to be used by one family.

#### §802.05 Family

is any number of individuals living together as a single housekeeping unit, where no more than 4 members are other than blood relatives.

#### §802.06 Height of a Building

is the height measured from the average elevation of the proposed grade line at the building, to the main height between the eaves and ridge for pitched roofs, or to the highest part of roof for parapet roofs.

#### §802.07 Lot

is a parcel of land occupied by a principal structure, accessory structures and open spaces as required by this Law or arranged and designed for use in connection with the structures.

#### §802.08 Lot Coverage

is the percentage of the lot area covered by any roof.

#### §802.09 Lot Lines

§802.090 A Front Lot Line is the line separating a lot from a street right-of-way, or, where the lot abuts more than one street, the street line the property owner designates as the front lot line.

§802.091 A Rear Lot Line is the one opposite and most distant from the front lot line.

§802.092 A Side Lot Line is any which is not a front or rear lot line.

#### §802.10 Pre-Existing Non-Conforming Use

is a site, structure or use which pre-dates and is not in compliance with any provision of this Title.

#### §802.11 Principal Structure

is where the principal use of a lot is conducted, or any building with sleeping quarters.

#### §802.12 Yard

is the open parts of a lot, including:

§802.120 Front Yards, which extend across the full width of the lot from the front lot line to the nearest line of the main building;

§802.121 Rear Yards extend across the full width of the lot from the rear lot line to the line of the nearest building;

§802.122 Side Yards extend from the front yard to the rear yard.

### §803 Zoning Use Definitions

(ZO §@2 Preamble, except as otherwise noted)

**§803.00 Cultural Facilities**

are public libraries and museums.

**§803.01 Extractive Uses**

are removing sod, loam, sand, gravel or quarried stone for sale, except when incidental to, or in connection with, constructing a building. (ZO §@13.10)

**§803.02 Home Occupation**

(ZO §@2.29 and §@4.5A)

is an occupation customarily carried on in a home or accessory structure by one of its residents and clearly secondary to the residential use, including, but not limited to, barbers, hairdressers, dressmakers, laundrerers, home cooking, teachers, accountants, architects, artists, dentists, doctors, engineers, surveyors, insurance agents, lawyers, musicians, realtors, or member of any other professional occupying the dwelling, provided that the home occupation:

§803.020 doesn't alter the character of the premises or impair the neighborhood;

§803.021 is on the same lot with the use to which it is accessory;

§803.022 is carried on wholly within the principal building or a structure accessory thereto;

§803.023 doesn't employ more than one person not living on the premises;

§803.024 has only one unlighted sign or bulletin board of no more than 2 square feet;

§803.025 doesn't include the exterior storage of materials or other exterior indications of the home occupation, and doesn't vary the residential character of the principal building;

§803.026 produces no offensive noise, vibration, smoke, dust, odors, heat, light or glare;

§803.027 specifically does not include commercial stables and kennels, restaurants and tea rooms, musical instruction of three or more students at once, dance instruction, tourist homes, convalescent homes, mortuaries, motor vehicle garages or repair shops, and other businesses of a similar nature.

**§803.03 Hospital**

is a facility for the in-patient treatment of sick or injured humans, but specifically does not include hospitals or sanitariums for treating the insane, feeble-minded, epileptics or substance abusers.

**§803.04 Hotel**

is a dwelling with 10 or more separate rooms for rent on less than a monthly basis, with or without meals.

**§803.05 Light Manufacturing**

is any manufacturing which causes no objectionable odors, fumes, dirt, vibration or noise.

**§803.06 Mobile Home**

is a movable living unit, also called a house trailer.

**§803.07 Motel**

is a hotel intended primarily for transient motorists.

**§803.08 Multi-Family Dwelling**

is a building used for dwelling purposes by three or more families living in separate dwelling units.

**§803.09 Nursing or Convalescent Home**

is a facility, with 14 or fewer sleeping rooms, which houses, feeds and provides nursing care for a fee.

**§803.10 Public Facilities**

are non-profit parks, public playgrounds, or any structure necessary to serve or protect a neighborhood or provide public utilities.

**§803.11 Religious Facilities**

are churches and other places of worship, including convents, parish houses and Sunday schools.

**§803.12 Retail Businesses**

Retail sales and services, including incidental storage and wholesale operations, and any manufacturing or processing clearly incidental to the on-premises retail business. These include, but aren't limited, to:

appliance servicing;	hotels and motels;
bakers;	mortuaries;
barbers and hairdressers;	parking lots and garages;
confectioners;	photographers;
cleaners and dyers;	professional offices
clothiers;	restaurants and caterers;
decorators;	shoemakers and shiners;
financial institutions;	shoeshiners;
florists;	tailors and dressmakers;
groceries;	upholsterers.

**§803.13 Rooming House**

is a dwelling with separate rooms for rent to 5 to 9 people, with or without meals.

**§803.14 Row Dwelling**

is a building with one dwelling unit, and one or two walls shared with adjoining buildings.

**§803.15 Sanitary Landfill**

is a depression in the ground filled with solid waste and covered with a layer of earth.

**§803.16 Schools**

are any school operated by a non-stock corporation under the education laws of the State, or institution of higher learning, including dormitories.

**§803.17 Single-Family Detached Dwelling**

is a building with just one dwelling unit.

**§803.18 Tourist House**

is a rooming house primarily offering overnight accommodations for transients.

**§803.19 Two-Family Dwelling**

is a building with two dwelling units.

**§803.20 Vehicle Shops**

are any facility for the storage or repair of vehicles, the sale of gasoline, or similar uses.

Consistent with NYCRR §@617, the following actions, in addition to those listed in §@617.12 of Title 6 NYCRR as Type II actions, do not have a significant effect on the environment:

- §807.030 routine activities of village departments, administrators and contractors;
- §807.031 routine activities of emergency services, both municipal and volunteer;
- §807.032 any normal function of Village government, regardless of frequency or duration, and whether regulatory or protective;
- §807.033 construction work on new or existing buildings or facilities for Village use.

### **§807.1 Environmental Assessment Statements**

(LL1 of 1977 §@4)

#### **§807.10 Filing Assessment Statements**

To assess environmental impact, zoning instruments applicants must file a written statement with the reviewing officer simultaneously with the application.

#### **§807.11 Environmental Assessment Information**

The written statement shall include:

- §807.110 the applicant's name;
- §807.111 the real property affected, if any;
- §807.112 a description of the proposed action;
- §807.113 its potential environmental effect;
- §807.114 drawings, sketches and maps if any;
- §807.115 such additional information as the reviewing officer deems necessary;
- §807.116 (optional) a detailed statement as to why the applicant believes the proposed action will or won't have a significant environmental impact.

### **§807.2 Environmental Assessment Fees**

(LL1 of 1977 §@7)

#### **§807.20 Environmental Assessment Application Fee**

The environmental assessment application fee shall be \$50, plus reimbursement to the Village for costs incurred in reviewing the application.

#### **§807.21 Reimbursement of Review Costs**

The reviewing officer may require an applicant to submit a fee to defray the Village's cost for preparing or reviewing a draft environmental impact statement prepared by the applicant.

### **§807.3 Making Environmental Assessments**

#### **§807.30 Assessment Reviewing Officer**

Except where this section specifically designates another body or official, the Village Board reviews all environmental assessments, on a form set by their resolution. (LL1 of 1977 §@4)

#### **§807.31 Multiple Agencies**

NYCRR §@617.4 and §@617.8 govern when more than one agency is involved. (LL1 of 1977 §@6)

#### **§807.32 Hearings on Environmental Assessments**

The reviewing officer may hold informal meetings with the applicant and meet with and consult any other person to aid in acting on the application. (LL1 of 1977 §@5a)

#### **§807.33 Environmental Assessment Deadlines**

This reviewing officer's decision shall be issued within 15 days of the receipt of a completed application and statement, except where extended by mutual agreement of the applicant and the reviewing officer. To the extent practicable, this deadline will be coordinated with other time limits set by this Law. (LL1 of 1977 §@5a and b)

#### **§832.34 Environmental Assessment Findings**

The reviewing officer issues a written finding of the proposed action's environmental impact. (LL1 of 1977 §@5a)

#### **§807.35 Negative Determination**

If the reviewing officer determines that the proposed action is not exempt, not an action listed in ©§807.03 of this Law or NYCRR §@617.12 as a Type II action and that it will not have a significant effect on the environment, the reviewing officer issues such determination pursuant to NYCRR §@617.7(h), and thereafter the proposed action may be processed without regard to this section. (LL1 of 1977 §@8)

#### **§807.36 Positive Determination**

If the reviewing officer determines that the proposed action may have a significant effect on the environment, such determination is issued pursuant to NYCRR §@617.7(b), and thereafter the proposed action shall be reviewed and processed in accordance with the provisions of this section and NYCRR §@617. (LL1 of 1977 §@8)

#### **§807.37 Actions by Reviewing Officer**

(LL1 of 1977 §@8)

Pursuant to NYCRR §@617, the reviewing officer takes the following actions if a positive determination is made.

§807.370 where the action involves an applicant, the reviewing officer immediately notifies the applicant of the determination and requests that they prepare a draft environmental impact statement;

§807.371 where the action involves no applicant, the reviewing officer prepares a draft environmental impact statement.

#### **§807.38 Applicant Declines to Prepare**

If the applicant decides not to submit an environmental impact report, the reviewing officer either:

§807.380 prepares a draft impact statement;

§807.381 notifies the applicant that processing of the application will cease and no approval will be issued.

## §804 Establishment Of Zones

### §804.0 Zones

(ZO §3)

The Village is hereby divided into those zones listed in Parts 84 and 85, as shown on the Zoning Map comprising Part 86.

### §804.1 Zoning Map

(ZO §3 Preamble)

Zones are shown on the zoning map (appendix 1).

### §804.2 Zone Boundaries.

(ZO §3.1)

The following rules apply for zone boundaries.

#### §804.20 Lot Line Rule

Zone boundaries are lot lines unless otherwise specifically shown.

#### §804.21 Distances Shown

Distances on the zoning map are from street lines to parallel zone boundaries.

#### §804.22 Boundary by Scale

Where needed, boundaries shall be determined by using the scale of the zoning map.

### §804.3 Lots in more than one zone

Where a lot is in two or more zones and has street frontage in the less restricted zone, the regulations for the less restricted zone shall extend not more than 30 feet into the more restricted portion. (ZO §3.2)

## §805 Pre-existing Non-conformances

### §805.0 Continuing Pre-existing Non-conformances

Pre-existing non-conforming uses may be continued subject to limits of this section. (ZO §12.1)

### §805.1 Limitations on Non-Conformance

No such use shall be a danger to the public health and safety, or a nuisance beyond that generally inherent in that use in that zone. (ZO §12.5)

### §805.2 Limits on Alterations and Extensions

(ZO §12.5)

Alterations and extensions of pre-existing non-conforming uses are permitted, provided that:

#### §805.20 No Increased Nuisance

they don't materially increase any annoyance to neighbors (simply increasing the size of a non-conforming use does not constitute prima facie proof of increased annoyance);

#### §805.21 No New Violation

they don't otherwise violate this Title;

### §805.22 No Increased Non-Conformance

no additional non-conformances are added;

### §805.3 No Change in Non-Conforming Use

No pre-existing non-conforming use shall be changed to another non-conforming use. (ZO §12.4)

### §805.4 Abandonment of Use

Other than farms, no pre-existing non-conforming use which has been ceased for 365 consecutive days shall be re-established. (ZO §12.2)

### §805.5 Restoration

Nothing herein shall prevent the substantial restoration and continued use within 6 months of a damaged pre-existing non-conforming structure, provided that restoration conforms to this section. (ZO §12.6)

### §805.6 Junk Yards and Billboards

Any junk yard or non-conforming sign or advertising device in a residential zone on the effective date of this Title or any amendment thereto shall be discontinued within 5 years of that date. (ZO §12.3)

## §806 Zoning Enforcement

Anyone convicted of violating this title shall be fined up to \$50, imprisoned for up to 50 days, or both. Each provision violated and each week a violation continues is a separate offense. In addition to these penalties, appropriate civil or police actions may be taken to prevent unlawful construction, limit or abate violations, prevent illegal occupancy, or prevent any illegal act. (ZO §14.6)

## §807 Environmental Assessment

### §807.0 Environmental Assessment General Rules

#### §807.00 Definitions per NYS Law

Unless herein defined, all words and phrases used in this section are as defined in §8-0105 of the NYS Environmental Conservation Law and §617 of Title 6 NYCRR. (LL1 of 1977 §1a)

#### §807.01 Prior Actions

Prior actions were undertaken or approved prior to the dates specified in Article 8 of the Environmental Conservation Law for local agencies. Subsequent modifications to prior actions shall be subject to this Law and NYCRR §617 only if the reviewing officer issues a positive determination on that modification. (LL1 of 1977 §10)

#### §807.02 Village Services with Significant Impact

Consistent with NYCRR §617, no routine village services or functions are likely to have a significant effect on the environment. (LL1 of 1977 §3a)

#### §807.03 Village Services with No Significant Impact

(LL1 of 1977 §3b)

disapprove the application in writing, specifying the reasons therefor, and return the project plans to the applicant. (LL4 of 1980 §@6.3)

#### **§811.22 Approval**

(LL4 of 1980 §@6.2)

§811.220 Approved building permits are issued on a form set and signed by the Building Inspector, along with a set of the project plans endorsed "approved".

§811.221 Approved building permits constitute authority to perform work consistent with the approved plans and all laws.

§811.222 Permits and project plans must be kept at the building site for inspection by the Building Inspector or his/her designee.

#### **§811.23 Multiple Dwellings**

(LL4 of 1980 §@8.4)

§811.230 Building permits applications for multiple dwellings must be reviewed by the Planning Board.

§811.231 The Planning Board shall consider the neighborhood's appearance and character.

§811.232 The Planning Board shall approve or disapprove the application, and, if approved, set conditions necessary to preserve the appearance and character of the neighborhood.

§811.233 The Village Board can review any approval, but can't grant a building permit for any proposed construction, alterations or use which violates this Law.

#### **§811.24 Non-Residential Fencing**

All proposed non-residential fencing must be reviewed and approved by the Planning Board. (ZO §@13.20F)

### **§811.3 Building Permit Holder Obligations**

#### **§811.30 Right of Entry**

The Building Inspector or his/her designee may, upon showing of proper credentials, enter any building, structure or premises at any reasonable hour to conduct an inspection. No person shall interfere with or prevent such entry. (LL4 of 1980 §@21)

#### **§811.31 Water and Sewer Connections**

The Building Inspector or her/his designee must inspect and approve water taps and sewer connections before they are covered. (LL4 of 1980 §@10.2)

#### **§811.32 Testing**

Whenever there are reasonable grounds to believe that any materials, equipment or work does not comply with all laws, the Building Inspector may require testing to prove compliance. When necessary or appropriate, the Building Inspector may require field tests by competent and authoritative persons or agencies. (LL4 of 1980 §@22)

#### **§811.33 Commencement of Work**

Work pursuant to a building permit must start within six months of issuance. (LL4 of 1980 §@10.0)

### **§811.4 Stop Orders**

(LL4 of 1980 §@13)

#### **§811.40 Basis for Issuing a Stop Order**

Whenever the Building Inspector reasonably believes that work being performed violates any applicable law, is inconsistent with the approved application and all inclusions and conditions, or is being done in an unsafe or dangerous manner, s/he shall issue a stop order and notify the owner, their agent or the person performing the work in writing to cease work.

#### **§811.41 Specification and Delivery of Stop Orders**

The Stop Order shall state the conditions under which work may be resumed, and may be served upon the person to whom directed either by personal delivery or by posting in a conspicuous portion of the work site and sending a copy by certified mail.

#### **§811.42 Requirement of Stop Orders**

All work must cease until the stop order is rescinded.

### **§811.5 Revoking Building Permits**

(LL4 of 1980 §@12)

#### **§811.50 Expiration of Building Permit**

Building permits expire one year from the date of issue unless there has been substantial progress in the work for which issued. The Building Inspector may, upon showing of cause by the applicant, allow up to two extensions of up to three months each.

#### **§811.51 Falsification of Building Permit**

The Building Inspector may revoke a building permit where s/he finds that any materially false statement was made in the application or any inclusion thereto.

#### **§811.52 Erroneous Issuance of Building Permit**

The Building Inspector may revoke a building permit which was issued in error and should not have been issued under applicable laws.

#### **§811.53 Improper Work**

The Building Inspector may revoke a building permit where s/he finds that the work is not being performed in accordance with the application and all inclusions.

#### **§811.54 Non-Compliance with a Stop Order**

The Building Inspector may revoke a building permit where anyone fails to comply with a stop order.

## **§812 Communications Permits**

### **§812.0 General Rules for Communications Permits**

#### **§812.00 Permit Required**

No communications towers, antennae or accessory or support structures more than 15 feet above ground

**§807.4 Environmental Assessment Exemptions**

(LL1 of 1977 §86)

No decision to carry out or approve an action other than an action listed in §807.03 hereof or NYCRR §617.12 as a Type II action, shall be made by any Village official until there is full compliance with this Law and NYCRR §617. However, nothing herein shall be construed to prohibit:

**§807.40 Exception for Conducting Studies**

Contemporaneous environmental, economic feasibility, or other studies and preliminary budgetary processes may be conducted if they do not commit the Village to approve or commence an action;

**§807.41 Exception for Technical Specifications**

Any part of an application regarding technical specifications and requirements may be granted provided such approval in no way entitles or permits the applicant to commence the action until all requirements of this Law and NYCRR §617 have been fulfilled.

**Part 81 – Zoning Permits and Variances****§810 All Permits**

All Permit Fees are set by resolution of the Village Board. See §210.0. (LL1 of 2002)

**§811 Building Permits****§811.0 General Rules for Building Permits**

Other than nonstructural repairs costing less than \$150, no one shall erect, alter, remove or change the use of any structure without a separate building permit for each structure involved. (ZO §21.3)

**§811.1 Building Permit Applications****§811.10 Application Form and Receiving Official**

Building permits applications are submitted to the Village Clerk on forms approved by the Village Board. (LL4 of 1980 §8.1)

**§811.11 Authority to Apply**

Applications are made by the owner, lessee or the agent of either, or the architect, engineer or builder employed for the proposed work. Applications made by anyone other than the owner must include an affidavit from the owner authorizing the proposed work and the application. (LL4 of 1980 §8.2)

**§811.12 General Information**

(LL4 of 1980 §8.1, except as noted)

Building permit applications shall contain the following information:

- §811.120 the full name and address of the owner and applicant, and, if either are corporations, those of their responsible officers;
- §811.121 a description of the land on which the proposed work is to be done;
- §811.122 a statement of the use of all parts of the land and any structure(s) (ZO §14.3);
- §811.123 a brief description of the nature of the proposed work;
- §811.124 the value of the proposed work;

§811.125 utilities (water, sewers, gas, etc.) that are available at the street;

§811.126 a set of project plans;

§811.127 any other information the Building Inspector deems necessary to verify that the proposed work complies with all laws.

**§811.13 Project Plans**

(LL4 of 1980 §8.3 except as noted)

Project plans shall be signed by the person responsible for the design and drawings, and shall include:

§811.130 a plot plan or suitable sketch, drawn to scale, showing the location and size of all proposed new construction and all existing structures on the site, with distances from lot lines (ZO §14.3);

§811.131 the nature and character of the work to be done and the materials to be used;

§811.132 the relationship of structures on adjoining properties;

§811.133 widths and grades of adjoining public thoroughfares;

§811.134 where required by the Building Inspector, details of structural, mechanical and electrical work, including essential technical data. Plans and specifications must bear the signature of the person responsible for the design and drawings.

**§811.14 Amended Applications**

Amendments to the application or project plans may be filed at any time prior to the completion of work, subject to the approval of the Building Inspector. (LL4 of 1980 §8.5)

**§811.2 Granting Building Permits****§811.20 General Review Procedure**

The Building Inspector shall review all applications within a reasonable time. (LL4 of 1980 §6.0)

**§811.21 Disapproval**

If the Building Inspector finds that the proposed work doesn't comply with all applicable laws, s/he shall

shall be used, erected or altered without a communications permit. (ZO §15.2.5 and §15.3.2)

#### §812.01 Purpose and Intent

§812.010 Balanced regulations for siting and screening communications structures accommodate growth of these systems.

§812.011 This section protects the public from adverse impacts on aesthetic resources.

§812.012 Structural standards and setback requirements protect adjacent properties from potential damage from tower failures.

§812.013 This section reduces the number of structures needed to serve the community by maximizing the use of existing ones.

#### §812.02 Definitions

§812.020 *Accessory Structures* are designed and used to support communications towers and antennae or shelter equipment, other than offices, broadcast studios, or long-term vehicle or equipment storage. (ZO §15.2.3)

§812.021 *Antennas* are devices to send and/or receive electromagnetic waves, including all mounting and stabilizing items, such as towers, poles, brackets, guy wires, hardware and connection equipment. (ZO §15.2.2)

§812.022 *Communications Towers* are structures, including antennas, for sending and/or receiving electromagnetic communications, excluding those used for fire, police and other dispatch communications, or exclusively for private radio, television, citizens band or amateur (ham) radio reception and other private, residential communications. (ZO §15.2.4)

§812.023 *Personal Wireless Services* or *PWS* are commercial mobile services, unlicensed wireless services and common carrier wireless exchange access services as defined by Section 704 of the Federal Telecommunications Act. (ZO §15.2.1)

#### §812.03 Subordination to Federal Laws

Nothing herein shall be construed to interfere with regulations of the Federal Communications Commission (FCC) or other federal agencies. (ZO §15.2.5)

#### §812.04 Towers Restricted to Southside

No communications towers shall hereafter be used, erected or altered except in the area south of the Conrail yards. (ZO §15.3.1)

#### §812.05 No Alteration of Non-Complying Structures

Existing antennas and communications towers which don't comply with this section may remain in use for their current purpose, but may not be replaced or structurally altered without complying with this Law. (ZO §15.11.1)

#### §812.06 10% Rule for Non-Complying Structures

Any pre-existing non-complying communications tower or antenna which is damaged or destroyed may be repaired and restored to its former use, location and physical dimensions without complying with this law, only if the cost of such repair and restoration is less than 10% of the cost of new equipment of like kind and quality. (ZO §15.11.2)

### §812.1 Communications Permit Applications

#### §812.10 Filing and Review

Communications permit applications are filed with the Village Clerk and referred to the Planning Board for review. (ZO §15.3)

#### §812.11 Proof of Non-Interference

Every communications permit application must include a preliminary or certified statement that the installation will not interfere with the radio or television service to adjacent properties or with public safety communications. If a preliminary statement is included, a final certified statement of non-interference, prepared by a professional engineer, will be provided and approved by the Village prior to the issuance of a permit. (ZO §15.5.1)

#### §812.12 Co-Location Letter of Intent

Applicants must submit a letter of intent to abide by the terms of §812.35. (ZO §15.4.3)

#### §812.13 Notification of Adjacent Municipalities

To facilitate shared use of existing structures, all applicants for new communications towers must notify the legislative body of each municipality bordering the Village and the County Planning Board, in writing, listing the exact location and height of the proposed new tower and a general description of the project including its capacity for future shared use. Proof of this notification must be submitted with the application. (ZO §15.4.4)

#### §812.14 Design of Antennas, Towers, and Structures

Each communications permit application must include detailed drawings and documentation indicating compliance with §812.5. (ZO §15.9)

### §812.2 Granting Communications Permits

#### §812.20 Planning Board Review

The Planning Board shall review all applications and submit its recommendations to the Village Board, including reasonable conditions and restrictions on the proposed structures. (ZO §15.3.3)

#### §812.21 Village Board Action

The Village Board approves or denies applications, imposing such reasonable conditions and restrictions as it finds appropriate. (ZO §15.3.4)

#### §812.22 Hearings on Communications Permits

The Village Board must conduct a public hearing within 62 days of receiving application, and issue a written decision within 30 days of the hearing. Ap-

provals shall list any conditions or modifications imposed. Denials shall be supported by substantial evidence. (ZO §@15.12)

**§812.23 Existing Facilities Are Inadequate**  
(ZO §@15.4.1)

No proposed communications tower shall be approved if the Village Board finds that the planned antenna(s) can be accommodated on an existing or approved communications tower or building within a search radius of one mile for towers 120 feet or higher, 1/2 mile for towers 80 to 119.9 feet, or 1/4 mile for towers less than 80 feet high. A finding that this is not possible requires demonstration of one of the following.

§812.230 The antenna would exceed the structural capacity of the existing or approved communications towers or building, as documented by a qualified professional engineer, and the existing or approved communications towers cannot be modified or replaced to accommodate the planned or equivalent antenna at a reasonable cost.

§812.231 Interference from the antenna, which can't be prevented at a reasonable cost, would materially impact another existing or planned antenna on the communications towers or building, as documented by a qualified professional engineer.

§812.232 Existing or approved towers and buildings within the search radius can't accommodate the antenna at a height necessary to function reasonably, as documented by a qualified professional engineer.

§812.233 Other reasons make it infeasible to locate the antenna upon an existing or approved communications towers or building.

**§812.24 Tower Building Requirements**  
(ZO §@15.5.6)

§812.240 Communications towers must be self-supporting open framework or monopoles without the use of guy wire, cables, beams or other external means of support.

§812.241 Permanent platforms or structures other than antennas that serve to increase off-site visibility are prohibited.

§812.242 No communications tower base may occupy more than 500 square feet, and the tower top can't be larger than the base.

§812.243 The minimum spacing between communications towers is 900 feet.

**§812.25 Tower Height Limitations**  
(ZO §@15.5.5)

§812.250 No communications tower shall exceed a height of 150 feet above ground.

§812.251 The Village Board may allow communications towers up to 200 feet high, if the

applicant can demonstrate that off-site views of them will be minimized by the topography, siting, design, tree cover or screening.

§812.252 The Village Board may waive height limits for antennas mounted on an existing structure or to accommodate co-location.

**§812.26 Tower and Accessory Structure Setbacks**  
(ZO §@15.5.7)

§812.260 Tower and accessory structure setbacks shall be the minimum setback for that zone, except that they may encroach into the rear setback if the lot is zoned industrial and abuts industrially zoned property in the rear and the tower isn't on any easement.

§812.261 Towers and accessory structures must be setback from existing or planned public rights of way, as shown on the most recently adopted Village master plan or map, by at least half the tower height including antennas and attachments.

§812.262 The Village Board may reduce a communications tower's setback upon demonstration of compelling reasons to do so.

**§812.27 Screening and Security**  
(ZO §@15.5.8 and §@15.5.9)

§812.270 Communications towers and accessory structures must be surrounded with security fencing to prevent unauthorized entry.

§812.271 Existing vegetation must be preserved to the maximum extent practicable.

§812.272 The base of the communications tower and accessory structures must be landscaped.

§812.273 Communications towers and antennas must be designed and colored to blend into the surrounding environment, except where color is dictated by federal or state agencies.

§812.274 Antennas on the exterior of a building shall be the same color as the building.

§812.275 Accessory structures must be architecturally compatible with principal structures.

**§812.28 Co-Location Capability**  
(ZO §@15.4.2)

Proposed communications tower shall accommodate:  
§812.280 the applicant's antennas and comparable antennas for one additional user, and a second if the tower is over 100 feet high;

§812.281 future rearrangement of antennas;

§812.282 antennas mounted at varying heights.

**§812.29 Decennial Review**

The Village Board (or at its designation, the Planning Board) reviews all communications permits every tenth year to determine if technology has changed sufficiently to eliminate or change the need for the tower and the permit should be modified or terminated as a result. (ZO §@15.8)

### **§812.3 Communications Permit Obligations**

#### **§812.30 Compliance With Other Laws**

Permit holders shall provide the Village Clerk with copies of all licenses and permits required by other agencies, keep these current and provide proof of renewals or extensions. (ZO §@15.6)

#### **§812.31 Transfer of Permit**

No communications permit or any rights thereunder may be transferred except with the written permission of the Village Board. (ZO §@15.7)

#### **§812.32 Antenna Safety**

Antennas are subject to state and federal regulations for non-ionizing radiation and other health hazards. The owner shall submit evidence yearly of compliance with FCC standards. If more restrictive standards are adopted, antennas must comply or the Village Board may restrict continued operations. The permit holder shall pay for verifying compliance. (ZO §@15.5.2)

#### **§812.33 Tower Lighting**

Communications towers shall not be artificially lit or have strobe lights unless so required by a federal or state agency. Lights may be incorporated into the tower design to illuminate playing fields, parking lots and similar areas. (ZO §@15.5.3)

#### **§812.34 Signs and Advertising**

No portion of any communications tower shall be used for signs other than warning or equipment information signs. (ZO §@15.5.4)

#### **§812.35 Co-Location Letter of Intent**

(ZO §@15.4.3)

The applicant shall submit a letter of intent to the Village Board which, if the permit is approved, commits the applicant and any successors to:

- §812.350 respond in a timely and comprehensive manner to a request for information from a potential shared-use applicant.
- §812.351 negotiate in good faith for shared use of the tower by other PWS providers.
- §812.352 allow shared use if another PWS provider agrees in writing to pay charges.
- §812.353 make no more than a reasonable charge for shared use based on generally accepted accounting principles. The charge may include, but is not limited to, a pro rata share of the cost of site selection, planning, project administration, land costs, site design, construction, maintenance, financing, return on equity, depredation, and all costs of adapting the towers or equipment to accommodate a shared user without causing electromagnetic interference.

#### **§812.36 Unused Towers**

Unused towers and associated facilities shall be removed within 12 months of ceasing operations at the site, unless an extension is approved by the Village Board. A copy of the relevant portions of a signed lease requiring the applicant to remove all facilities upon cessation shall accompany the application. Facilities not removed within 12 months of cessation may be removed by the Village and the cost added to the property tax levy. (ZO §@15.10.1)

#### **§812.37 Unused Sections**

Unused portions of communications towers above a manufactured connection must be removed within six months of antenna relocation. Replacing previously removed portions of a tower requires a new communications permit. (ZO §@15.10.2)

### **§813 Curbcut Permits**

*(Reserved)*

### **§814 Occupancy Permits**

(ZO §@21.4)

#### **§814.0 General Rules for Occupancy Permits**

No building shall be erected, altered, or extended and no new use shall be established until an Occupancy Permit has been issued by the Codes Enforcement / Economic Development Officer.

#### **§814.1 Occupancy Permit Applications**

*(Reserved)*

#### **§814.2 Granting Occupancy Permits**

Except under written order of the Village Board, the Codes Enforcement / Economic Development Officer shall not issue an Occupancy Permit for a use which violates this Law.

#### **§814.3 Occupancy Permit Holder Obligations**

*(Reserved)*

### **§815. Site Plan Permits**

#### **§815.0 General Rules for Site Plan Permits**

No building or occupancy permits shall be issued for any use or structure without an approved site plan permit. (LL4 of 1992 §@4)

#### **§815.1 Site Plan Permit Applications**

Site plans applications are prepared to specifications set by resolution of the Village Board, showing the arrangement, layout, drainage, design and proposed use of the site. (LL4 of 1992 §@1)

#### **§815.2 Granting Site Plan Permits**

##### **§815.20 All Site Plans**

(LL4 of 1992 §@6 and §@3)

The Village Board reviews site plan applications, and approves, approves with modifications or disapproves them, based on:

- §815.200 the specific property conditions;
- §815.201 any environmental resources;
- §815.202 the impact on public facilities;
- §815.203 compatibility with the surrounding area.

#### §815.21 Site Plans for C-1 Commercial Zones

Approval of site plans in C-1 Zones requires finding that the development will not unreasonably impact the residential character of adjoining lots still used for residential purposes. (ZO §@5.8)

#### §815.3 Site Plan Permit Holder Obligations

The Village Board may impose any reasonable conditions which are related and incidental to the proposed site plan in order to ensure compatibility with the site and surrounding neighborhood. (LL4 of 1992 §@6)

## §816 Special Permits

### §816.0 General Rules for Special Permits

#### §816.00 Special Permits are Required for:

- auto shops/gas sales in southside C-2 zones ©§852.32;
- cemeteries in C-1 zones ©§851.30,
  - C-2 zones ©§852.30,
  - C-3 zones ©§853.30,
  - R-1 zones ©§841.30,
  - R-2 zones ©§842.30;
- explosives manufacturing in I-1 zones ©§855.30,
  - I-2 zones ©§856.30;
- landfills in land conservation zones ©§843.30;
- multiple dwellings in C-1 zones ©§851.31,
  - R-2 zones ©§842.32;
- nursing homes in C-1 zones ©§851.32;
- objectionable emissions in I-1 zones ©§855.31,
  - I-2 zones ©§856.31;
- satellite dish, additional conditions for ©§838.22,
  - no more than 10 feet across ©§838.20,
  - no more than 12 feet high ©§838.20,
  - over 8 feet above roofs ©§838.13,
  - requiring greater setbacks for ©§838.21;
- signs, freestanding ©§833.005;
- taverns in C-1 zones ©§851.33,
  - C-2 zones ©§852.31,
  - C-3 zones ©§853.31;
- temporary commercial buildings in R-1 ©§841.31,
  - R-2 zones ©§842.31;

#### §816.01 One Use

A special permit authorizes only one special use. (ZO §@21.5.3)

#### §816.02 Expiration of Special Permits

Special permits expire whenever the special use ceases for 180 days. (ZO §@21.5.3)

### §816.1 Special Permit Applications

Special permit applications must include project plans and such other information as the Zoning Board of Appeals determines is necessary to understand the proposed development. All applications must show the location of all structures, parking areas, driveways, open spaces and landscaping. (ZO §@13.1)

### §816.2 Granting Special Permits

#### §816.20 Hearings Before ZBA

The Zoning Board of Appeals hears special permit applications. (ZO §@21.5)

#### §816.21 Individual Basis

All special permit applications must be considered on an individual basis. (ZO §@21.5.1)

#### §816.22 Compliance with this Law

No special permit may be issued for any property which is currently in violation of any provision of this Law. (ZO §@21.5.4)

#### §816.23 Orderly Development of the Zone

(ZO §@21.5.5a)

A special permit may only be granted if the following are in harmony with the orderly development of the zone:

- §816.230 the location and size of the use;
- §816.231 the nature and intensity of the use;
- §816.232 site size in relation to the use;
- §816.233 site location with respect to the existing or future streets giving access to it.

#### §816.24 Impact on Nearby Properties

No special permit may be issued if the location, nature or height of structures will discourage the appropriate development and use of adjacent sites or impair their value. (ZO §@13.1)

#### §816.25 Objectionable Emanations

Specially permitted uses shall not be more objectionable to nearby properties than a permitted use would be due to noise, smoke, dust, fumes, odors, vibrations or flashing lights. (ZO §@21.5.5b)

#### §816.26 Multiple Dwellings and Nursing Homes

No Special Permit for any multi-family dwelling or nursing or convalescent home shall be granted unless the Zoning Board of Appeals finds the application to be in general conformance with the current master plan and map. (ZO §@21.5.6)

#### §816.27 Conditional Approval

Special permits may be made conditional on adequate safeguards of the health, safety, and general welfare of the public and minimization of detrimental effects on adjacent properties. (ZO §@13.1)

### §816.3 Special Permit Holder Obligations

(Reserved)

The minimum depth of side yards is 10 feet and one side yard is required.

**§821.23 Principal Building Coverage**

No principal building in a Service Center Zone shall cover more than 50% of the lot.

**§821.3 Commercial and Industrial Yards**

Generally, no yards are required in Commercial and Industrial Zones, except as follows (ZO §@5.4, §@7.4, §@8.3 and §@6.3):

**§821.30 Front Yard Transition.**

Where a non-residential zone abuts a residential zone on a street line, front yards of one-half the depth for the residential zone are required for within 50 feet of the zone boundary. (ZO §@13.3)

**§821.31 Side and Rear Yard Transition.**

Lots in commercial or industrial zones which abut a lot in a residential zone shall have a yard of at least 10 feet along the lines abutting the residential zone. (ZO §@13.5)

**§821.4 Projections in Yards.**

Except that a fire escape may extend up to 4 feet into any required yard, no part or attachment to a building shall project more than 2 feet into any required yard, and the length of any such projections on any wall shall not exceed one-third of the length of the wall.. (ZO §@13.7)

**§822 Fill and Drainage**

*(Reserved)*

**§823 Greenspace**

*(Reserved)*

**§824 Sidewalks**

*(Reserved)*

**§825. Driveways**

**§825.0 Commercial Access in Residential Zones**

There shall be no driveways or other vehicular accesses for commercial or industrial uses in any residential zone. (ZO §@13.12)

**§825.1 Access Roads in Service Center Zones**

All lots in Service Center Zones shall front on a public road. (ZO §@8.8)

**§826 Parking Areas**

(ZO §@13.13)

**§826.0 Automobile Parking Facilities.**

Garage or other accessible off-street parking for private automobiles shall be provided as follows.

**§826.00 Residences**

One space shall be provided for each dwelling unit.

**§826.01 Rented Rooms**

One space shall be provided for each guest room in a rooming house, tourist house, motel or hotel.

**§826.02 Places of Assembly**

One space shall be provided for each 4 seats in a church, theater, auditorium or other place of assembly. The seating capacity of a space designed for assembly but with out fixed seats shall be computed at 1 seat for each 10 square feet of area designed for seating.

**§826.03 Amusement Facilities**

One space shall be provided for each 100 square feet of floor area in a bowling alley, skating rink, or similar place of amusement.

**§826.04 Care Facilities**

One space shall be provided for each 5 beds in a hospital, sanitarium, nursing or convalescent home.

**§826.05 Retail and Professional Space**

In new construction only, one space shall be provided for each 200 square feet of floor area in business or professional offices, restaurants, banks, retail stores and other commercial or industrial buildings.

**§826.06 Warehouses**

One space shall be provided for each 600 square feet of floor area in warehouses or other structures devoted to wholesale trade or storage.

**§826.1 Parking in Residential Zone Front Yards.**

Parking within a front yard or front yard equivalent in a residential zone is prohibited other than in an established driveway. (ZO §@13.15)

**§827 Loading Areas**

**§827.0 Loading Space.**

In new construction only, structures used for manufacturing, storage, warehousing, laundry, dry cleaning or other uses which receive or distribute materials or merchandise by vehicles shall have adequate space on the premises for standing, loading and unloading to avoid undue interference with public use of streets. This space, unless otherwise adequately provided for, shall include a 10 foot by 26 foot loading space, with 14 foot height clearance, for every 20,000 square feet of building floor used for these purposes. (ZO §@13.14)

**§827.1 Off-Street Loading**

In Service Center Zones, an off-street loading space shall have a minimum of 450 square feet, plus necessary additional space for entrances, exits and driveways. (ZO §@8.7)

**§817 Subdivision Permits***(Reserved)***§818 Area Variances***(Reserved) See also Flood Control Variances ©§875***§819 Use Variances***(Reserved) See also Flood Control Variances ©§875***Part 82 – Sites****§820 Lots****§820.0 Minimum Lot Size****§820.00 Single-Family Detached Dwellings**

The minimum lot size for a single-family detached dwelling is 7000 square feet per family with 60 feet of frontage. (ZO §@4A.2)

**§820.01 Two-Family Dwellings**

The minimum lot size for a two-family dwelling is 10,000 square feet with 75 feet of frontage. (ZO §@4B.2)

**§820.02 Multi-Family Dwellings**

The minimum lot size for a multi-family dwelling is 10,000 square feet with 75 feet of frontage, for the first two family units, plus 2000 square feet for each additional family unit. (ZO §@4B.2)

**§820.03 Non-Residential Use In A Residential Zone**

The minimum lot size for a non-residential use in a residential zone is 7000 square feet with a 60 foot frontage. (ZO §@4A.2 and §@4B.2)

**§820.04 Commercial and Industrial Zones**

There is no minimum lot size of maximum lot coverage in any commercial or industrial zone, except that a minimum lot area of 800 square feet per family shall be provided for any residential use in a Commercial Zone. (ZO §@5.3)

**§820.05 Service Center Zones**

In Service Center Zones, all lots shall have a minimum frontage of 50 feet. (ZO §@7.8)

**§820.06 Planned Development Zones**

Planned Development Zones must be at least 3 acres. (ZO §@11.2)

**§820.1 Multiple Buildings**

When there is more than one principal building on any lot, the space between buildings shall be the sum of the required side yards or the front and rear yards, depending on placement. (ZO §@13.9)

**§820.2 Existing Sub-Standard Sized Lots**

Lots held under separate deed when the 1964 Zoning Ordinance became effective, and which don't have the required area for a single-family residence in any zone, may be used for that purpose if they comply with all other provisions of this Law. (ZO §@13.2)

**§820.3 Changes of Size and Shape of Lots.**

Except where changes results from taking of land for public purposes, any lot altered so as to no longer comply with area or yard requirements, shall not thereafter be used until it is changed to comply with these requirements. (ZO §@13.8)

**§821 Yards****§821.0 Yards Abutting a Street Line**

Yards abutting a street line are front yards and must fulfill all the requirements thereof. (ZO §@13.4)

**§821.1 Houses in Residential Zones**

(ZO §@4A.3, §@4A.4, §@4B.3 and §@4B.4)

**§821.10 Front Yards**

The minimum depth of front yards is 25 feet.

**§821.11 Rear Yards**

The minimum depth of rear yards is 20 feet.

**§821.12 Side Yards**

Side yards shall be a minimum of 5 feet deep, except that side yards shall be required only at the ends of each connected set of row dwellings..

**§821.13 Lot Coverage**

No buildings shall cover more than 30% of the lot.

**§821.2 All Buildings in Service Center Zones**

(ZO §@8.4 and §@8.5)

**§821.20 Front Yards**

The minimum depth of front yards is 15 feet.

**§821.21 Rear Yards**

The minimum depth of rear yards is 10 feet.

**§821.22 Side Yards**

No moving or fluttering device of any kind shall be permitted without a permit granted by the Codes Enforcement / Economic Development Officer, under the following criteria.

§833.020 Moving displays must denote a special event such as a sale, celebration, etc.

§833.021 A moving display is permitted for a reasonable time prior to and during the event, but not for perpetual or extended-duration events.

§833.022 Moving displays must conform to the health and safety requirements of this Law.

§833.023 Moving displays are prohibited in residential zones.

#### §833.03 Christmas Decorations Permitted

Christmas decorations conforming to the health and safety provisions of this Law are permitted during the holiday season.

#### §833.04 Sign Maintenance

All signs and supporting parts must be constructed of durable materials, maintained in good condition and appearance, and comply with the State Building Construction Code.

### §833.1 Sign Types

(ZO §13.18B)

#### §833.10 Billboards

direct attention to a business or product offered on other premises.

#### §833.11 Business Signs

direct attention to businesses conducted on the same lot, including "For Sale" and "For Rent" signs for the lot on which displayed.

#### §833.12 Illuminated Signs

are lighted or highly reflective.

#### §833.13 Directional or Informational Signs

contain non-commercial information as a public service (i.e. public rest rooms, telephones, bus stops).

#### §833.14 Double-Faced or V-Type Signs

have two readable faces connected along one side.

### §833.2 Location Types

(ZO §13.18C)

#### §833.20 Ground Signs

are supported by one or more uprights or braces in or on the ground.

#### §833.21 Movable Signs

aren't permanently mounted and are easily transported from one site to another.

#### §833.22 Projecting Signs

are mounted on a structure and extend horizontally more than 15 inches from it, but don't project above the roof line.

#### §833.23 Roof Signs

project more than 10 feet above the upper edge of the building wall or parapet, or are mounted or painted on or above any roof.

#### §833.24 Wall Signs

are mounted on an exterior wall and project no more than 15 inches out from the wall or more than 10 feet above the roof line or parapet of the building.

#### §833.25 Enclosed Storage

are buildings used for the keeping of any material.

### §833.3 Rules for Specific Types of Signs

(ZO §13.18D)

#### §833.30 Double-Faced Signs

Every double-faced or v-type sign shall not exceed an angle of 5° at the vertex of the 2 faces or an area of 22 square feet.

#### §833.31 Roof Signs

Roof signs shall not be permitted in any zone.

#### §833.32 Ground Signs

Ground signs, where permitted, shall:

§833.320 extend no more than 10 feet above the finished grade;

§833.321 be set back at least 10 feet from any street line and at least 10 feet from any other lot line.

§833.322 not exceed 40 square feet in area.

#### §833.33 Billboards

Billboards are prohibited in all zones, except for "For Rent" or "For Sale" signs with an area of no more than 12 square feet.

#### §833.34 Movable Signs

Movable signs are not be permitted in any zone, except as permitted under §833.35.

#### §833.35 Sandwich-Board Signs

(Local Laws 3 of 2001 and 4 of 2002)

Sandwich-board signs are permitted in R-1, R-2 and C-1 zones, provided that they:

§833.350 aren't more than 4 by 2.5 feet per side;

§833.351 have only two printed sides;

§833.352 are displayed only during business hours;

§833.353 don't block vehicle or pedestrian access;

§833.354 don't fall over easily;

§833.355 have no lights or moving parts;

§833.356 are limited to one per street frontage;

§833.357 advertise a business conducted on the same lot.

#### §833.36 Projecting Signs

No projecting sign shall:

§833.360 extend into a street line.

§833.361 extend more than 4 feet from the building wall.

**§828 Abandoned Excavations**

Within one year after work on an excavation for a building has begun, or within one year after a building has been destroyed

or demolished, any remaining excavation or cellar hole shall be covered over or filled to the normal grade by the owner. (ZO §@13.11)

**Part 83 – Structures****§830 All Structures****§830.0 Dwelling Floor Area**

(ZO §@13.16)

Dwellings in all zones must have at least 500 square foot of foundation area, including walls, plus minimum floor space of:

**§830.00 Efficiency Apartments**

450 square feet for efficiency apartments.

**§830.01 One-Bedroom Apartments**

650 square feet for one-bedroom apartments.

**§830.02 Two-Bedroom Apartments**

800 square feet for two-bedroom apartments.

**§830.1 Corner Visibility**

No new structures or plantings over 3 feet high shall be placed on any corner lot within thirty feet of the intersection of the street rights-of-way. (ZO §@13.6)

**§831 Fixed Buildings****§831.0 Dwelling Units Below Grade.**

Not more than 20% of the habitable floor area of any multi-family dwelling shall be more than one foot below the average finished grade. (ZO §@4B.7)

**§831.1 Accessory Buildings in Residential Zones**

(ZO §@4.A.6 and §@4.B.6)

**§831.10 Rear Yards Only**

Accessory buildings in residential zones must be located in the rear yard.

**§831.11 No More than 25% of Rear Yards**

Accessory buildings in residential zones may not occupy more than 25% of any required rear yard.

**§831.12 Three-Foot Setback**

Accessory buildings in residential zones must be at least three feet from all lot lines, except that a private garage may be built across a common lot line.

**§831.13 No More Than Twenty Feet High**

Accessory buildings shall not exceed 20 feet high.

**§831.14 Exceptions**

Garages, covered porches and carports attached to dwellings are part of the residence, not accessory.

**§832 Movable Buildings**

The use of mobile homes for dwelling, outdoor storage or accessory to either is prohibited. (ZO §@13.17)

**§833. Signs****§833.0 General Rules and Regulations**

(ZO §@13.18A)

Signs and billboards are prohibited in all zones except as specifically permitted below.

**§833.00 Business Zones**

In Commercial, Service Center and Industrial zones, each business conducted on the premises may have one sign or advertising device attached to the building, subject to the following conditions:

§833.000 signs may be placed only on a lot with an active business.

§833.001 signs can advertise only the business conducted on the same premises.

§833.002 signs attached to buildings are limited to one square foot for each linear foot of frontage occupied by the business.

§833.003 buildings that front on more than one street may have one sign on each street.

§833.004 the area of signs painted on buildings shall be the area required to circumscribe all letters and pictures.

§833.005 free-standing signs require a special permit from the Zoning Board of Appeals.

§833.006 for signs attached to buildings at right angles and readable from both sides, only the area of one side is counted.

§833.007 no sign on a newly constructed building shall overhang any street right-of-way.

§833.008 illuminated signs which constitute a safety or health hazard or adversely affect neighboring property are prohibited.

**§833.01 Safety Restrictions**

No sign shall be designed or located so that it:

§833.010 impairs public safety.

§833.011 hinders any pedestrian's or motorist's vision.

§833.012 is confused with any traffic device.

**§833.02 Moving Display Permit**

Every satellite dish must be properly anchored and installed to resist a minimum wind load of 30 pounds per square foot of projected horizontal area. Supports, anchors and foundations shall take into account all forces created by wind loading. The safety factor against overturning or sliding for wind forces on satellite antennas shall be 2.0.

### **§838.2 Requirements of Special permits**

#### **§838.20 No Change in Diameter and Height**

The Zoning Board of Appeals shall not grant any special permit under ©§838.13 for a satellite antenna exceeding 10 feet in diameter or 12 feet in height.

#### **§838.21 Additional Setbacks**

In granting a special permit under ©§838.13, the Zoning Board of Appeals may require additional setbacks from the property line.

#### **§838.22 Additional Conditions**

In granting a special permit under ©§838.13, the Zoning Board of Appeals shall attach such reasonable conditions as necessary to avoid disturbing the essential character of the neighborhood.

### **§838.3 Prohibition of Transmitting Devices**

Nothing in this section shall be construed to in any way allow the construction, installation or use of any device capable of transmitting electromagnetic waves.

## **Part 84 – Non-Commercial Zones**

### **§840 All Non-Commercial Zones**

#### **§840.0 Prohibited Uses**

All uses not specifically permitted in the section for each residential zone are expressly prohibited in that zone.

### **§841 R1 Residential Zones**

(ZO @§4A.1, except as otherwise noted)

#### **§841.0 Purpose**

(Reserved)

#### **§841.1 Permitted Uses**

The following uses are permitted in R-1 zones.

##### **§841.10 Dwellings**

Single-family detached dwellings and incidental uses, including home occupations under ©§803.02.

##### **§841.11 Golf Courses**

Golf courses other than commercial miniature golf.

##### **§841.12 Public Facilities**

See ©§803.10.

##### **§841.13 Religious Facilities**

See ©§803.11.

##### **§841.14 Schools**

See ©§803.16.

#### **§841.2 Limited Uses**

The following uses are permitted in R-1 zones subject to the listed limitations.

##### **§841.20 Accessory Buildings**

Accessory buildings under ©§803.01, provided:

§841.200 they are located in the rear yard;

§841.201 they occupy not more than 25% of the required rear yard;

§841.202 they are less than 3 feet from any rear or side lot line, except that a private garage may be built across a common lot line by mutual agreement of the property owners;

§841.203 they don't exceed 20 feet in height;

§841.204 garages, covered porches, or carports built into or attached to dwellings are part of the main building and accessory.

#### **§841.21 Parking**

Space for one non-commercial motor vehicle may be rented to persons not residents on the same lot, but shall not count toward those required by ©§826.00.

#### **§841.22 Signs**

(ZO, §@4A.5B)

A bulletin board or sign for a permitted non-residential use, referring only to uses on the premises, or one sign advertising the sale or lease of the premises on which located, provided:

§841.220 the sign or bulletin board doesn't exceed 12 square feet;

§841.221 isn't nearer to the street line than half the required front yard distance;

§841.222 is safely and neatly maintained.

### **§841.3 Specially Permitted Uses**

The following uses are permitted in R-1 zones only with a special permit granted by the Zoning Board of Appeals.

#### **§841.30 Cemeteries**

Cemeteries and customary incidental structures.

#### **§841.31 Temporary Commercial Buildings**

Temporary buildings necessary or incidental to development, for up to one year. (ZO §@4A.5D)

### **§842 R-2 Residential Zones**

(ZO §4B.1, except as otherwise noted)

§833.362 be less than 10 feet above the surface of a public thoroughfare.

§833.363 exceed 22 square feet in area.

#### **§833.4 Building Permits Required.**

No one shall erect or alter any sign without a building permit issued by the Building Inspector. (ZO §@13.18E)

#### **§833.5 Unsafe Signs**

(ZO §@13.18F)

##### **§833.50 Action on Unsafe Signs**

The Building Inspector shall give the owner of the lot where any unsafe sign is located written notice to remove or repair the sign within 15 days of the date of the notice. If the owner fails to remove or repair the sign, the Building Inspector shall revoke the sign permit, and may remove or repair the sign and add all costs thereof to the property tax levy.

##### **§833.51 Action on Immediate Danger**

The Building Inspector may remove or repair any sign which is immediate danger without notice and add all costs thereof to the property tax levy.

### **§834. Fences**

(ZO §@13.20)

#### **§834.0 Building Permits Required**

All new fence construction requires a building permit, and fencing on commercial lots also requires Planning Board approval.

#### **§834.1 Commercial Lot Fencing**

All new fence construction on commercial and industrial lots also requires Planning Board approval.

#### **§834.2 Fences in Front Yards**

Fences in residential front yards shall be no higher than 4 feet and must allow visibility through them.

#### **§834.3 Fences in Other Yards**

Fences in residential side and rear yards shall be no higher than 6 feet and may be opaque.

#### **§834.4 Fencing Materials**

Residential fence materials and construction shall be consistent with the industry standards for populated areas.

#### **§834.5 Prohibition of Dangerous Fences**

Barbed wire, concertina wire, electric fencing, sharp or jagged edged wire, and any other fencing which may cause injury are prohibited in residential areas.

#### **§834.6 Location of Fencing**

Fencing along street lines must be constructed with the good side out and set at least two feet from the Village sidewalk, or an equivalent line designated by the Building Inspector where no sidewalk exists.

#### **§834.7 Orientation of Fencing**

Fences may be constructed on side and rear property lines.

#### **§834.8 Pool enclosures**

Fences around swimming pools must meet State codes.

### **§835 Retaining Walls**

(Reserved)

### **§836 Storage Tanks**

(Reserved)

### **§837 Communications Antennae**

See §812 Communications Permits

### **§838 Other Communications Devices**

(ZO §@13.21)

#### **§838.0 Definition of Satellite Dish**

A Satellite Dish is any parabolic antenna or other device used to receive television, radio, microwave or other electronic signals from orbiting satellites.

#### **§838.1 Requirements of Satellite Dishes**

No Satellite Dish shall be constructed and/or maintained that is not in compliance with the following regulations:

##### **§838.10 Ten Feet in Diameter**

No satellite dish diameter shall exceed 10 feet.

##### **§838.11 Twelve Feet in Height**

When separately supported, the total height of a dish shall not exceed 12 feet.

##### **§838.12 Location on Lot**

Satellite dishes shall be located only in rear yards and at least 10 feet from any property line.

##### **§838.13 Roof-Mounted Dishes**

Roof-mounted satellite dishes must be located on a portion of the roof sloping away from the front of the lot and shall not protrude over the peak of the roof more than 8 feet unless a special permit is approved by the Zoning Board of Appeals.

##### **§838.14 One Dish Per Lot**

Only one satellite dish may be located on any lot.

##### **§838.15 Permit Required**

Before erecting any satellite dish, a permit application must be made to the Village Building Inspector and issued in accordance with this law.

##### **§838.16 Compliance with FCC Regulations**

No satellite dish may be erected which is prohibited by regulation of the Federal Communications Commission or any other agency having jurisdiction.

##### **§838.17 Resistance to Wind Load**

## Part 85 – Commercial Zones

### §850 All Commercial Uses

#### §850.0 Prohibited Uses

All uses not specifically permitted in the section for each commercial zone are expressly prohibited in that zone.

#### §850.1 Prohibited Proximity to Residential Zones (ZO §13.19)

None of the following uses are permitted within 300 feet of any residential zone.

##### §850.10 Animals

Animal hospitals, commercial kennels and boarding.

##### §850.11 Auto Servicing

Auto painting or repair shops involving work causing loud or unusual noises, fumes or odors.

##### §850.12 Places of Assembly

Theaters, dance halls, bowling alleys, skating rinks, or other places of assembly.

##### §850.13 Service and Industrial Uses

Any permitted Service Center or industrial zone use.

### §851 C-1 Central Commercial Zones

(ZO §5.1 and §5.7)

#### §851.0 Purpose

(Reserved)

#### §851.1 Permitted Uses

The following uses are permitted in C-1 zones.

##### §851.10 Golf Courses

Golf courses other than commercial miniature golf.

##### §851.11 Public Amusements

Theaters, bowling alleys, skating rinks and other places of public assembly and amusement, excluding drive-in theaters and miniature golf courses.

##### §851.12 Public Facilities

See ©§803.10.

##### §851.13 Religious Facilities

See ©§803.11.

##### §851.14 Retail Businesses

See ©§803.13.

##### §851.15 Schools

See ©§803.16.

#### §851.2 Limited Uses

The following uses are permitted in C-1 zones subject to the listed limitations.

##### §851.20 Hospitals

Provided that no building so used is within 150 feet of any adjoining owner. (See ©§803.03)

#### §851.3 Specially Permitted Uses

The following uses are permitted in C-1 zones only with a special permit granted by the Zoning Board of Appeals.

##### §851.30 Cemeteries

Cemeteries and customary incidental structures.

##### §851.31 Dwellings

Dwellings units may be incorporated into commercial buildings but not on the ground floor.

##### §851.32 Nursing Homes

Nursing homes and convalescent homes.

##### §851.33 Taverns

Establishments serving alcohol.

### §852 C-2 General Commercial Zones

(ZO §6.1)

#### §852.0 Purpose

(Reserved)

#### §852.1 Permitted Uses

The following uses are permitted in C-2 zones.

##### §852.10 Golf Courses

Golf courses other than commercial miniature golf.

##### §852.11 Public Amusements

Theaters, bowling alleys, skating rinks and other places of public assembly and amusement, including drive-in theaters and miniature golf courses.

##### §852.12 Public Facilities

See ©§803.10.

##### §852.13 Retail Businesses

See ©§803.13.

##### §852.14 Schools

See ©§803.16.

#### §852.2 Limited Uses

The following uses are permitted in C-2 zones subject to the listed limitations.

##### §852.20 Hospitals

See ©§803.03, provided that no building so used is within 150 feet of any adjoining owner.

#### §852.3 Specially Permitted Uses

The following uses are permitted in C-2 zones only with a special permit granted by the Zoning Board of Appeals.

##### §852.30 Cemeteries

Cemeteries and customary incidental structures.

##### §852.31 Taverns

Any establishments serving alcoholic beverages.

##### §852.32 Vehicle Shops

**§842.0 Purpose**

(Reserved)

**§842.1 Permitted Uses**

The following uses are permitted in R-2 zones.

**§842.10 Dwellings**

§842.100 Single-family detached dwellings and incidental uses, including home occupations under ©§803.02.

§842.101 Two-family dwellings, except that no new two-family dwelling may be constructed or an existing single-family dwelling converted to a two-family dwelling.

**§842.11 Golf Courses**

Golf courses other than commercial miniature golf.

**§842.12 Public Facilities**

See ©§803.10.

**§842.13 Religious Facilities**

See ©§803.11.

**§842.14 Schools**

See ©§803.16.

**§842.2 Limited Uses**

The following uses are permitted in R-2 zones subject to the listed limitations.

**§842.20 Hospitals**

See ©§803.03, provided that no building so used is within 150 feet of any adjoining owner.

**§842.21 Parking**

Space for one non-commercial motor vehicle may be rented to persons not residents on the same lot, but shall not count toward those required by ©§826.00.

**§842.22 Signs**

(ZO §@4B.5)

A bulletin board or sign for a permitted non-residential use, referring only to uses on the premises, or one sign advertising the sale or lease of the premises on which located, provided:

§842.220 it doesn't exceed 12 square feet;

§842.221 isn't nearer to the street line than half the required front yard distance;

§842.222 is safely and neatly maintained.

**§842.3 Specially Permitted Uses**

The following uses are permitted in R-2 zones only with a special permit granted by the Zoning Board of Appeals.

**§842.30 Cemeteries**

Cemeteries and customary incidental structures.

**§842.31 Dwellings**

Multiple-family dwellings.

**§842.32 Temporary Commercial Buildings**

Temporary buildings necessary or incidental to development, for up to one year. (ZO §@4A.5D)

**§843 LC Land Conservation Zones**

(ZO §@10)

**§843.0 Purpose of Land Conservation Zones**

Land Conservation Zones delineate those areas where substantial development of the land is prohibited as follows:

**§843.00 Special Conditions**

Special or unusual conditions of topography, drainage, flooding, forestation or other natural conditions exist whereby natural processes could cause considerable damage to structures and potential loss of life.

**§843.01 Lack of Facilities**

The lack of proper facilities or improvements make the land unsuitable for development, and area-wide improvements are needed to adequately serve the area at reasonable cost to the Village.

**§843.02 Correction of Conditions.**

Wherever it is shown that the special or unusual conditions which caused land to be zoned Land Conservation have been abated, such land may be re-zoned.

**§843.1 Permitted Uses**

Land and buildings in land conservation zones must be used for the following purposes:

**§843.10 Parks**

Parks, playgrounds, athletic fields, golf courses, and similar uses, including usual accessory structures.

**§843.11 Utilities**

Municipal or public utility structures or facilities.

**§843.2 Limited Uses**

(Reserved)

**§843.3 Specially Permitted Uses****§843.30 Disposal Facilities**

Disposal facilities, land fills, and similar uses.

Pursuant to ©§803.20 and only south of the ConRail yards, with specific consideration given to traffic generation and flow disruption and to potential dangers from hazardous and flammable materials.

### §853 C-3 Special Commercial Zones

(ZO §®6A.1)

#### §853.0 Purpose

(Reserved)

#### §853.1 Permitted Uses

The following uses are permitted in C-2 zones.

##### §853.10 Golf Courses

Golf courses other than commercial miniature golf.

##### §853.11 Public Amusements

Theaters, bowling alleys, skating rinks and other places of public assembly and amusement, including drive-in theaters and miniature golf courses.

##### §853.12 Public Facilities

See ©§803.10.

##### §853.13 Retail Businesses

See ©§803.13.

##### §853.14 Schools

See ©§803.16.

#### §853.2 Limited Uses

The following uses are permitted in C-2 zones subject to the listed limitations.

##### §853.20 Hospitals

Provided that no building so used is within 150 feet of any adjoining owner. (See ©§803.03)

#### §853.3 Specially Permitted Uses

The following uses are permitted in C-2 zones only with a special permit granted by the Zoning Board of Appeals.

##### §853.30 Cemeteries

Cemeteries and customary incidental structures.

##### §853.31 Taverns

Any establishments serving alcoholic beverages.

### §854 SC Service Center Zones

#### §854.0 Purpose

(ZO §®8.1)

Service center zones provide sites for heavy commercial and light industrial uses which are considered to be incompatible with other uses.

#### §854.1 Permitted Uses

(ZO §®8.2)

The following uses are permitted in service center zones.

##### §854.10 Commercial Shops

Machine, printing, heating, welding, air conditioning, plumbing or similar shops.

##### §854.11 Processing Facilities

commercial bakeries, milk processors and dry cleaning and laundry plants.

##### §854.12 Professionals

Professional offices, veterinarians and small animal hospitals.

##### §854.13 Retail

Lumber and contractors' yards, second-hand furniture dealers, and vehicle and farm equipment sales.

##### §854.14 Vehicle Shops

Garages for storing motor vehicles.

##### §854.15 Warehouses

Open warehousing, storage and wholesale businesses.

#### §854.2 Limited Uses

(Reserved)

#### §854.3 Specially Permitted Uses

(Reserved)

### §855 I-1 Light Industrial Zones

(ZO §®8.1A and §®8.1B)

#### §855.0 Purpose

(Reserved)

#### §855.1 Permitted Uses

The following uses are permitted in I-1 zones.

##### §855.10 Manufacturing

Light manufacturing, excluding the disposal, processing and storage of toxic, medical or infectious waste

##### §855.11 Watchman's Quarters

Facilities solely for the habitation of watchman and guards while on-duty.

##### §855.12 Wholesale

Receiving, storing, packaging and selling at wholesale completely manufactured and finished products.

#### §855.2 Limited Uses

(Reserved)

#### §855.3 Specially Permitted Uses

The following uses are permitted in I-1 zones only with a special permit granted by the Zoning Board of Appeals.

##### §855.30 Combustibles and Explosives

Manufacturing and storing explosives, combustible gases and flammable liquids in conformance with the State Building Construction Code and Labor Law.

##### §855.31 Objectionable Emissions

All uses which may be noxious or injurious due to the production or emission of dust, gas fumes, odor, smoke, solid waste, vibration or wire.

**§856 I-2 Heavy Industrial Zones**

(ZO §@6.1A and §@6.1B)

**§856.0 Purpose**

(Reserved)

**§856.1 Permitted Uses**

The following uses are permitted in I-2 zones.

**§856.10 Extractive Uses**

See ©§803.01

**§856.11 Manufacturing**

Any manufacturing, excluding the disposal, processing and storage of toxic, medical or infectious waste

**§856.12 Watchman's Quarters**

Facilities solely for the habitation of watchman and guards while on-duty.

**§856.13 Wholesale**

Receiving, storing, packaging and selling at wholesale completely manufactured and finished products.

**§856.2 Limited Uses**

(Reserved)

**§856.3 Specially Permitted Uses**

The following uses are permitted in I-1 zones only with a special permit granted by the Zoning Board of Appeals.

**§856.30 Combustibles and Explosives**

Manufacturing and storing explosives, combustible gases and flammable liquids in conformance with the State Building Construction Code and Labor Law.

**§856.31 Objectionable Emissions**

All uses which may be noxious or injurious due to the production or emission of dust, gas fumes, odor, smoke, solid waste, vibration or wire.

## Part 87 – Flood Control

### §870 Authorization, Fact and Purposes

The State Legislature has delegated the responsibility to local governments to adopt laws to promote the public health, safety and general welfare. (LL1 of 1987 §@1.0)

#### §870.0 Findings of Fact

##### §870.00 Flood Damage

Flood hazard areas of the Village are subject to periodic inundation resulting in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief and impairment of the tax base – all of which adversely affect the public health, safety and general welfare. (LL1 of 1987 §@1.1.1)

##### §870.01 Avoidable Flood Damage

These flood losses are caused by the cumulative effect of obstructions in special flood hazard areas which increase flood heights and velocities, and, when inadequately anchored, damage uses in other areas. Uses that are inadequately flood-proofed, elevated or otherwise protected from flood damage also contribute to the flood loss. (LL1 of 1987 §@1.1.2)

#### §870.1 Statement of Purpose

(LL1 of 1987 §@1.2)

It is the purpose of this Part to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by the following provisions.

##### §870.10 Dangerous Uses

This Part restricts and prohibits uses dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or flood heights or velocities.

##### §870.11 Protection of Vulnerable Property

This Part requires that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of construction.

##### §870.12 Maintain Natural Protection

This Part controls the alteration of natural flood plains, stream channels and natural protective barriers which help accommodate or channel flood waters.

##### §870.13 Control Land Alteration

This Part controls filling, grading, dredging and other development which may increase flood damage.

##### §870.14 Control Flood Barriers

This Part prevents or regulates the construction of flood barriers which will unnaturally divert flood waters or may increase flood hazards in other areas.

##### §870.15 National Flood Insurance Program

This Part allows the Village to qualify for and participate in the National Flood Insurance Program.

### §870.2 Objectives

(LL1 of 1987 §@1.3)

#### §870.20 Protect Human Life

This Part will protect human life and health.

#### §870.21 Minimize Public Costs

This Part includes will minimize expenditure of public money for costly flood control projects.

#### §870.22 Minimize Rescue and Relief

This Part will minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public.

#### §870.23 Minimize Interruptions

This Part will minimize business interruptions.

#### §870.24 Minimize Damage to Public Facilities

This Part will minimize damage to public facilities and utilities, such as streets and bridges, water and gas mains, and electric, telephone and sewer lines located in special flood hazard areas.

#### §870.25 Maximize Development

This Part will help maintain a stable tax base by promoting the second use and development of special flood hazard areas to minimize future flood blights.

#### §870.26 Notification of Potential Buyers

This Part will insure that potential buyers are notified that property is in an area of special flood hazard.

#### §870.27 Responsibility for Individual Actions

This Part ensures that anyone occupying special flood hazard areas is responsible for their actions.

### §871 Definitions

(LL1 of 1987 §@6.0)

Terms used in this Part and not specifically defined in this section are as commonly defined or defined to give this Part its most reasonable application.

#### §871.00 Adversely Affects

is to cause physical damage to adjacent properties.

#### §871.01 Appeal

is a request to review the Local Administrator's interpretation of this Part, or for a variance.

#### §871.02 Area of Shallow Flooding

is designated AO Zone on the Flood Insurance Rate Map (FIRM). The case flood depths range from 1 to 3 feet, a clearly defined channel does not exist, the path of flooding is unpredictable and indeterminate, and velocity flow may be evident.

#### §871.03 Area of Special Flood Hazard

is the land in the flood plain within a community subject to a 1% or greater chance of flooding in any

## **Part 86 – Zoning Map**

Reserved to insert Zoning Map.

CNGVD) of 1929 or other datum, to which base flood elevation shown on a Community's Flood Insurance Rate Map are referenced.

**§871.27 Mobile Home**

has the same meaning as *Manufactured Home*.

**§871.28 National Geodetic Vertical Datum or NGVD**

as corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the flood plain.

**§871.29 New Construction**

is structures for which construction commenced on or after the effective date of this Local Law.

**§871.30 100-year Flood**

has the same meaning as *Base Flood*.

**§871.31 Principally Above Ground**

means that at least 51% of the actual cash value of the structure, excluding land value, is above ground.

**§871.32 Regulatory Floodway**

is the channel of a watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height as determined by the Federal Emergency Management Agency in a Flood Insurance Study or by other agencies as provided in §873.21 of this Law.

**§871.33 Sand Dunes**

are naturally occurring accumulations of sand in ridges or mounds landward of the beach.

**§871.34 Start of Construction**

is the initiation, excluding planning and design, of any phase of a project or physical alteration of the property, including:

§871.340 land preparation, such as clearing, grading, and filling; installation of streets and/or walkways;

§871.341 excavation for a basement, footings, piers, or foundations or the erection of temporary forms;

§871.342 the placement or installation on the property of accessory buildings, storage trailers, and building materials;

§871.343 for manufactured homes, the "actual start" means affixing of the manufactured home to its permanent site.

**§871.35 Structure**

is a walled and roofed building, manufactured home, or storage tank that is principally above ground.

**§871.36 Substantial Improvement**

is any repair, reconstruction or improvement of a structure equal to at least 50% of the market value of the structure, either before the improvement or repair is started or, if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, *Substantial Improvement*

is considered to commence when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. Substantial Improvement does not, however, include either any project for improvement of a structure to comply with existing State or local health, sanitary or safety code specifications, which are solely necessary to assure safe living conditions, or any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

**§871.37 Variance**

is a grant of relief from the requirements of this Part to permit construction which is normally prohibited.

## §872 General Provisions

### §872.0 Lands to Which This Local Law Applies

This Part applies to all special flood hazard areas. (LL1 of 1987 §@3.1)

### §872.1 Establishing Special Flood Hazard Areas

The special flood hazard areas identified by the Federal Insurance Administration in its report *The Flood Insurance Study for the Village*, dated August 3, 1982 and on file with the Village Clerk, with accompanying Flood Insurance Rate Maps and Flood Boundary-Floodway Maps is hereby part of this Law. (LL1 of 1987 §@3.2)

### §872.2 Penalties for Noncompliance

No site or structure work can be performed unless fully compliant with this Part and other applicable regulations. Anyone convicted of violating this Part shall be fined up to \$250, imprisoned for up to 15 days, or both. Each day any violation continues is a separate offense. The Federal Emergency Management Agency will be notified of any structure in violation. (LL1 of 1987 §@3.3)

### §872.3 Conflict With Other Laws

This Part is adopted in response to revisions to the National Flood Insurance Program effective October 1, 1986 and supercedes all previous laws adopted for the purpose of establishing and maintaining eligibility for flood insurance. The provisions of this Part are the minimum requirements to promote public health and welfare. Whenever the requirements of this Part vary from those of other laws or regulations, whichever imposes higher standards shall prevail. (LL1 of 1987 §@3.5)

### §872.4 Warning and Disclaimer of Liability

The flood protection required by this Part is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions, and flood heights may be increased by man-made or natural causes. This Part does not imply that land outside the special flood hazard areas or uses permitted within such areas will be free from

given year. It is also commonly referred to as the base floodplain or 100-year floodplain.

**§871.04 Automatically**  
means without human intervention.

**§871.05 Base Flood**  
is the flood having a 1% chance of being equaled or exceeded in any given year.

**§871.06 Basement**  
is that portion of a building with a floor below ground level on all sides.

**§871.07 Breakaway Wall**  
is a wall that isn't part of the building's structural support and is intended by design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or the supporting foundation.

**§871.08 Building**  
is any structure built for support, shelter, or enclosure for occupancy or storage.

**§871.09 Cellar**  
is a basement.

**§871.10 Coastal High Hazard Area**  
is the area subject to high velocity waters including, but not limited to, hurricane wave wash. The area is designated on a FIRM as Zone VI-30, VE, VO or V.

**§871.11 Development**  
is any manmade change to improved or unimproved real estate including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations within the special flood hazard area.

**§871.12 Elevated Building**  
is a building with no basement and the lowest floor elevated above ground level by means of fill, solid foundation perimeter walls, pilings, columns (posts and piers), or shear walls.

**§871.13 Elevation**  
is height above mean sea level.

**§871.14 Flood or Flooding**  
is a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters or the unusual and rapid accumulation of surface waters.

**§871.15 Flood Insurance Rate Map**  
or *FIRM* is an official map with special flood hazard areas and risk premium zones delineated by the Federal Insurance Administration.

**§871.16 Flood Boundary and Floodway Map**  
or *FBFM* is an official map of the Community published by the Federal Emergency Management Agency as part of a riverine Community's Flood Insurance Study. The *FBFM* delineates a Regulatory

Floodway along water courses studied in detail in the Flood Insurance Study.

**§871.17 Flood Hazard Boundary Map**  
or *FHBM* is an official map of a community, issued by the Federal Emergency Management Agency, showing the boundaries of the special flood hazard areas, but without water surface elevations.

**§871.18 Flood Insurance Study**  
is the official report provided by the Federal Emergency Management Agency, containing flood profiles as well as the Flood Boundary-Floodway Map and the water surface elevations of base flood.

**§871.19 Floodway**  
has the same meaning as *Regulatory Floodway*.

**§871.20 Floor**  
is the top surface of an enclosed area in a building (including the basement), such as the top of the slab in a concrete slab construction or the top of wood flooring in a wood frame construction.

**§871.21 Functionally Dependent Use**  
is a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water, such as shipbuilding, ship repair, or a dock or port facility for loading and unloading of cargo or passengers. This term does not include long-term storage, manufacture, sales, or service facilities.

**§871.22 Highest Adjacent Grade**  
is the highest natural ground surface elevation, prior to construction, at the proposed walls of a structure.

**§871.23 Lowest Floor**  
is the lowest floor of the lowest enclosed area, including the basement. An unfinished or flood resistant enclosure, usable solely for vehicle parking or building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Local Law.

**§871.24 Manufactured Home**  
is a structure which is transportable in one or more sections and built on a permanent chassis designed for use with or without a permanent foundation when connected to the required utilities. For flood plain management purposes, manufactured homes include park trailers, travel trailers and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property.

**§871.25 Manufactured Home**  
or *Park* or *Subdivision* is a parcel or contiguous parcels of land divided into two or more manufactured home lots for rent or for sale.

**§871.26 Mean Sea Level**  
is, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum

flooding or flood damages. This Part creates no liability on the part of the Village, any Village official, or any officer or employee of the Federal Emergency Management Agency for any flood damages resulting from reliance on this Part or an administrative decision lawfully made under it. (LL1 of 1987 §@3.6)

## §873 Administration

### §873.0 Local Administrator

The Building Inspector is hereby appointed Local Administrator of this Part, to grant or deny development permits pursuant to its provisions. (LL1 of 1987 §@4.1)

### §873.1 Development Permits

#### §873.10 Development Permits in General

A development permit must be obtained before starting any construction or development within any special flood hazard area established in §872.1. Development permit applications are made on forms furnished by the Local Administrator, and may require plans in duplicate drawn to scale showing the natural dimensions and elevations of the area, and the location of existing or proposed structures, fill, storage or drainage. (LL1 of 1987 §@4.2)

#### §873.11 Application Stage

(LL1 of 1987 §@4.2.1)

The following information is required, as applicable:

- §873.110 elevation of the proposed lowest flood level of all structures;
- §873.111 elevation to which any non-residential structure will be flood-proofed;
- §873.112 when required, a certificate from a licensed engineer or architect that the utility flood-proofing complies with §874.020;
- §873.113 certification from a licensed engineer or architect that the non-residential flood-proofed structure complies with §874.1; and
- §873.114 a description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

#### §873.12 Construction Stage

Upon placement of the lowest floor, or flood-proofing by whatever means, the permit holder must submit to the Local Administrator a certificate of the elevation of the lowest floor, or flood-proofed elevation. The elevation certificate shall be prepared by or under the direct supervision of and certified by a licensed surveyor or engineer. When flood-proofing is used for a building, the flood-proofing certificate must be prepared by or under the direct supervision of and certified by a licensed engineer or architect. Any further work undertaken prior to submission and approval of the certification shall be at the permit holders' risk. The Local Administrator shall review all data submitted, and deficiencies, unless immedi-

ately corrected, shall cause a stop-work order for the project to be issued. (LL1 of 1987 §@4.2.2)

## §873.2 Local Administrator's Responsibilities

### §873.20 Permit Application Review

(LL1 of 1987 §@4.3.1)

§873.200 The Local Administrator reviews all development permit applications to verify compliance with this Part.

§873.201 The Local Administrator reviews all development permit applications to verify that all necessary permits have been obtained from federal, state and local agencies.

§873.202 The Local Administrator reviews all development permit applications to determine if the proposed development adversely affects the area of special flood hazard. An engineering study may be required from the applicant for this purpose. If there is no adverse effect, the permit shall be granted pursuant to this Part. If there is an adverse effect, the permit shall be made conditional on flood damage mitigation measures.

§873.203 The Local Administrator reviews all development permit applications to verify compliance with §874.04.

### §873.21 Use of Other Base Flood Data

When base flood elevation data has not been provided in accordance with §872.1, the Local Administrator shall review and use any base flood elevation and floodway data available, including data developed pursuant to §874.033 in order to administer §874.1, and §874.2. (LL1 of 1987 §@4.3.2)

### §873.22 Information to Be Obtained and Maintained

(LL1 of 1987 §@4.3.3)

§873.220 The Local Administrator obtains and records the actual elevation of the lowest floor of all new or substantially improved structures and whether or not the structure contains a basement or cellar.

§873.221 For all new substantially improved flood-proofed structures, the Local Administrator obtains and records the actual elevation to which the structure has been flood-proofed, and maintains the flood-proofing certifications required in §874.0 and §874.1.

§873.222 The Local Administrator maintains all records under this Part for public inspection.

### §873.23 Alteration of Watercourses

(LL1 of 1987 §@4.3.4)

§873.230 Adjacent communities and the State Dept of Environmental Conservation must be notified prior to any alteration or relocation of a watercourse and evidence of such notification submitted to the Regional Direc-

tor, Federal Emergency Management Agency, Region II, 26 Federal Plaza, New York, NY 10278.

§873.231 The Local Administrator requires that altered or relocated portions of a watercourse are maintained to avoid diminishing its flood carrying capacity.

#### §873.24 Interpretation of FIRM Boundaries

The Local Administrator has the authority to make interpretations when there is an apparent conflict between the limits of the federally identified area of special flood hazard and actual field conditions. Base flood elevation data established pursuant to ©§872.1 and/or ©§873.21, when available, shall be used to accurately delineate the area of special flood hazards. The Local Administrator uses flood information from any other authoritative source, including historical data, to establish the limits of the area of special flood hazards when base flood elevations are not available. (LL1 of 1987 §@4.3.5)

#### §873.25 Stop Work Orders

(LL1 of 1987 §@4.3.6)

§873.250 The Local Administrator shall issue a stop work order for all ongoing floodplain development without an approved permit.

§873.251 The Local Administrator shall issue a stop work order for all floodplain development not in compliance with this Part or the conditions of the permit.

#### §873.26 Inspections

The Local Administrator or the developer's engineer or architect must inspect at appropriate times during construction to verify that the development complies with the permit or the approved variance. (LL1 of 1987 §@4.3.7)

#### §873.27 Certificate of Compliance

(LL1 of 1987 §@4.3.8)

§873.270 No one shall use or occupy any building or premises constructed, modified or whose use has changed until the Local Administrator issues a certificate of compliance stating that the site complies with this Part.

§873.271 The Local Administrator issues certificates of compliance for all development in the designated flood hazard area upon completion, based on inspection under ©§873.26 and any certified elevations, hydraulic information, flood-proofing, anchoring requirements or encroachment analysis required as a condition of the permit.

## §874 Flood Hazard Reduction

### §874.0 General Standards

#### §874.00 Anchoring

(LL1 of 1987 §@5.1.1)

§874.000 All new construction and substantial improvements must be anchored to prevent flotation, collapse or lateral movement.

§874.001 All manufactured homes must be installed using methods and practices to minimize flood damage. Manufactured homes must be elevated and anchored to resist flotation, collapse or lateral movement. Manufactured homes must be elevated to or above the base flood elevation, or 2 feet above the highest adjacent grade when no base flood elevation has been determined. Methods of anchoring include, but aren't limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for wind resistance.

#### §874.01 Construction of Materials and Methods

(LL1 of 1987 §@5.1.2)

All new construction and substantial improvements must use materials and equipment resistant to flood damage and be constructed to minimize flood damage

#### §874.02 Utilities

(LL1 of 1987 §@5.1.3)

§874.020 Electrical, heating, ventilating, plumbing and air conditioning equipment and other service facilities shall be designed and located so as to prevent water from entering or accumulating within the components during conditions of flooding. Designs located below the base flood elevation require an engineer's or architect's certification;

§874.021 All new and replacement water supply systems must be designed to minimize or eliminate infiltration of flood waters;

§874.022 New and replacement sanitary sewage systems must be designed to minimize or eliminate infiltration of flood waters; and

§874.023 On-site waste disposal systems must be located to avoid impairment or contamination during flooding.

#### §874.03 Subdivision Proposals

(LL1 of 1987 §@5.1.4)

§874.030 All subdivision proposals shall minimize flood damage;

§874.031 All subdivision proposals shall have public utilities located and constructed to minimize flood damage;

§874.032 All subdivision proposals shall have adequate drainage to reduce flood damage;

§874.033 Base flood elevation data shall be provided for subdivision proposals and other proposed developments (including proposals

§874.131 the bottom of all such openings shall be no higher than one foot above the lowest adjacent finished grade; and

§874.132 openings may be equipped with louvers, valves, screens or other coverings or devices, provided they permit the automatic entry and exit of floodwaters.

### **§874.2 Floodways**

Located within special flood hazard areas are areas designated as floodways, which are extremely hazardous areas due to high velocity flood waters carrying debris and additional threats from potential erosion. When floodway data is available for a particular site as provided by ©§872.1 and ©§873.21, all encroachments including fill, new construction, substantial improvements and other development are prohibited with the limits of the floodway unless a technical evaluation demonstrates that such encroachments won't result in increased flood levels during the base flood discharge. (LL1 of 1987 §@5.3)

## **§875 Variance Procedure**

### **§875.0 Appeals**

(LL1 of 1987 §@7.1)

#### **§875.00 ZBA Hears Variance Appeals**

The Zoning Board of Appeals shall hear and decide appeals and requests for variances from this Part.

#### **§875.01 Alleged Error by Village**

The Zoning Board of Appeals shall hear and decide appeals when it is alleged that there is an error in any requirement, decision or determination made by the Local Administrator in enforcing this Part.

#### **§875.02 Appealing ZBA Decisions**

Appeals from decisions of the Zoning Board of Appeals may be made to the State Supreme Court under Article 78 of the Civil Practice Law and Rules.

#### **§875.03 ZBA Considerations**

In acting on applications, the Zoning Board of Appeals shall consider all technical evaluations, relevant factors, standards under this Law, and:

§875.030 the danger to life and property from debris, flooding or erosion;

§875.031 the susceptibility of the proposed facility and its contents to flood damage and its effect on the individual owner;

§875.032 the importance of the services provided by the proposed facility to the community;

§875.033 the necessity of a waterfront location;

§875.034 the availability of alternative locations not subject to flooding or erosion damage;

§875.035 the compatibility of the proposed use with existing and anticipated development;

§875.036 the relationship of the proposed use to the comprehensive plan and flood plain management program of that area;

§875.037 safety access to the property by ordinary and emergency vehicles during floods;

§875.038 the costs and dangers of search and rescue operations during flooding, and the costs of governmental services during and after flooding, including maintenance and repair of public utilities and facilities, such as sewer, gas, electrical, water systems, streets and bridges;

§875.039 the expected height, velocity, duration, rate of rise and sediment transport of flood waters and the effects of wave action.

### **§875.04 Conditional Approvals**

Variances may include any conditions the Zoning Board of Appeals believes will improve compliance with the letter or spirit of this Law.

### **§875.05 Records of Appeals**

The Local Administrator shall maintain the records of all appeal actions, including technical information, and report any variances to the Federal Emergency Management Agency upon request.

### **§875.1 Conditions for Variances**

(LL1 of 1987 §@7.1)

#### **§875.10 Justification in Relation to Lot Size**

Variances may be issued for new construction and substantial improvements on one-half acre or smaller lots, surrounded by lots with existing structures constructed below the base flood level, providing the items in ©§875.03 are fully considered. As lot size increases beyond one-half acre, the technical justification required for a variance increases.

#### **§875.11 National Historic Register**

Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places without regard to the contributing structures procedures set forth below.

#### **§875.12 Community Improvements**

Variances may be issued for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that the criteria of ©§875.10, ©§875.13 through ©§875.15 are met, and that the structure or other development is protected by methods that minimize flood damage during the base flood and create no threat to public safety.

#### **§875.13 Variances within Floodways**

Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

#### **§875.14 Minimum Variance**

A variance shall only be issued upon a finding that it is the minimum deviation necessary to afford relief.

#### **§875.15 Basis for Issuing**

for manufactured home parks and subdivisions) greater than either 50 lots or 5 acres.

#### §874.04 Encroachments

(LL1 of 1987 §@5.1.5)

§874.040 All proposed development near rivers where no flood elevation data is available (unnumbered A Zones) shall be reviewed to determine the effects on the flood carrying capacity of the area of special flood hazards set forth in the ©§873.20 Permit Review, which may require additional technical data.

§874.041 In all areas of special flood hazard in which base flood elevation data is available pursuant to ©§873.21 or ©§874.033 and no floodway has been determined, the cumulative effects of any proposed development, when combined with all other existing and anticipated development, shall not increase the water surface elevation of the base flood more than one foot at any point.

§874.042 ©§874.2 shall apply to all areas of the special flood hazard where floodway data is provided or available under ©§873.21.

#### §874.1 Specific Standards

In all special flood hazard areas where base flood elevation data has been provided as set forth in ©§872.1 and ©§873.21, the following standards are required:

##### §874.10 Residential Construction

(LL1 of 1987 §@5.2.1)

New construction and substantial improvements of any residential structure shall have the lowest floor elevated to or above base flood elevation, and shall have fully enclosed areas below the lowest floor that are subject to flooding designed to automatically equalize hydrostatic flood forces on exterior walls by allowing the entry and exit of floodwaters. Designs for meeting this requirement must be certified by a licensed engineer or architect, or meet or exceed the following *minimum criteria*.

§874.100 Designs must have a minimum of two openings with a total net area of at least one square inch for every square foot of enclosed area subject to flooding;

§874.101 The bottom of all such openings shall be no higher than one foot above the lowest adjacent finished grade;

§874.102 All such openings may be equipped with louvers, valves screens or other coverings or devices, provided they permit the automatic entry and exit of floodwaters.

##### §874.11 Non-residential Construction

(LL1 of 1987 §@5.2.2)

New construction and substantial improvements of non-residential structures, together with attendant utility and sanitary facilities, shall have the lowest

floor elevated to or above the base flood elevation, or be flood-proofed so that the structure is watertight below the base flood level with walls substantially impermeable to the passage of water. All structural components located below the base flood level must be capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy.

§874.110 If the structure will be elevated, fully enclosed areas below the base flood elevation must be designed to automatically allow for the entry and exit of floodwaters to equalize hydrostatic flood forces on exterior walls. Designs for this requirement must be certified by a licensed engineer or architect, or meet the criteria of ©§874.13.

§874.111 If the structure is to be flood-proofed, a licensed engineer or architect shall develop or review structural design specifications and plans for the construction, and certify that the design and construction are in accordance with accepted practices to make the structure watertight with walls substantially impermeable to the passage of water, and with structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A licensed engineer or surveyor shall certify the specific elevation to which the structure is flood proofed. The Local Administrator shall maintain a copy of all such certificates noted in this section.

##### §874.12 Areas Without Base Flood Elevations

(LL1 of 1987 §@5.2.3)

New construction or substantial improvements to structures shall have the lowest floor elevated to or above the base flood elevation as determined by ©§873.21, or 2 feet above the highest adjacent grade where no elevation data is available.

§874.120 New construction and substantial improvements shall have the lowest floor elevated at least 2 feet above the highest grade adjacent to the proposed foundation.

§874.121 Fully enclosed areas below the lowest floor that are subject to flooding shall automatically allow for the entry and exit of floodwaters to equalize hydrostatic flood forces on exterior walls. Designs must be certified by a licensed engineer or architect for the criteria of ©§874.13.

##### §874.13 Construction Standards Criteria

(LL1 of 1987 §@5.2.3)

Construction under ©§874.110 and ©§874.121 must meet the following criteria:

§874.130 a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;

# Appendices

## Appendix 1: Dictionary

See also Part 020 General Word Rules and §801

- §871.30 **100-year Flood** is the same as *Base Flood*.
- §610.0 **Abusive Language** is offensive, threatening, insulting or abusive language.
- §802.00 **Accessory** is a structure or use other than the principal one on the lot, which is subordinate and customarily incidental to the principal structure or use. Accessory structures and uses can be located on adjoining lots which have no other principal building or use.
- §812.020 **Accessory Structures** (for communications permits) are designed and used to shelter equipment and/or support communications towers and antennae, but don't include offices, broadcast studios, or long-term vehicle or equipment storage.
- §720.10 **Adult Book and Video Shops** are enclosed buildings which present, lend or sell visually recorded performances or publications with sexual displays.
- §871.00 **Adversely Affects** is to cause physical damage to adjacent properties.
- §802.01 **Alcoholic Beverages** are as defined by those State laws regulating them.
- §710.00 **Amusement Centers** are any place maintained or operated for the amusement, patronage or recreation of the public through the use of coin-control amusement devices, and require an amusement license issued for and a public tag affixed to each coin-control device.
- §610.1 **Annoyance** is annoying, disturbing, obstructing, or being offensive.
- §812.021 **Antennas** are devices to send and/or receive electromagnetic waves, including all mounting and stabilizing items, such as towers, poles, brackets, guy wires, hardware and connection equipment.
- §871.01 **Appeal** (relative to flood control) is a request to review the Local Administrator's interpretation of this Part, or for a variance.
- §470.00 **Approved Disposal Site** is the Onondaga County Waste-to-Energy Facility on Rock Cut Road in the Town of Onondaga.
- §871.02 **Area of Shallow Flooding** is designated AO Zone on the Flood Insurance Rate Map (FIRM). The case flood depths range from 1 to 3 feet, a clearly defined channel does not exist, the path of flooding is unpredictable and indeterminate, and velocity flow may be evident.
- §871.03 **Area of Special Flood Hazard** is the land in the flood plain within a community subject to a 1% or greater chance of flooding in any given year. It is also commonly referred to as the base floodplain or 100-year floodplain.
- §470.01 **Ashes** are all material remaining after combustion.
- §871.04 **Automatically** means without human intervention.
- §871.05 **Base Flood** is the flood having a 1% chance of being equaled or exceeded in any given year.
- §871.06 **Basement** is that portion of a building with a floor below ground level on all sides.
- §470.040 **Beverage Cartons** include gabled topped paper cartons that contained milk and juice products.
- §833.10 **Billboards** direct attention to a business or product offered on other premises.
- §540.00 **BOD** or **Biochemical Oxygen Demand** is the quantity of oxygen used in the biochemical oxidation of organic matter under standard laboratory procedure in 5 days at 20° C, expressed in milligrams per liter (mg/l).
- §871.07 **Breakaway Wall** is a wall that isn't part of the building's structural support and is intended by design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or the supporting foundation.
- §540.01 **Building Drain** is the lowest horizontal part of a drainage system which receives the discharge from soil, waste or other drainage pipes inside a building and conveys it to the building sewer, beginning 5 feet (1.5 meters) outside the inner face of the building wall.
- §871.08 **Building** is any structure built for support, shelter, or enclosure for occupancy or storage.
- §540.02 **Building Sewer** is the line from the building drain to the public sewer or other discharge.
- §833.11 **Business Signs** direct attention to businesses conducted on the same lot, including "For Sale" and "For Rent" signs for the lot on which displayed.
- §742.01 **Cat Owner** is anyone owning, harboring, feeding or allowing a cat to remain about their premises.
- §871.09 **Cellar** is a basement.
- §701.12 **Chief of the Bureau of Fire Prevention** is the Fire Inspectors.
- §602.33 **Civic Organizations** are meetings or events sponsored by a municipal department or any private or-

Variations are issued only upon written justification:

- §875.150 of good and sufficient cause;
- §875.151 that denying the variance would result in exceptional hardship to the applicant; and
- §875.152 that granting a variance won't increase flood heights, threaten public safety, cause extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with this Law.

**§875.16 Written Notice of Increased Risk**

Any applicant granted a variance for a building with the lowest floor below the base flood elevation shall be shall be given written notice that the cost of flood insurance will be commensurate with the increased risk resulting from lowest floor elevation.

- §470.07 **Eligible Household** (for recycling) is a household residing in a dwelling of four units or less which is required to use recycling containers.
- §833.25 **Enclosed Storage** are buildings used for the keeping of any material.
- §545.37 **Excessively Alkaline Material** is water or wastes having a pH in excess of 9.5.
- §545.36 **Excessively Radioactive Material** has a half-life or concentration exceeding limits set by the Public Works Superintendent pursuant to State or Federal regulations.
- §710.04 **Exhibitions** are any concert, theatrical, horse show, horse race, auto race, carnival, midway ride, professional sports event, movie, amusement parlor or other exhibit.
- §740.00 **Exotic Animals** are any live animal, except dogs, cats, goldfish and non-poisonous tropical fish, domesticated rats and mice, hamsters, guinea pigs, captive-bred parrots and parakeets, moths and butterflies, or other domestic animals as defined in §107 of the Agriculture and Markets Law.
- §803.01 **Extractive Uses** are removing sod, loam, sand, gravel or quarried stone for sale, except when incidental, or connected to, constructing a building.
- §802.05 **Family** is any number of individuals living together as a single housekeeping unit, where no more than 4 members are not blood relatives.
- §323.30 **Fire Lanes** are areas in which parking or standing is prohibited for any but emergency vehicles.
- §871.16 **Flood Boundary and Floodway Map** or **FBFM** is an official map of the Community published by the Federal Emergency Management Agency as part of a riverine Community's Flood Insurance Study. The FBFM delineates a Regulatory Floodway along water courses studied in detail in the Flood Insurance Study.
- §871.17 **Flood Hazard Boundary Map** or **FHBM** is an official map of a community, issued by the Federal Emergency Management Agency, showing the boundaries of the special flood hazard areas, but without water surface elevations.
- §871.15 **Flood Insurance Rate Map (FIRM)** shows special flood hazard areas and risk premium zones delineated by the Federal Insurance Administration.
- §871.18 **Flood Insurance Study** is the official report provided by the FEMA, containing flood profiles as well as the Flood Boundary-Floodway Map and the water surface elevations of base flood.
- §871.14 **Flood or Flooding** is a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters or the unusual and rapid accumulation of surface waters.
- §871.19 **Floodway** is the same as *Regulatory Floodway*.
- §871.20 **Floor** is the top surface of an enclosed area in a building (including the basement), such as the top of the slab in a concrete slab construction or the top of wood flooring in wood frame construction.
- §802.090 **Front Lot Line** separates a lot from a street right-of-way, or, where the lot abuts more than one street, that line designated by the property owner.
- §802.260 **Front Yards** extend across the full width of the lot from the front lot line to the nearest line of the main building;
- §871.21 **Functionally Dependent Use** is a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water, such as shipbuilding, ship repair, or a dock or port facility for loading and unloading of cargo or passengers. This term does not include long-term storage, manufacture, sales, or service facilities.
- §470.08 **Garbage** is all organic waste material.
- §540.06 **Garbage** is solid waste from food processing.
- §470.042 **Glass** is empty, washed glass jars, bottles and containers of clear, green and amber (brown) glass that contained food or drink, with caps removed. Glass is not ceramics, window glass, auto glass, mirrors and kitchenware.
- §833.20 **Ground Signs** are supported by one or more uprights or braces in or on the ground.
- §011.1 **GVO** is the General Village Ordinance of 1954.
- §610.3 **Harassing Pedestrians** is making insulting remarks to or about passing pedestrians or annoying pedestrians in a public place.
- §470.09 **Hauler** is anyone, other than the Department of Public Works, who engages in the collection, transportation, disposal or delivery of solid waste.
- §470.10 **Hazardous Waste** is:
- §470.100 any waste, excluding household hazardous waste, which is defined or regulated as a hazardous waste, toxic substance, hazardous chemical substance or mixture, or regulated waste under federal, state or local law, or under current rules issued subsidiary thereto, including, but not limited to: The Resource Conservation and Recovery Act of 1976 (42 USC §7901 et seq., as amended by the Hazardous and Solid Waste Amendments of 1984) and the regulations contained in 40 CFR Parts 260-281; The Toxic Substances Control Act (15 USC §6601 et seq.) and the regulations contained in 40 CFR Parts 761-766; and The State Environmental Conservation Law (Title 9 of Article 27) and the regulations contained in 6 NYCRR Parts 370-373 (Subpart 473-3);
- §470.101 radioactive materials which are source,

- ganization whose goal is the moral, ethical and educational integrity of youth.
- §871.10 **Coastal High Hazard Area** is the area subject to high velocity waters including, but not limited to, hurricane wave wash. The area is designated on a FIRM as Zone VI-30, VE, VO or V.
- §540.03 **Combined Sewer** is a sewer receiving both surface runoff and sewage.
- §812.023 **Communications Towers** are structures, including antennas, for sending and/or receiving electromagnetic communications, excluding those used for fire, police and other dispatch communications, or exclusively for private radio, television, citizens band or amateur (ham) radio reception and other private, residential communications.
- §201.10 **Conflicts of Interest** are any financial or other interest, business engaged in, or obligation incurred in substantial conflict with a Village official's discharge of duties in the public interest.
- §201.11 **Conflicting Employment** is any other accepted employment, present or future, which impairs a Village official's independence of judgement in exercising their duties.
- §201.13 **Conflicting Transactions** are any engaged in as agent of the Village in which a Village official has any financial interest that might reasonably conflict with the proper discharge of duties
- §545.31 **Congevalable Substances** are fats, wax, grease or oils, emulsified or not, in excess of 100 mg/l, which may solidify or become viscous between 32°F and 150°F (0°C and 65°C).
- §470.02 **Construction and Demolition Debris** is discarded building material, concrete, stones, earth from excavations or grading, and all other refuse resulting from work performed on structures or sites.
- §470.03 **Containers** are any plastic, metal or wood container for solid waste which won't disintegrate when wet and, as filled, weighs no more than 75 pounds with a volume of no more than 30 gallons.
- §540.04 **Contractor** is anyone, except the property owner, constructing sewers outside the building.
- §802.02 **Corner Lot** is any lot fronting on more than one street, or on a single street whose direction varies by more than 45° along its abutment with the lot.
- §701.11 **Corporation Counsel** when used in the Fire Prevention Code, is the Village Attorney.
- §470.041 **Corrugated Paper** is cardboard containers, boxes and packaging, including Pizza boxes, which are cleaned of contamination by food wastes or the polystyrene commonly called styrofoam, and which have been flattened for transport.
- §470.04 **County Designated Recyclable Materials** are those recyclables designated by the County and
- §021.00 **County** is Onondaga County.
- §803.00 **Cultural Facilities** are public libraries and museums.
- §470.05 **Curb** is the curbing immediately in front of the property from which solid waste material and recyclables to be collected are generated, or in the absence of an actual curb, that portion of the property immediately adjacent to the street pavement.
- §470.06 **Curbside Collection** is the use of collection receptacles by solid waste generators and the regular periodic pick up and transfer of their contents by a solid waste hauler.
- §600.0 **Curfew Hours** are from 10 pm to 5 am.
- §540.05 **Developer** is anyone who develops open land not presently subdivided.
- §871.11 **Development** is any manmade change to any real estate including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations within the special flood hazard area.
- §833.13 **Directional or Informational Signs** contain non-commercial information as a public service (i.e. public rest rooms, telephones, bus stops).
- §201.15 **Disclosure of Personal Investments**, under the Code of Ethics, is written notice to the Village Clerk by any Village official who learns that a personal investment they have made would appear to influence them in their official duties; the official must then refrain from discussing, deliberating or deciding such matters.
- §610.2 **Disturbing the Peace** is shouting, singing or making noise to the annoyance or disturbance of any considerable number of people.
- §833.14 **Double-Faced** or V-type signs have two readable faces connected along one side.
- §802.03 **Dwelling** is any building used wholly for habitation, except for a mobile home.
- §802.04 **Dwelling Unit** is any dwelling or portion thereof used or intended to be used by one family.
- §602.30 **Education** is a school activity for instruction, education or training not including extracurricular activities or school events for which scholastic credit is not given.
- §871.12 **Elevated Building** is a building with no basement and the lowest floor elevated above ground level by means of fill, solid foundation perimeter walls, pilings, columns (posts and piers), or shear walls.
- §871.13 **Elevation** is height above mean sea level.

- §871.23 **Lowest Floor** is the lowest floor of the lowest enclosed area, including the basement. An unfinished or flood resistant enclosure, usable solely for vehicle parking, building access or storage, in an area other than a basement, is not considered a the lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements.
- §470.13 **Major Appliances** are large or bulky home machines, such as washers, refrigerators, dryers, stoves, furnaces or water heaters.
- §871.24 **Manufactured Home** is a structure transportable in one or more sections and built on a permanent chassis designed for use with or without a permanent foundation when connected to the required utilities. For flood management purposes, these include park and travel trailers and similar structures placed on a site for 180 consecutive days or longer and intended to be improved property.
- §871.25 **Manufactured Home Park or Subdivision** is a parcel or contiguous parcels divided into two or more manufactured home lots for rent or for sale.
- §720.13 **Massage Parlors** or body rub parlors are businesses in which, for any form of consideration, a massage, oil or alcohol rub, fomentation, electric or magnetic treatment or other manipulation of human body by means of stroking, kneading, tapping and vibrating is administered; exempt is any place where massage is practiced as defined in State Education Law, Article 133 §8801, and by a practitioner licensed under the State Education Law §8802 or authorized under §8805.
- §470.14 **Materials Recovery Facility or MIRE** is a private or public facility for receiving and processing recyclables into marketable commodities.
- §545.38 **Materials Which Interfere with Treatment** are: (§545.380) inert suspended or dissolved solids, including, but not limited to, fullers earth, lime slurries, lime residues, sodium chloride and sodium sulfate; (§545.381) materials which cause excessive discoloration, including, but not limited to, dye wastes and vegetable tanning solutions; (§545.382) materials which cause unusual BOD, chemical oxygen demand, or chlorine requirements in quantities which constitute a significant load on sewage treatment works; or (§545.383) materials which cause slugs.
- §871.26 **Mean Sea Level** is, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum CNGVD) of 1929 or other datum, to which base flood elevation shown on a Community's Flood Insurance Rate Map are referenced.
- §470.15 **Medical Waste** is any solid waste generated in the diagnosis, treatment or immunization of human beings or animals, in research pertaining thereto, or in the production or testing of biologicals.
- §470.044 **Metal** is all metals, including: steel, aluminum and composite cans and containers (cleaned of food wastes), and empty aerosol cans that did not contain hazardous material. Metal is not scrap metal, wire, pipes, tubing, motors, sheet metal, etc., all of which are recyclable but must be recycled through scrap dealers.
- §600.1 **Minor** is any person under the age of sixteen years.
- §470.045 **Mixed Paper** is discarded and bulk mail, computer paper, colored paper, greeting cards, wrapping paper and carbonless multi-part forms. Mixed paper is not any paper coated with foil or plastic.
- §871.27 **Mobile Home** is the same as *Manufactured Home*.
- §803.06 **Mobile Home** is a movable living unit, also called a house trailer.
- §803.07 **Motel** is a hotel primarily for transient motorists.
- §732.11 **Motor Vehicle or Vehicle** is any device which may transport a person or property on a highway, except human-powered or on stationary rails.
- §833.21 **Movable Signs** aren't permanently mounted and are easily transported from one site to another.
- §803.08 **Multi-Family Dwelling** is a building used for dwelling purposes by three or more families living in separate dwelling units.
- §470.16 **Municipal Hauler License** is issued by the Village to a hauler as a prerequisite to their collecting Solid Waste in the Village.
- §701.10 **Municipality**, in the Fire Code, is the Village.
- §871.28 **National Geodetic Vertical Datum or NGVD** as corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the flood plain.
- §540.09 **Natural Outlet** leads to any body of surface or groundwater.
- §871.29 **New Construction** is structures commenced on or after the effective date of this Law.
- §470.046 **Newspaper** is common machine finished paper, free of contaminants, made chiefly from wood pulp used for printing newspapers, glossy inserts, magazines and catalogues.
- §720.14 **Nude Modeling** is any place in which, for any consideration, a model is sexually displayed to be observed or in any way depicted; but doesn't include nonprofit organizations, schools licensed by the State, or colleges.
- §732.12 **Nuisance Vehicles** are any motor vehicle that is either unregistered, inoperable, and/or unusable.

- special nuclear or byproduct material as defined by the Atomic Energy Act of 1954 (42 U.S.C. Sections 2011 et seq.) and the regulations contained in 10 CFR Part 50; or
- §470.102 any other material that by federal, state or local law, or under rules, regulations, policies, guidelines or orders having the force of law in relation thereto are regulated as harmful, toxic or hazardous to health and ineligible for processing at the agency facility.
- §540.07 **Hearing Board** (for sewers) is the Village Board, unless another board is appointed to hear appeals.
- §802.06 **Height of a Building** is measured from the average elevation of the proposed grade line at the building to the main height between the eaves and ridge on pitched roofs, or to the highest part of parapet roofs.
- §871.22 **Highest Adjacent Grade** is the highest natural ground surface elevation, prior to construction, at the proposed walls of a structure.
- §803.02 **Home Occupation** is customarily carried on in a home or accessory structure by a resident, clearly secondary to the residential use, including, but not limited to, barbers, hairdressers, dressmakers, launderers, home cooking, teachers, accountants, architects, artists, dentists, doctors, engineers, surveyors, insurance agents, lawyers, musicians, realtors, or member of any other profession occupying the dwelling, provided that the home occupation:
- §803.010 doesn't alter the character of the premises or impair the neighborhood;
- §841.011 is on the same lot with the use to which it is accessory;
- §841.012 is carried on wholly within the principal building or a structure accessory thereto;
- §841.013 doesn't employ more than one person not living on the premises;
- §841.014 has only one unlighted sign or bulletin board of no more than 2 square feet;
- §841.015 doesn't include the exterior storage of materials or other exterior indications of the home occupation, and doesn't vary the residential character of the principal building;
- §841.016 produces no offensive noise, vibration, smoke, dust, odors, heat, light or glare;
- §803.017 specifically does not include commercial stables and kennels, restaurants and tea rooms, musical instruction of three or more students at once, dance instruction, tourist homes, convalescent homes, mortuaries, motor vehicle garages or repair shops, and other businesses of a similar nature.
- §803.03 **Hospital** is a facility for the in-patient treatment of sick or injured humans, but specifically doesn't include those for treating the insane, feeble-minded, epileptics or substance abusers.
- §545.30 **Hot Substances** are liquids or vapors hotter than 150°F or 65°C.
- §720.11 **Hotel** (as a sex-related business) is any which offers public accommodations that publicly advertise the provision of recorded or transmitted sexual displays, or which offers a sleeping room for rent or sub-letting for a period of less than 10 hours.
- §803.04 **Hotel** is a dwelling with 10 or more separate rooms for rent on less than a monthly basis.
- §610.4 **Illegal Assembly** is refusing a lawful order by police to disperse.
- §833.12 **Illuminated signs** are lighted or highly reflective.
- §545.32 **Improperly Shredded Material** is any garbage not properly shredded.
- §540.08 **Industrial Wastes** are liquid wastes from business or manufacturing, as distinct from sanitary sewage.
- §833.13 **Informational or Directional Signs** contain non-commercial information as a public service (i.e. public rest rooms, telephones, bus stops).
- §732.10 **Inoperable Vehicle** is any vehicle without valid NYS motor vehicle safety inspection certificates.
- §712.0 **Junk Dealers** are anyone who accepts automobiles, machinery, metal articles, rags, waste paper or waste materials for processing, or used parts for resale or for accumulation and storage.
- §470.043 **Kraft Paper** is found in brown paper bags and package wrapping.
- §843.0 **Land Conservation Zones** are areas where substantial development of the land is prohibited.
- §470.11 **Landfill** is any part of a facility where solid waste is placed in or on land, except a land treatment facility, surface impoundment or injection well.
- §470.12 **Large Household Furnishings** are furniture and other large or bulky articles which equip a home, such as chairs, sofas, tables, beds or carpets.
- §803.05 **Light Manufacturing** is any which causes no objectionable odors, fumes, dirt, vibration or noise.
- §720.12 **Live Sex Shows** are public establishments that feature live sexual displays or offer cross-sex wrestling or tumbling for any form of consideration.
- §802.08 **Lot Coverage** is the percentage of the lot area covered by any roof.
- §802.07 **Lot** is a parcel of land occupied by a principal structure, accessory structures and open spaces as required by this Law or arranged and designed for use in connection with the structures; and (©§801.3) is synonymous with plot.

- protect a neighborhood or provide public utilities.
- §610.6 **Public Intoxication** is attracting attention in any public place due to intoxication
- §630 **Public Lewdness** is anyone who intentionally exposes their genitalia in a lewd manner, commits any lewd act in a public place, or exposes their genitalia in private premises with the intent that they be observed from a public area.
- §021.01 **Public Officials** are any elected or appointed Village officer, employee or retained professional.
- §540.13 **Public Sewer** is one controlled by a public authority and in which all abutting property owners have equal rights.
- §802.091 **Rear Lot Line** is the one opposite and most distant from the front lot line.
- §802.261 **Rear Yards** extend across the full width of the lot from the rear lot line to the line of the nearest building;
- §470.19 **Recyclables** are those materials, including County Designated Recyclable Materials, which can be practically separated from non-recyclable waste for which reuse markets can be accessed for less than the cost of disposal.
- §470.20 **Recycling Container** is the blue bin or other container owned by the agency, county, village or their designee, and supplied to eligible households in the village exclusively for storing county designated recyclables.
- §470.21 **Recycling Law** is the County Source Separation Law, Local Law No. 12, adopted March 6, 1989, as subsequently amended.
- §470.22 **Regulated Medical Waste** is medical wastes listed in 6 NYCRR 364.9 paragraph ©(l) and managed pursuant thereto.
- §871.32 **Regulatory Floodway** is the channel of a watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height as determined by the Federal Emergency Management Agency in a Flood Insurance Study or by other agencies as provided in §873.21 of this Law.
- §803.11 **Religious Facilities** are churches and other places of worship, including convents, parish houses and Sunday schools.
- §602.32 **Religious Instruction** is education sponsored by a religious institution.
- §803.12 **Retail Businesses** include incidental storage and wholesale operations, and any manufacturing or processing clearly incidental to the on-premises retail business, including, but not limited to:  
appliance servicing; hotels and motels;
- §833.23 **Roof Signs** project more than 10 feet above the upper edge of the building wall or parapet, or are mounted or painted on or above any roof.
- §803.13 **Rooming House** is a dwelling with separate rooms for rent to 5 to 9 people, with or without meals.
- §803.14 **Row Dwelling** is a building with one dwelling unit, and one or two walls shared with adjoining buildings.
- §871.33 **Sand Dunes** are naturally occurring ridges or mounds of sand landward of the beach.
- §803.15 **Sanitary Landfill** is a depression in the ground filled with solid waste and covered with a layer of earth.
- §540.14 **Sanitary Sewer** carries sewage and doesn't intentionally admit surface and ground waters.
- §838.0 **Satellite Dishes** are any parabolic antenna or other device used to receive television, radio, microwave or other electronic signals from orbiting satellites.
- §803.16 **Schools** are any school operated by a non-stock corporation under State education laws, or institution of higher learning, including dormitories.
- §732.14 **Seasonal Vehicles** are any vehicle that is fit for highway use, indicated by a current NYS vehicle inspection certificate, but used only in certain seasons – i.e. camper trailers, boat trailers, recreational vehicles, etc.
- §540.15 **Sewage** is the water carried wastes from residences and businesses, together with such ground and surface water as may be present.
- §540.16 **Sewage Treatment Plant** is any devices and structures used for treating sewage.
- §540.17 **Sewage Works** is all facilities for collecting, pumping, treating and disposing of sewage.
- §540.18 **Sewer** is a pipe or conduit carrying sewage.
- §720.15 **Sexual Device Shops** are any place that, for any consideration, sells devices designed for use in sexual displays.
- §720.0 **Sexual Displays** are any which involve: (§720.00) sexually stimulated or aroused human genitals; (§720.01) human masturbation, sexual intercourse

- §803.09 **Nursing or Convalescent Home** is a facility, with 14 or fewer sleeping rooms, which houses, feeds and provides nursing care for a fee.
- §470.18 **OCRRA Facility** is any facility operated by or designated by OCRRA, including the Transfer Stations at Ley Creek and Rock Cut Road, the Rock Cut Road Waste-to-Energy Facility, the OCRRA Landfill (when built), the Yard Waste Composting Facilities at Jamesville and Amboy, the Construction and Demolition Processing Facility at Ley Creek and OCRRA designated Materials Recovery Facilities.
- §470.17 **OCRRA** is the Onondaga County Resource Recovery Agency.
- §545.35 **Odor-Producing Substances** are phenols or other taste or odor-producing substances in concentrations exceeding limits set by the Public Works Superintendent, after treatment of the composite sewage to meet State, Federal or other requirements for such discharge to the receiving waters.
- §470.047 **Office Paper** is all bond paper, computer printout, stationery, photocopy and ledger paper of any color from all waste generators, but not carbon paper, chemical transfer paper, tyvek or plastic coated envelopes. Paper should, if possible, be free of tape, adhesives, labels, rubber bands, paper clips, binders and other contaminants.
- §610.5 **Panhandling** is publicly soliciting alms
- §470.048 **Paperboard** is non-corrugated paper packaging found in cereal, cracker, tissue and other boxes, and toilet tissue and paper towel tubes.
- §600.2 **Parent** is any natural or adoptive parent or legal guardian or custodian of any minor.
- §320.30 **Park** means stopping a vehicle and leaving it unattended by a person capable of operating it longer than necessary to load or unload passengers or freight.
- §731.2 **Person in Charge** is anyone that owns, occupies, manages, uses, or controls a premises.
- §651.00 **Person** is anyone except a law enforcement officer.
- §210.14 **Personal Investments**, under the Code of Ethics, are any investments made by a Village official in any enterprise which they have reason to believe may be directly involved in their decisions or will create a conflict between the public and their private interests.
- §812.022 **Personal Wireless Services or PWS** are commercial mobile services, unlicensed wireless services and common carrier wireless exchange access services as defined by Section 704 of the Federal Telecommunications Act.
- §740.01 **Pet** is any animal kept for pleasure, not utility.
- §540.10 **pH** is the logarithm of the reciprocal of hydrogen ions in solution in grams per liter (g/l).
- §470.049 **Plastics** are all HDPE and PET type plastic bottles with recycling #1 & #2, including empty, washed food, beverage, detergent, bleach and hair care containers with lids removed. Plastics are not photographic film, vinyl, rigid and foam plastic materials, as well as plastics with recycling #3 through #7 and 1-IDPE oil bottles, as well as #1 and #2 containers, other than bottles or hazardous material containers.
- §651.01 **Possession** is the possession or transport a weapon except as part of an authorized function.
- §802.10 **Pre-Existing Non-Conforming Use** is a site, structure or use which pre-dates and is not in compliance with any provision of this Title.
- §540.11 **Pretreatment** is the reduction by any means of harmful pollutants in wastewater prior to, or in lieu of introduction into, a public sewer, except as prohibited by 40 CFR §403.6 of the General Pretreatment Regulations for Existing and New Sources of Pollution.
- §802.11 **Principal Structure** is where the lot's principal use is conducted, or any building with sleeping quarters.
- §871.31 **Principally Above Ground** means that at least 51% of the actual cash value of the structure, excluding land value, is above ground.
- §201.16 **Prohibited Sales**, under the Code of Ethics, are any sale of goods or services to anyone who is licensed or whose rates are fixed by the Village made by any fulltime Village employee or firm or association of which they're a member, or corporation substantially owned or controlled by them.
- §833.22 **Projecting Signs** are mounted on a structure and extend horizontally more than 15 inches from it, but don't project above the roof line.
- §632 **Promoting Exposure** is anyone who knowingly conducts, maintains, owns, manages, operates or furnishes any premise where anyone commits public lewdness or public exposure.
- §540.12 **Properly Shredded Garbage** is food waste shredded sufficiently to be carried freely in public sewers, with no particle greater than 1/2 inch (1.27 centimeters) in any dimension.
- §732.13 **Property Maintenance Vehicles** are unregistered vehicles unfit for highway use, used for property maintenance, i.e. riding mowers, tractors, etc.
- §631 **Public Exposure** is any women who exposes her breast below the top of the areola in public, except to breast feed an infant.
- §803.10 **Public Facilities** are non-profit parks, public playgrounds, or any structure necessary to serve or

- §470.27 **Trash** is all discarded material not suitable for further use, but not garbage or recyclable materials.
- §357.0 **Trucks**, for the purposes of the Truck Route System, are any vehicle with a maximum gross weight of more than 3 tons.
- §803.19 **Two-Family Dwelling** is a building with two dwelling units.
- §732.15 **Unregistered Vehicle** is, generally, any motor vehicle that doesn't have a valid NYS or other governmental registration, and, specifically, one which has no valid license plate or registration sticker or other lawful proof of registration.
- §545.39 **Untreatable Substances** are those not sufficiently treatable for the plant effluent to meet the requirements of agencies having jurisdiction over discharge to the receiving waters.
- §732.16 **Unusable Vehicle** is any vehicle that is being used for parts or storage, or is otherwise incapable of being lawfully and safely used to transport persons and/or things.
- §201.12 **Unwarranted Privileges**, under the Code of Ethics, are any otherwise undeserved privileges secured, or attempted to be secured, by a Village official for themselves or others.
- §871.37 **Variance** is a grant of relief from the requirements of this Part to permit construction which is normally prohibited.
- §470.28 **Vehicle** is a motor vehicle designed or adapted for use in the removal of garbage and trash.
- §803.20 **Vehicle Shops** are any facility for the storage or repair of vehicles, the sale of gasoline, or similar uses.
- §740.02 **Vicious Animal** is any animal, other than guard dogs, that constitutes a physical threat to human beings or other animals.
- §021.07 **Village Board** is the Village Board of Trustees.
- §021.06 **Village** is the Village of East Syracuse, NY.
- §651.02 **Village Property** is any property owned or used by the Village, including owned or leased properties outside the Village.
- §833.24 **Wall Signs** are mounted on an exterior wall and project no more than 15 inches out from the wall or more than 10 feet above the roof line or parapet of the building.
- §470.29 **Waste Generator** is any person which produces Solid Waste requiring off-site disposal.
- §470.30 **Waste Paper** is any paper product which is not a county recyclable material as defined herein.
- §540.22 **Water Course** is a channel in which water flows continuously or intermittently.
- §651.03 **Weapon** is any firearm, electronic dart gun, dangerous knife or blade, club or bludgeon, metal knuckles, shirken, slingshot, imitation pistol or any other dangerous or deadly instrument or weapon.
- §470.31 **White Goods** are washing machines, clothes dryers, refrigerators, freezers and all other similar types of materials.
- §602.31 **Work Study** is a school district approved work/study program.
- §802.12 **Yard** is the open parts of a lot.
- §470.32 **Yard Waste** is gardening waste, leaves, grass clippings and brush.
- §011.2 **ZO** is the Zoning Ordinance, as adopted in 1964 and subsequently amended.

- or sodomy; (§720.02) erotic touching of human genitals, pubic region, buttock or female breast; (§720.03) depiction of less than completely and opaquely covered human genitals, pubic region, buttock, anus or female breast below a point immediately above the top of the areola; or (§720.04) human male genitals in a discernible turgid state, even if completely and opaquely covered.
- §802.092 *Side Lot Line* is any that isn't a front or rear line.
- §802.262 *Side Yards* extend from the front to the rear yard.
- §021.02 *Sidewalk* is any public pedestrian thoroughfare.
- §803.17 *Single-Family Detached Dwelling* is a building with just one dwelling unit.
- §540.19 *Slug* is any water, sewage or industrial waste discharge, which for more than 15 minutes, has more than 5 times the normal 24 hour concentration or quantity of any constituent.
- §470.23 *Solid Waste* is any discarded material, except recyclables, yard waste, human wastes, rendering wastes, demolition wastes, junked automobiles, explosives, pathological material, medical material, toxic material, radioactive material, residue from incinerators or other destructive systems for processing waste (other than residue from existing individual building incinerators which is presently collected as solid waste), or any other waste material which require special handling in collection or disposal under federal, state or local laws.
- §320.31 *Stand* means stopping a vehicle, with or without an operator in attendance, for a period longer than necessary to load or unload passengers or freight.
- §871.34 *Start of Construction* is the initiation, excluding planning and design, of any phase of a project or physical alteration of the property, including: land preparation, such as clearing, grading, (§871.340) filling; installation of streets and/or walkways; (§871.341) excavation for a basement, footings, piers, or foundations or the erection of temporary forms; (§871.342) the placement or installation on the property of accessory buildings, storage trailers, and building materials; (§871.343) for manufactured homes, the "actual start" means affixing the home to its permanent site.
- §021.03 *State* is the State of New York.
- §470.24 *Stickers* are an adhesive-backed official village sticker of size and design set by resolution of the Village Board to be used for the collection and disposal of garbage and trash in the Village.
- §470.25 *Storage* is containment of trash, garbage, waste paper or refuse for a period of more than 15 days.
- §540.20 *Storm Drain* or *Storm Sewer* is one which carries surface waters and drainage, but excludes sewage
- §021.04 *Street* is any public vehicular thoroughfare.
- §360 *Street Margins* are those areas between village sidewalks and curbs, or, where there are no sidewalks, the area within the street right-of-way outside the paved street.
- §545.33 *Strong Acids* are iron pickling wastes or concentrated plating solutions, neutralized or not.
- §871.35 *Structure* is a walled and roofed building, manufactured home, or storage tank that is principally above ground.
- §871.36 *Substantial Improvement* is any repair, reconstruction or improvement of a structure equal to at least 50% of the market value of the structure, either before the improvement or repair is started or, if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, *Substantial Improvement* is considered to commence when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. Substantial Improvement does not, however, include either any project for improvement of a structure to comply with existing State or local health, sanitary or safety code specifications, which are solely necessary to assure safe living conditions, or any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.
- §540.21 *Suspended Solids* are those that float or are in suspension in water, sewage, or other liquids and which are removable by laboratory filtering.
- §470.26 *System* is the County Solid Waste Management System operated by OCRRA and every aspect of it, including, but not limited to, the Rock Cut Road Waste-to-Energy Facility, Agency Landfill (when built), Yard Waste Composting Facilities at Jamesville and Amboy, Construction and Demolition processing facility at Ley Creek and the Rock Cut Road and Ley Creek transfer stations.
- §803.18 *Tourist House* is a rooming house primarily offering overnight accommodations for transients.
- §021.05 *Town* is the Town of DeWitt.
- §545.34 *Toxic Substances* are iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, such that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Public Works Superintendent for such materials. Refer to §548 for a list of Toxic and Objectionable Substances and allowable concentrations for each.

## Appendix 3: Penalties

### §710.5 - §710.6 Amusement License Violations

up to \$50, up to 30 days, or both; plus any amusement device in violation may be seized and destroyed upon conviction of its operator..

### §700.5 - §700.6 Building Code Violations

Up to \$500, up to 30 days, or both, for each day of violation, plus action to compel compliance, with the cost added to the property tax levy.

### §742.4 Cat Violations

up to \$50.

### §201.2 Code of Ethics

Village officials may be fined, suspended or removed..

### §604.0 Curfew Violations (Minors)

community service as set by the youth officer or court.

### §604.1 Curfew Violations (Parents)

up to \$100 on the second violation.

### §611 Disorderly Conduct

\$10, up to 10 days, or both.

### §741.13 - §741.14 Dog Leash Violations

up to a maximum amount set by the Village Board, plus payment for transporting and boarding.

### §741.33 Dog Waste

ticket, appearance at least 7 days from the date issued.

### §741.21 Dogs, Habitually Barking

ticket, appearance at least 7 days from the date issued.

### §328.1 Fire Lane Violations

\$100 to \$500.

### §701.2 Fire Prevention Code Penalties

\$50 to \$100, up to 30 days, or both, for each 10 day period in violation.

### §651.4 Firearms on Village Property

up to \$200, up to 10 days, or both.

### §872.2 Flood Control Violations

up to \$250, up to 15 days, or both, each day is one violation.

### §712.5 Junk Dealer License Penalties

up to \$100, up to 30 days, or both.

### §473.10 Littering

up to \$10, 1 day, or both.

### §743.1 Livestock, Keeping

up to \$50, up to 30 days, or both.

### §731.3 Outdoor Storage Penalties

First Violation: up to \$100 for each day of violation.

Second Violation: up to \$200 for each day of violation.

Third and Subsequent: \$250 for each day of violation.

### §732.26 Outdoor Storage of Motor Vehicles

up to \$250 for each vehicle, plus up to \$250 per day.

### §328.0 Parking Violations

Within 7 days of the summons:

\$20 for All Night Parking (§326);

\$25 for Handicapped Parking (§324.6);

\$15 for all other violations.

Within 7 days of a letter advising of an increased fine:

\$30 for All Night Parking (§326);

\$50 for Handicapped Parking (§324.6);

\$25 for all other violations.

Within 7 days of a criminal summons:

\$40 for All Night Parking (§326);

\$50 for Handicapped Parking (§324.6);

\$30 for all other violations.

Once an arrest warrant is issued:

\$60 for All Night Parking (§326);

\$50 for Handicapped Parking (§324.6);

\$50 for all other violations.

### §713.5 Peddler License Penalties

up to \$50, up to 30 days, or both.

### §740.2 Pets, Exotic or Vicious

\$25 per day of violation and surrender of the animal.

### §720.2 Prohibited Commerce

up to \$50, up to 30 days, or both.

### §633 Public Nudity

up to \$500 for each violation.

### §641 Public Nuisance

up to \$50, up to 30 days, or both.

### §100.1 Public Records, Removing

up to \$100, up to one year, or both.

### §356.1 School Bus Loading Zones

\$25 to \$50.

### §549.2 Sewer Correction, Liability for Cost of

liability for any Village expense, loss or damage.

### §549.0 - §549.1 Sewer Violations

misdemeanor and \$150/day after being sent a written notice and given reasonable time to correct the violation.

### §720.4 Sex-Related Business Violations

\$500 for each day of violation, to be recovered by the Village in a civil action or special proceeding; plus an injunction or other means to compel compliance or restrain the violation.

### §341.42 Sidewalk Violations

A fine set by resolution of the Village Board, and any other remedies or actions under this or other laws.

### §341.43 Sidewalk Reimbursement

Billed for cost plus 25% for work done by the Village.

### §473.0 Smoke Detector Penalties

up to \$100 for each day of violation, up to 10 days, or both.

### §473.0 Solid Waste, General

up to \$250 per day for a first violation, and up to \$500 per day for another violation within one year of the first.

## Appendix 2: Fees

### §710.2 Amusement License Fees

§710.20 Amusement Centers are set by resolution of the Village Board.

§710.21 Carnivals and Circuses: \$25, for a duration set by resolution of the Village Board.

§710.22 Exhibitions: \$10, with added fees and duration set by resolution of the Village Board.

§710.23 Parades: set by resolution of the Village Board.

### §807.2 Environmental Assessment Application & Review

The environmental assessment application fee is \$50, plus reimbursement to the Village for costs incurred in reviewing the application. The reviewing officer may require the applicant to submit a fee to defray the Village's cost for preparing a statement or reviewing one prepared by the applicant.

### §712.2 Junk Dealer License Fees

The fee for a junk dealer license is \$50 per calendar year.

### §713.2 Peddler License Fees

The peddler license fee is \$25 per calendar year.

### §341.32 Sidewalk Permit Fees

The sidewalk permit fee, as set by resolution of the Village Board, is paid when application is made.

### §472.1 Solid Waste Collection Fees

General Fees for the collection and disposal of solid waste including the price of village garbage stickers, shall be set by resolution of the Village Board. All trash to be collected shall be placed at curbside with an appropriate number sticker(s).

### §714.31 Solid Waste Hauler License Fees

The annual license fee, deposit to insure adherence to the filed operating plan, the cost of processing the application, and any other fees as set by resolution of the Village Board, at the time of application.

### §810 Zoning Permits

All permit fees are set by resolution of the Village Board

### Fees, as set by Village Board resolution, are:

Amusement Center Licenses are \$100 plus \$25 per coin-operated machine;

Building Permits, generally are \$50 plus \$4 per \$1000 of construction costs;

for all fencing are \$50 plus a cost reimbursement agreement;

for sewer taps are \$750 for eight-inch pipe or less;

for water taps are \$500;

Communications Permits are \$2500 plus an annual renewal fee of \$2500 per antenna;

Curbcut Permits are \$100;

Occupancy permits are \$20;

Site Plan Permits are \$200 plus a cost reimbursement agreement;

Special Permits are \$200 plus a cost reimbursement agreement;

Subdivision Permits are \$100 plus a cost reimbursement agreement;

Variance Permits,

for accessory uses are \$50 plus a cost reimbursement agreement;

for area variances are \$50 plus a cost reimbursement agreement;

for use variances are \$200 plus a cost reimbursement agreement.

**§473.12 Solid Waste, Prohibited Disposal**

\$250 to \$1000 and up to 40 hours of public service.

**§473.13 Solid Waste, Putting Garbage Out for Collection**

Written notice of violation, 24 hours after which the Village picks up the unauthorized waste and charges 10 times the applicable sticker charge for trash, or \$25 for each recycling container or recyclable not in a container.

**§473.11 Solid Waste Storage and Disposal**

Up to \$50, up to 30 days, or both.

**§350.11 Speed Limits**

up to \$250, up to 250 days, or both.

**§350.10 Stop Lights and Signs, Right-Hand Drive**

\$5 for the first offense, \$8 for the second, and \$10 for the third and succeeding offenses.

**§350.12 Traffic Violations, General**

Up to \$50, up to 30 days, or both.

**§358.1 Traffic, Storage Charges**

\$50 for towing and \$5 per day for storage.

**§357.3 Truck Exclusion**

\$75 to \$250.

**§620 Village Fire Alarms, Tampering with**

up to \$200, up to 200 days, or both.

**§714.44 Waste Hauler Deviations for Operating Plan**

The Village makes missed collections and deducts their cost incurred from the hauler's adherence deposit.

**§714.8 Waste Hauler Violations**

up to \$500, up to 15 days, or both, per day, plus revocation.

**§650.2 Weapons Violations**

up to \$100 or up to 30 days for each and every offense.

**§650.2 Weeds, Failure to Cut**

Notification by the Public Works Superintendent, and, if not corrected within three days, the Village cuts and bills for the cost plus 25%; this amount is added to the property's tax bill if not paid within thirty days of billing.

**§806 Zoning Violations**

up to \$50, up to 50 days, or both, for each week of violation; plus appropriate civil or police actions to limit or abate violations, or prevent unlawful construction or illegal occupancy.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2003 of 19..... of the ~~(County)(City)(Town)(Village)~~ of East Syracuse was duly passed by the Board of Trustees on 3/24/03 19...., in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)

I hereby certify that the local law annexed hereto, designated as local law No. .... of 19..... of the (County)(City)(Town)(Village) of ..... was duly passed by the ..... on ..... 19...., and was (approved)(not approved)(repassed after disapproval) by the ..... and was deemed duly adopted on ..... 19...., in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. .... of 19..... of the (County)(City)(Town)(Village) of ..... was duly passed by the ..... on ..... 19...., and was (approved)(not approved)(repassed after disapproval) by the ..... on ..... 19.... . Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on ..... 19...., in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. .... of 19..... of the (County)(City)(Town)(Village) of ..... was duly passed by the ..... on ..... 19...., and was (approved)(not approved)(repassed after disapproval) by the ..... on ..... 19.... . Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of ..... 19...., in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

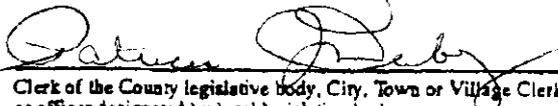
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19\_\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 19\_\_\_\_\_, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19\_\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 19\_\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph.....1....., above.

  
\_\_\_\_\_  
Clerk of the County legislative body, City, Town or Village Clerk  
or officer designated by local legislative body

Date: March 27, 2003

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK  
COUNTY OF Onondaga

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

  
\_\_\_\_\_  
Signature

Village Attorney

Title

County \_\_\_\_\_  
City of East Syracuse  
Town \_\_\_\_\_  
Village

Date: March 3/27/03