

**Local Law Filing**

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STATE OF NEW YORK  
DEPARTMENT OF STATE  
**FILED**  
FEB 27 2006  
MISCELLANEOUS  
& STATE RECORDS

~~County~~  
City of Liberty  
~~Town~~  
Village

Local Law No. 6 of the year 2006

A local law repealing Chapter 70 of the Code of the Village of Liberty and replacing it with a new Chapter 70 regulating the placement and maintenance of signs in the Village of Liberty  
(Insert Title)

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

~~County~~  
City of Liberty as follows:  
~~Town~~  
Village

1. Chapter 70 of the Code of the Village of Liberty is hereby repealed.
2. A new Chapter 70 of the Code of the Village of Liberty is hereby adopted to read as follows:

**SECTION 70-01 AUTHORITY**

This law is enacted pursuant to the provisions of Section 10 of the Municipal Home Rule Law of the state of New York.

**SECTION 70-02 TITLE**

This law shall be known as the "Village of Liberty Sign Law."

**SECTION 70-03 STATEMENT OF PURPOSE**

The purpose of this law is to create the legal framework for a comprehensive and balanced system of signs throughout the village that will preserve free speech and expression; provide an easy and pleasant communication between people and their environment; and avoid the visual clutter that is potentially harmful to traffic and pedestrian safety, property values, business opportunities, and community appearance. With these purposes in mind, it is the intent of this law to authorize the use of signs that:

1. are compatible with the architecture of the buildings on which they are displayed and with their surroundings and provide an improved visual environment;
2. are appropriate to the activity that displays them;
3. are expressive of the identity of individual activities and the community as a whole;

4. are legible in the circumstances in which they are seen;
5. protect prominent view sheds within the community;
6. protect the benefits derived from expenditures of public funds for the improvement and beautification of streets, and other public spaces and structures; and
7. protect the investments made by private parties in their properties.

#### **SECTION 70-04 NONCOMMERCIAL SIGNS AND MESSAGES**

Any sign that can be displayed under the provisions of this law may contain a noncommercial message.

#### **SECTION 70-05 DEFINITIONS**

**A-frame sign:** (See sandwich board.)

**Animation or animated:** (See also **changeable copy, movement, and electronic message boards**) The movement or the optical illusion of movement of any part of the sign structure, design, or pictorial segment, including the movement of any illumination or the flashing or varying of light intensity; the automatic changing of all or any part of the facing of a sign.

**Architectural detail:** (See also **signable area, wall and roof signs**) Any projection, relief, cornice, column, change of building material, ornamentation, fancy brickwork, window, or door openings permanently attached to any building.

**Awning, fixed:** A cloth, vinyl, wood or metal shade over a window or door permanently attached to and supported by a building with angular braces to the wall of that building.

**Awning, retractable:** A cloth or vinyl shade over a window or door of a building on a frame that is permanently attached to and supported by a building with angular supports and which can be raised or retracted to a position against the building when not in use.

**Awning sign:** Graphics applied to an awning or canopy, where the text and/or logo constitute the sign area.

**Banner, civic:** A fabric sign temporarily placed over a public right-of-way to promote a civic or community event.

**Banner, permanent:** A canvas or fabric sign mounted to a building or structure with secure hardware in such a manner as to allow minimal movement.

**Banners, street:** Public signs constructed of fabric and attached to streetlights within public rights-of-way for the purpose of identifying neighborhoods, districts and/or community identity.

**Banner, temporary:** A sign composed of a logo or design on a lightweight, flexible fabric (generally vinyl) not enclosed in a rigid frame nor secured or permanently mounted, such that it allows motion.

**Billboard:** A freestanding ground-mounted sign with a message area greater than thirty-five (35) square feet that is generally, but not always, located on property different than that of the businesses or

enterprises it advertises; messages on a billboard are those that may be permanently posted or changed periodically.

**Bare-bulb illumination:** A light source that consists of light bulbs with a 20-watt maximum wattage for each bulb.

**Building:** A structure having a roof supported by columns or walls.

**Building front:** The side of a building or structure, which may or may not be facing a public right-of-way, containing the primary entranceway for pedestrian traffic entering or exiting the building, or a store within a building

**Cabinet sign:** An internally illuminated sign with a translucent face, usually of plastic. (See **internally illuminated**.)

**Canopy:** A permanent cover over a pedestrian or vehicular way, made of either fabric or more permanent materials, that is attached to a building and supported either by angular braces from the wall of the building or by a frame reaching the ground; a canopy can be an original architectural feature of a building or a separate structure added later.

**Certificate of Appropriateness (COA):** An officially issued written statement by the sign review committee certifying that a sign permit application has been reviewed and found to be in keeping with the sign law standards and Sign Guidelines adopted by the Village of Liberty and approved, with or without conditions, by that body.

**Changeable copy:** Copy that is changed periodically within a permanent framework or reader board.

**COA:** (See **Certificate of Appropriateness**.)

**Commercial sign:** Any sign that is erected for the purpose of promoting a commercial activity, non-profit enterprise, organization, product names, or services and identifying the location of these activities. Political signs are not considered commercial signs.

**Directional sign, private:** A sign on private premises erected at entrances and exits intended to direct the public to its business premises; it may be on- or off-premise; generally used to control traffic through designated.

**Directional sign, public** A sign erected by a governmental agency intended to direct traffic or provide way-finding to facilities and services, either public or private.

**Directory sign:** A listing of two or more occupants or enterprises located in the same building or development, together with the name of the building or development, that is affixed to a building facade or incorporated into a ground-mounted sign.

**Electronic message board:** A computer controlled internally illuminated screen displaying constantly scrolling messages.

**Enterprise:** Regular activity associated with for-profit businesses (either retail, wholesale or service), non-profit and not-for-profit corporations or other entities, agencies; and public or private organizations.

**External illumination or externally illuminated:** Illumination of a sign by an artificial source of light not contained within the sign itself.

**Facade:** (*See also Signable area*) The side or wall of a building below the eaves.

**Facade, blank:** The side of a building below the eaves that is blank and does not have windows or architectural details.

**Flag:** Fabric on a pole that is the official standard of a government or governmental agency.

**Flag sign:** Fabric on a pole with a graphic design that is *not* of an established government or governmental agency. Flag signs are normally taken down on a daily basis.

**Flashing sign and flashing illumination:** A sign whose illumination is not maintained stationary or constant in intensity and color at all times when it is lit. Electronic message boards are not considered flashing signs.

**Fluorescent color:** A vivid color which has the quality of fluorescence and glows as if with fluorescence.

**Ghost sign:** A painted wall sign that remains from an earlier time and/or use of a building which provides evidence of the history of the use of the building or activities of the community.

**Grade:** The average level of the finished surface of the ground adjacent to a sign or the exterior wall of the building to which a sign is affixed.

**Graphic:** A purposeful design, with or without text, executed in a two or three dimensional medium that conveys specific information to the viewing public.

**Ground sign:** A sign supported by one or more uprights, posts, or bases placed upon or affixed in the ground and not attached to any part of a building. Pole signs and monument signs are two types of ground signs.

**Height:** The vertical distance measured from grade at the edge of the adjacent right-of-way to the highest point of the sign.

**Icon sign:** A sculpture or image that serves as the primary means of identifying the services or product of an enterprise with or without text (e.g. – a tooth for a dentist, glasses for an optometrist).

**Identification sign:** A sign that identifies the name of the occupant of a building.

**Illumination or illuminated sign:** A sign lit by artificial or reflected light either internally or externally.

**Indirect illumination:** A light source not seen directly or which is not intended to illuminate a particular sign.

**Inflatable sign:** A sign that is constructed of vinyl or other material and inflated with air or gas to create a three-dimensional attraction, such as balloons, blimps, cartoon or movie characters, and tethered to the ground or a building with ropes or wires.

**Internal illumination or internally illuminated:** A light source that is concealed or contained within the sign and becomes visible in darkness through a translucent surface. Internally illuminated signs do *not* include Neon signs.

**Landmark sign:** A sign that is so designated by the Sign Review Committee based on findings that it is a community landmark due to its historic and/or architectural associations or artistic merit, and its established presence within the Village. Generally found within designated historic districts. (See also **ghost sign**.)

**Light trespass:** Illumination that at five feet inside an adjacent residential parcel, public street or highway or beyond emitted from an artificial light source that exceeds 0.1 horizontal footcandles and 0.1 vertical footcandles; illumination that at ten feet inside an adjacent commercial or industrial parcel or a public roadway or beyond exceeds 0.1 horizontal footcandles or 0.1 vertical footcandles; and any line-of-sight to a light source by an observer at a point five feet or more beyond a residential property line or a public right-of-way at ground level or above.

**Logo:** A graphic symbol that is legally identified with a specific business, agency or enterprise.

**Marquee:** A special type of permanent canopy that is attached to, supported by, and projecting from a building; allows for changeable copy; and usually incorporates special lighting. It is typically associated with theater uses.

**Monument sign:** A type of ground mounted sign displayed on a permanent and solid decorative base of brick, wood, metal or other structural material, which serves as an entry feature or focal point for a property, in contrast to signs mounted on poles or posts.

**Movement:** (See also **animation**.) Physical movement or revolution up or down, around, or sideways that completes a cycle of change at intervals of less than twenty seconds.

**Moving copy:** Copy or postings that changes at intervals more frequent than once every five (5) seconds.

**Multi-use building:** A building that houses two or more different types of uses (e.g. commercial and residential).

**Multi-tenant building:** A building that houses two or more units and occupants.

**Multi-building complex:** A grouping of two or more business establishments that share either parking facilities on the lot where they are located, or that occupy a single structure or separate structures that are physically or functionally related or attached.

**Neon sign:** A sign whose main feature is light produced by gas-filled, electrically charged tubes bent to form letters, symbols, or other shapes. Neon gas is only one of several types of gases used in a “Neon” sign.

**Non-conforming sign:** A sign that was lawfully constructed or installed prior to the adoption or amendment of this law and was in compliance with all of the provisions of this law then in effect, but which does not presently comply with this law. If a property has more signs than this law allows, any signs in excess of that number are non-conforming, in which case, the owner of the property shall register with the Code Enforcement Officer for the Village, the signs he designates as nonconforming.

**Notification sign:** A sign posted to notify the general public of restrictions or warnings, especially of a legal nature (e.g. “no trespassing,” “no dumping,” “no parking,” “lawn chemicals in use”).

**Occupant:** An entity that occupies a building or unit within the building which it may or may not own.

**Off-premise sign:** A sign that advertises an enterprise not located on the same lot or premise.

**On-premise sign:** A sign which identifies the name or logo of an enterprise and/or the services offered on the same lot or premise.

**Painted wall sign:** A sign painted directly on the facade of a building, which cannot be removed except by painting over it or applying a paint remover to the wall of the building. (See also **ghost sign**.)

**Pennants:** A string of multiple triangular-shaped pieces of fabric, usually of various colors that attracts attention through movement. (See **string sign**.)

**Permanent sign:** Any durable sign that is securely attached to the ground, a building or structure, including those interior signs that are installed flush against the window so as to be seen from the outside.

**Pole sign:** A freestanding sign that is permanently supported in a fixed location by a structure of poles, uprights, or braces from the ground and not supported by a building or a base structure.

**Political sign:** A sign designed for the purpose of advertising support of or opposition to a candidate or proposition for a public election or a sign expressing political, religious, or other ideological sentiment that does not advertise a product or service.

**Portable sign:** A sign not permanently attached to the ground or a building (with or without wheels), is self supporting, and able to be moved from place to place. (See also **trailer sign**.)

**Poster sign:** A type of wall sign with a frame permanently affixed to a building facade that allows for a changeable display of printed posters, the overall area of which does not exceed twelve (12) square feet.

**Premise:** The lot or lots, plots, portions, or parcels of land considered as a unit for a single use or development, whether owned or leased, and not located in a shopping center or multi-use building.

**Program for Signs:** A master plan for all signage on a single development site, consisting of one or more lots, which provides for the overall number, size, location, and aesthetic coordination of all signs on the premises.

**Project sign:** A sign listing an architect, engineer, contractor, and/or owner involved in redevelopment, demolition, construction, renovation, painting or other similar activity that is displayed on the lot where the activity is being conducted only during the time period when the project activity is in progress.

**Projecting sign:** A sign attached to and projecting perpendicular from the wall of a building.

**Public sign:** A sign placed by a governmental agency within a public right-of-way for purposes of identifying a district or neighborhood, promoting the historic downtown, or promoting community image and events and which may have changeable copy.

**Reader board:** A sign that is constructed so as to allow for the periodic change of copy to inform the public about upcoming events and which may be illuminated or not.

**Roof peak:** The ridge line and highest portion of a roof; spires, cupolas, or other architectural features that extend above the main roof are not considered part of the roof and as such are not to be used in determining the highest part of the roof.

**Roof sign:** A sign that is painted, erected, constructed, or maintained on any portion of the roof above the eave line of the building.

**Roof-top sign:** A sign displayed above the roof peak, or parapet wall of a flat-roofed building.

**Sandwich board:** A small, easily movable sign placed on the sidewalk (or otherwise within a public right-of-way) in front of a business used to promote daily specials, sale items, menus, etc. during business hours. The sign consists of two planes or boards hinged at the top to create a self-supporting base for the graphic displayed on both sides. The message on the sandwich board may or may not be changeable.

**Shopping center:** A commercial development under unified control consisting of four or more separate commercial establishments sharing a common building, or which are in separate buildings that share a common entranceway or parking area.

**Sign:** A lettered, numbered, symbolic, pictorial, or sculptural visual display designed to identify, announce, direct, or inform that is visible from a public right-of-way.

**Sign area:** The area of a sign is calculated by enclosing the outside dimensions of a sign, not including its supports or base in the case of a ground sign. Where the sign consists of individual letters or symbols attached to or painted on a building or other structure, the sign area shall be considered to be the smallest rectangle or circle which encompasses all of the letters or symbols. If a sign has two identical faces that are back-to-back, not more than two feet apart, and supported by the same pole or structures, only the area of one of the faces is counted as the area of the sign; if more than two feet apart or more than two faces (identical or otherwise), the area of all of the faces is counted as the area of the sign.

**Sign structure:** A pole, monument base, posts or other structure used for the primary purpose of supporting a sign.

**Signable area:** A two-dimensional area that describes the largest geometric shape on the facade of a building which is free of architectural details.

**Silhouette sign:** A wall sign that is readable at night by placement of a light source behind and hidden by its individual elements (lettering, numbering, and/or logo) so as to wash the wall with light and create a silhouette of the sign elements. (See also indirect illumination.)

**String sign:** A string or rope with pennants or fringe along it that creates an attraction through movement. (See **pennant sign**.)

**Structure:** Anything built that requires a permanent location. This term includes a building.

**Temporary sign:** A sign that promotes, discusses, relates or comments special events, such as grand openings, seasonal sales, community events, etc., that is constructed of light-weight, inexpensive and impermanent materials, impermanently tethered to a building, structure or posts, and which is on display for a limited, specified amount of time.

**Tenant:** An individual, family, organization or business enterprise occupying a unit in a multi-use, multi-tenant building, or shopping center.

**Trailer sign:** A portable sign on wheels, with or without internal illumination, that is self supporting and able to be moved from place to place. (See also **portable sign**.)

**Unique sign:** A sign which is the result of a new technological innovation and for which there is no standard terminology, which may or may not meet the purposes or intent of the sign law.

**Wall sign:** A sign attached directly to an exterior wall of a building or dependent upon a building for support, with the exposed face of the sign substantially parallel to the exterior building wall to which it is attached.

**Window:** Any glazed portion of a building facade, be it within a wall or door, that allows (or would allow but for the color or tint of the glass or any other obstruction in front of, behind, on or in the glass) views into the interior of the building.

**Window sign, interior:** Any permanent or temporary sign or flyer that is posted in a window such that its graphic, message or information may be viewed from the exterior of the building. (See also **window sign, painted**.)

**Window sign, painted:**

A sign painted, or affixed in the case of adhesive vinyl letters, to or in the window of a building so as to be readable from the exterior of the building. Although removable, the sign is considered a permanent feature of the window/building. (See **window sign, interior**.)

## **SECTION 70-06 DESIGNATED SIGN DISTRICTS**

The Village of Liberty hereby establishes the following districts governing signage as delineated on the official GIS map hereby appended as Schedule A and on file in the Code Enforcement Office of the Village of Liberty. The sign districts are distinguished by their individual characters.

- A. Downtown Commercial Core. The district essentially coincides with the National Register Historic District except that residentially zoned properties within the National Register district have been excluded. Thus, all the properties within this sign district are zoned C, commercial.
- B. Gateway District. The district includes properties zoned C, commercial, or M, manufacturing that lie along major routes leading into the Downtown Commercial Core.
- C. Highway Commercial Corridor. The district includes Sullivan Avenue (old Route 17) that essentially parallels New York State Highway Route 17 (future Interstate 86) and the eastern portion of NYS Route 52.
- D. Residential District. The district includes all residentially zoned property in the village: R-1, low density residential and R-2, medium density residential.

## **SECTION 70-07 SIGN REVIEW COMMITTEE ESTABLISHED**

- A. Committee Established. A sign review committee is hereby established for the Village of Liberty. This committee shall be automatically expanded should the Village and Town choose to officially coordinate their sign regulatory functions.
- B. Responsibilities. The sign review committee shall have the responsibility of
  - 1. reviewing sign proposals within the Downtown Commercial Core and Mill Street Gateway sign districts for consistency with design guidelines specific to those districts as referenced in § 70-09, 70-10, and 70-11;
  - 2. reviewing Programs for Signs for properties within all districts, including the Highway Commercial Corridor district, per §70-09H;
  - 3. designating a sign as a Landmark Sign where it is found to meet the definition in §70-05;
  - 4. advising the Planning Board concerning signage upon request;
  - 5. reviewing public directional signs, civic banners, and special street graphics erected by the Village of Liberty;
  - 6. determining whether unique signs that are not defined or specified in this sign law meet the purposes and intent of this sign law and are therefore deemed allowable; and
  - 7. issuing certificates of appropriateness (COAs) as required under this law where warranted.
- C. Membership. The sign review committee shall consist of three (3) members appointed by the Village Board, all of whom demonstrate knowledge of, background in, or education in graphic design, art, and/or architecture. The Village Board may also appoint up to two (2) alternates to the sign review committee whose purpose is to serve when the committee is unable to convene a quorum and thereby compromise its ability to fulfill its responsibilities within the timeframes set forth in this law due to extended absences, emergency situations, and/or conflicts of interest on the part of regular committee members.

- D. Terms. Initial appointments will be as follows: one of the three sign review committee members will serve a term of one year, one will serve terms of two years, and one will serve terms of three years. Alternate members shall be similarly appointed for staggered terms. All subsequent appointments shall be for terms of three years. In the event of a vacancy, the unexpired term shall be filled in the same manner as the appointment was originally made. Members shall serve without compensation and shall continue to hold office until their successors have been appointed and confirmed.
- E. Organization. The sign review committee shall select from among its members a chair and vice-chair. The committee shall make such rules and regulations as it may deem advisable and necessary for the conduct of its affairs for the purpose of carrying out the intent of the sign code which are not inconsistent with the code of the Village of Liberty or the laws of the State of New York.
- F. Meetings. The sign review committee shall meet as needed to comply with the time frames established for review of sign applications. All meetings shall be open to the public.
- G. Reports and records. The sign review committee shall make an annual report, containing a statement of its activities and decisions to the Village of Liberty Board of Trustees. Minutes shall be kept and all records and meetings of the committee shall be open to the public.

**SECTION 70-08 SIGN GUIDELINES ADOPTED**

To encourage high quality, creative, and attractive signs within all sign districts, the Village of Liberty hereby incorporates the document entitled "Sign Guidelines," to this Chapter, as Schedule B. This document shall provide general guidelines and principles for the appropriate design, size and text of signs, along with visual examples of attractive and effective signs for use in the development of sign permit applications and as a basis for the Sign Review Committee's determinations regarding the issuance of COAs.

**SECTION 70-09 REGULATIONS FOR ALL DISTRICTS**

The following regulations shall apply to all sign districts.

- A. Permits. All signs, except those exempted in subsection 70.09I, below, must be issued sign permits by the Code Enforcement Officer of the Village of Liberty prior to their erection.
- B. All signs must be clean and free from all hazards. Any damaged sign that poses a danger to the public shall be removed or made safe immediately upon written notification by the Code Enforcement Officer. Any damaged sign that does not pose a danger to the public shall be repaired or removed within sixty (60) days of written notification by the Code Enforcement Officer.
- C. All signs shall have sufficient horizontal and vertical clearance so as to permit pedestrian traffic and provide clear and unobstructed visibility for vehicles entering and exiting streets and highways.
- D. No sign shall be erected in such a manner as to mimic or obstruct the view of any traffic sign or signal.

E. Illumination.

1. Any permanent sign may be illuminated in accordance with the specific provisions of this law for the various sign districts.
2. Temporary signs may not be illuminated.
3. The lighting intensity of any sign, whether internally lit or externally lit, shall not exceed twenty-five (25) foot candles as measured with a standard light meter directly below the light source or 4 foot candles measured at a height of five feet-six inches above grade below the light source.
4. All illuminated signs or sign lighting devices shall maintain a constant light intensity
5. The source of the light illuminating a sign shall not be visible except in the case of neon signs.
6. No lighting trespass is allowed.

F. No permanent private sign of any size or description may be erected, placed, maintained or extended into or over the right-of-way of any street or highway.

G. Allowable signs.

1. Public signs.
2. Civic banners.
3. Landmark signs, as officially designated by the Sign Review Committee pursuant to §70-07B(3).
4. Signs that are not specifically defined, prohibited, or allowed but which are determined to be in accordance with the overall purposes and intent of this sign law by the sign review committee pursuant to §70-07B6.

H. Program for Signs. The owners of different businesses located on a single development site, occupants of a shopping center, or occupants of a multi-tenant building may submit a Program for Signs to the sign review committee that need not comply with some or all of the requirements of this law. The proposed Program for Signs shall contain graphic representations in accordance with the submittal requirements listed in Section 70-13C(3) and (4), and any other visual aides required by the sign review committee. If the submitted Program for Signs is found to meet the overall purposes and intent of this law, the sign review committee may approve and issue a COA, and the Program for Signs will become legally enforceable for the affected properties.

I. Prohibited signs.

1. Billboards placed, erected or constructed after the effective date of this Chapter.
2. Portable signs, not including sandwich boards.
3. Trailer signs.
4. Flashing signs, or those with flashing illumination.
5. Animated signs.
6. Inflatable signs.
7. String or pennant signs.
8. Off-premise signs.
9. Roof, and roof-top signs.
10. Illuminated temporary signs.
11. Any sign not expressly permitted or exempt shall be deemed prohibited, subject to exemptions for Programs for Signs under §70-09H.
12. Any sign containing obscene or pornographic words, pictures or graphic depictions.

J. Exempt signs.

Subject to §70-09F, the following signs are exempt from the permit requirement:

1. Signs designated as landmarks by the sign review committee pursuant to Section 70-07B(3).
2. Temporary window signs. Note that there are limitations to the amount of window blockage allowable under each sign district.
3. A building name that is an architectural detail of a building.
4. Project signs not exceeding six (6) square feet in area during the time the activity is in progress.
5. Notification and identification signs not exceeding two (2) square feet in area or two (2) in number on any premise.
6. Private directional signs not exceeding two (2) square feet in area.
7. Public directional signs.
8. Commemorative and historic signs (including plaques) not exceeding two (2) square feet in area.
9. Flags of any government or governmental organization.
10. Real estate sale or rental signs provided that:
  - a. the sign area is not in excess of four (4) square feet when located on property within the Residential district.
  - b. the sign area is not in excess of eight (8) square feet when located on property within the Downtown Commercial Core or Gateway districts.
  - c. the sign area is not in excess of twelve (12) square feet when located on property within the Highway Corridor district.
11. Temporary signs, providing that:
  - a. the sign area is not in excess of four (4) square feet;
  - b. the sign is displayed with the permission of the property owner; and
  - c. the sign is not displayed for more than two (2) calendar months before an event, and is removed within seven (7) days after the event has been held.
12. Yard sale signs, on- or off-premise, that are displayed only with the permission of the property owner and for the duration of the event.
13. Political signs, providing that:
  - a. the sign area is not in excess of six (6) square feet in the Residential Sign District, does not block more than the maximum area allowed for temporary window signs within the Downtown Commercial Core, or exceed the maximum area allowed for temporary banners within the Gateway or Highway Sign districts, determined by the sign district in which it is located;
  - b. the sign is displayed with the permission of the property owner;
  - c. the sign is not displayed for more than two (2) calendar months before an official election, and is removed within seven (7) days after the election has been held; and
  - d. any such sign intended to be displayed indefinitely must meet the requirements of the district in which it is located.

**SECTION 70-10 DOWNTOWN COMMERCIAL CORE DISTRICT**

At the center of the Downtown Commercial Core is the Downtown Liberty National Register Historic District, an area worthy of preservation and consequently special protection with appropriate sign regulations. The dense urban fabric within this district, with accompanying sidewalks, provides a pedestrian-friendly environment. Vehicles moving through this area do so at a minimal speeds and traffic lights allow time for visual orientation of drivers to the enterprises located in the area. Thus

materials, sizes, and locations of signs shall be geared to this type of movement, suggesting the use of finer materials, smaller sizes and lower sign placement.

A. Certificate of Appropriateness required.

To ensure that signs in this district do not detract from the historic and residential architecture found in the Downtown Commercial Core, all authorized permanent signs other than those specifically exempted from this law must obtain a Certificate of Appropriateness (COA) pursuant to §70-07B(7).

B. Number, Size and Quality of Signs.

1. The number of signs on any building or property shall be kept to the minimum necessary to adequately convey the name of an enterprise, identify entrances and directions, and announce when the enterprise is open for business.
2. The maximum sizes for permanent wall and ground-mounted signs stated herein are not as-of-right; rather the allowable size of a sign shall be determined by how it relates, by proportion and detail, to the facade of the building or property on which it is located and by its visibility for the context in which it will be viewed.
3. Where found to be attractive and well-coordinated by the sign review committee, up to four (4) individual signs on any single building or one storefront in multi-tenant premises are allowed (e.g. wall sign, neon sign within a window area, projecting sign, and sandwich board).
4. All enterprises shall be identified with a permanent sign. Temporary signs for identification purposes shall be limited to two (2) calendar months and seven (7) days.

C. Wall Signs

1. Only one (1) wall sign is allowable in the signable area of each building facade or, where a single building has multiple storefronts, one wall sign per storefront. In addition a building directory is allowed at each entrance for multi-tenant buildings/ properties.
2. The maximum area of any wall sign is the width of the building frontage times two (2) feet or 60 percent of the signable area, whichever is less. Directory signs shall not exceed six (6) square feet in area. No sign may project above the eave line or parapet of any roof in the district.
3. Wall signs must be located within a signable area.
4. Wall signs must be constructed of high quality, durable materials with the appearance of being painted or finished wood, or metal. Individual molded and mounted plastic letters that appear to be painted wood letters are permitted on an otherwise conforming sign.
5. Ghost signs may be retained and restored, if desired by the applicant, if officially recognized as a landmark sign pursuant to 70-07B(3), and if retained, shall not be obscured or counted in determining the allowable sign area on any given building facade.

D. Window Signs

1. The total percentage of the window area that must be kept free of all window signs is 70%.
2. Permanently painted window signs, may take up to 30% of the glass surface.
3. Temporary window signs shall not take up more than 15% of the entire window surface.
4. Neon signs that do not have an opaque back and can be seen through are not subject to the limitations in D.1, D.2, and D.3 above.

E. Projecting Signs

1. One (1) projecting sign per building facade or one per building entrance is allowed on single-tenant buildings.

2. Multi-tenant buildings may have projecting signs with individual tenant listings, but they must be installed within a coordinated scheme, and physical framework and brackets.
3. No projecting sign shall:
  - a. extend more than four feet from the building facade on which it is located,
  - b. extend higher than twenty-five (25) feet (measured from the top of the sign to the ground) or above the eave or parapet of the roof, whichever is less.
  - c. have less than seven (7) feet of clearance from grade.
4. Flag signs are a type of projecting sign and shall meet the requirements of 3a and 3b, above.

F. Awnings signs

1. All awnings over some or all window or door openings of a premise shall be coordinated.
2. Graphics may be placed on the front and/or side panels of the awning, but not on the slope.
3. Awnings shall be opaque such as not to appear illuminated if lighting fixtures are placed underneath them.
4. Awnings over sidewalks shall maintain seven (7) foot of clearance to allow for pedestrian movement and sufficient clearance for vehicular traffic over driveways.

G. Ground signs

1. Ground signs are allowable only where all buildings and structures are set back from the edge of right-of-way, a minimum of 20 feet and the lot frontage is a minimum of 50 feet.
2. One (1) ground sign per premise, or per entrance/exit when the property has frontage on two or more public roadways.
3. The maximum height for pole signs is twelve (12) feet from the top of the sign to the ground. For all other ground signs the maximum height is six (6) feet from the top of the sign to the ground.
4. The maximum square footage for pole signs is twelve (12) square feet.

H. Sandwich boards

1. One sandwich board, not to exceed six (6) square feet in area on a side per premise is allowed if it meets the following conditions:
  - a. it can be located so as not to present a danger or obstruction to pedestrians, wheelchairs, or vehicles;
  - b. it is displayed only during the hours a business enterprise is open; and
  - c. it is constructed in keeping with a design approved by the sign review committee.

I. Illumination

All illumination of signs and awnings shall be external and shall meet the general requirements set forth in Section 70-09E.

J. Project signs.

Project signs larger than six (6) square feet in area shall be no larger than eighteen (18) square feet in area and shall be located in accordance with the general provisions of this sign law.

K. Prohibited Signs in the Downtown Commercial Core

1. All those prohibited signs listed in Section 70-09I.
2. Internally-lit signs and awnings.
3. Plastic-faced signs.
4. Signs painted in fluorescent colors.
5. Temporary banners.

## **SECTION 70-11 GATEWAY DISTRICT**

The Gateway District includes both commercial (C) and manufacturing (M) zoning districts and encompasses the primary entranceways into the Downtown Liberty National Register District. At the south end of the Downtown Commercial Core, the gateway district incorporates the first automobile-oriented area of the village. Buildings here date to the early- to mid-20<sup>th</sup> century and generally reflect a Modern architectural character. In the northern and western portions of this sign district, residential buildings are interspersed with more recent commercial buildings. Although the underlying zoning throughout the district is commercial, the ongoing residential uses require protection and signage for enterprises within the older residential area deserves special consideration to enhance the historic character of the village and provide appropriate entranceways into the Downtown Commercial Core.

- A. Certificate of Appropriateness required. To ensure that signs in this district do not result in visual chaos; are aesthetically compatible with the architecture of the buildings found there; and in general are well designed so as to provide an attractive entrance into downtown, all permanent signs must obtain a Certificate of Appropriateness (COA) pursuant to §70-07B(7).
- B. Number and quality of signs. The number of signs on any building or property shall be kept to the minimum necessary, as determined by the sign review committee, to adequately convey the name of an enterprise, identify entrances and directions, and announce when the enterprise is open for business. All enterprises shall be identified with a permanent sign. Temporary signs for identification purposes shall be limited to two (2) calendar months and seven (7) days.
- C. Size of signs. The maximum sizes for permanent wall and ground-mounted signs stated herein are not as-of-right; rather the allowable size of a sign shall be determined by how it relates, by proportion and detail, to the facade of the building or property on which it is located and by its visibility for the context in which it will be viewed.
- D. Wall signs.
  1. Only one (1) wall sign is allowable in the signable area of each building facade, except that a Shopping Center or multi-tenant building may have one (1) wall sign per storefront.
  2. The maximum area of any wall sign is the width of the building frontage times two (2) feet or 40 percent of the signable area, whichever is greater.
  3. In addition to the allowable wall sign, a multi-tenant premise may have directory signs located at or near each entrance none of which shall not exceed twelve (12) square feet in area.
  4. No sign may project above the eave line or parapet of any roof in the district.
- E. Window signs.
  1. The total percentage of the window area that must be kept free of all window signs is 50%.
  2. Permanently painted window signs, may take up to 50% of the glass surface.
  3. Temporary window signs shall not take up more than 30% of the entire window surface.
  4. Neon signs that do not have an opaque back and can be seen through are not limited to the limitations in D.1, D.2, and D.3 above.
- F. Projecting signs.
  1. Only one (1) projecting sign is allowable per building facade fronting on a public street or highway.
  2. No projecting sign shall:
    - a. extend more than six (6) feet from the building facade on which it is located;

- b. be higher than eighteen (18) feet (measured from the top of the sign to the ground) or extend above the eave or parapet of the roof, whichever is less;
- c. have less than eight (8) feet of clearance from grade.

G. Awnings signs.

1. Awnings for separate storefronts and/or multi-tenant buildings within a shopping center shall be complementary to one another and fit into an overall design scheme.
2. Awnings shall be opaque such as not to appear illuminated if lighting fixtures are placed underneath them.

H. Ground signs.

1. Ground signs are allowable only where all buildings and structures are set back from the property line/edge of right-of-way a minimum of ten (10) feet and where the lot frontage is a minimum of 100 feet.
2. One (1) ground sign per premise, or per entrance/exit when the property has frontage on two or more public roadways.
3. The maximum height for pole signs is sixteen (16) feet from the top of the sign to the ground. For all other ground signs the maximum height is six (6) feet from the top of the sign to the ground.
4. The maximum area for any ground sign is sixteen (16) square feet.

I. Illumination. Signs may be illuminated, either internally lit or externally so long as they meet the general requirements for sign illumination set forth in Section 70-09E.

J. Prohibited Signs in the Gateway district:

1. All those prohibited signs listed in Section 70-09I.
2. Sandwich boards.

K. Miscellaneous signs

1. Temporary banners, limited to twenty-four (24) square feet and displayed for twenty-one (21) days in any four (4) month period and three (3) displays per calendar year.
2. Project signs greater than six (6) square feet in area, not to exceed thirty (30) square feet in area.

## **SECTION 70-12 HIGHWAY CORRIDOR DISTRICT**

The Highway Corridor district is located at the south and west entrance into the Village along New York State Highway Route 52. It has a character of being oriented to vehicular rather than pedestrian traffic. Large stand-alone buildings, fast food franchises and strip shopping malls built within the past thirty years are the predominant building types in this district. In addition, signs in much of the district are viewable from New York State Highway Route 17 (future Interstate 86) that passes through the Village of Liberty. As a consequence, the primary signs that identify businesses in this district may be larger than those in the two other commercial districts. Because pedestrian traffic is minimal and generally limited to the areas between individual parking lots and the businesses they serve, the type of materials for signs is less critical than in other districts.

A. Wall signs.

1. Wall signs are limited to building facades viewable from a public street or highway and must be located within signable areas.
2. Only two (2) wall signs are allowable on any one building facade for single tenant buildings. Multiple tenant buildings are allowed to have one wall sign per storefront.

3. The total area of wall signage on any one building facade shall not exceed 40 percent of any signable area.
- B. Temporary window signs. Signs on the interior of windows in the Highway Sign District are not regulated under this law.
- C. Projecting signs
1. Only two (2) projecting signs are allowable per building facade facing a public street or highway, or parking lot for single tenant buildings. Multiple tenant buildings are allowed to have one wall sign per storefront.
  2. No projecting sign shall:
    - a. extend more than six (6) feet from the building facade on which it is located,
    - b. extend higher than twenty (20) feet (measured from the top of the sign to the ground) or above the eave or parapet of the roof, whichever is lower
    - c. have less than fourteen (14) feet from grade over any vehicular drive or eight (8) feet of clearance from grade over a sidewalk .
- D. Awnings. Awnings are allowable in the Highway Corridor district but must maintain a clearance of fourteen (14) feet from grade over any vehicular drive and a clearance of eight (8) feet over any sidewalk area.
- E. Ground signs.
1. Only one pole sign per premise is allowed
  2. One monument sign per frontage on a public street or highway is allowed.
  3. All ground signs must be set ten (10) feet back from the edge of street paving within a right-of-way or the edge of an internal driving aisle
  4. Pole signs shall not exceed forty (40) feet in height (measured from the top of the sign to the ground).
  5. Monument signs shall not exceed eight (8) feet in height (measured from the top of the sign to the ground).
- F. Prohibited Signs in the Highway Corridor district:
1. All those prohibited signs listed in Section 70-09I.
  2. Sandwich boards.
- G. Miscellaneous Signs
1. Temporary Banners, limited to thirty-two (32) square feet in area and on display twenty-one (21) days in any four (4) month period and three (3) displays per year.
  2. Project signs greater than six (6) square feet in area, not to exceed sixty-four (64) square feet in area.

### **SECTION 70-13 RESIDENTIAL DISTRICT**

- A. Signs in the residential sign district are not allowed except for:
1. signs exempt from this law per Section 70-09I.
  2. Ground signs identifying buildings or residents and/or the location thereof not exceeding eight (8) square feet in area and the top of which is four (4) feet in height above the ground, located at the entrances to an apartment complex or multi-family residential building.

- B. Commercial signs in the residential sign district are not allowed except for premises with a home occupation approved under Section 87.12H of Article V-Supplementary Regulations of the Village Code:
  - 1. One sign per wall and which does not exceed four (4) square feet in area
  - 2. One ground sign per street frontage, the top of each of which is limited to four (4) feet above the ground and the sign area of which is limited to four (4) square feet.
- C. Political Signs intending to be displayed indefinitely are not allowed except for one (1) ground sign per street frontage, the top of each of which is limited to four (4) feet above the ground and the sign area of which is limited to four (4) square feet.

**SECTION 70-14 NONCONFORMING SIGNS**

- A. Change and modification. Subject to 70-14B2 below, a nonconforming sign or sign structure shall be brought into conformity with this law if it is altered, reconstructed, replaced, or relocated.
- B. Removal. All nonconforming signs shall be removed according to the following provisions.
  - 1. Nonconforming signs shall be removed or modified to comply with this law no later than three (3) years from the date of the adoption by the Village Board of this law except in the event that the owner of a nonconforming sign erected legally prior to the effective date of this law if:
    - a. the nonconforming sign is registered with the Code Enforcement Officer prior to the date on which all non-conforming signs must be removed; and
    - b. it is demonstrated that the cost of the sign cannot feasibly be amortized within the three-year amortization period in which case the sign may remain in place for the period it would take to recoup the investment in the nonconforming sign. Such relaxation of the amortization period shall be made only after a public hearing by the Village Board and its determination of a reasonable time period in which the cost of the nonconforming sign will be recouped.
  - 2. A legal non-conforming sign shall lose its legal non-conforming status and shall be removed:
    - a. when a nonconforming sign, or at least 50 percent of a nonconforming sign, is blown down, destroyed, or for any reason needs to be replaced;
    - b. when the condition of the nonconforming sign or nonconforming sign structure has deteriorated and the cost of restoration of the sign to its condition immediately prior to such deterioration exceeds 50 percent of the value of the sign or its structure;
    - c. when the use of the nonconforming sign, or the property on which it is located, has ceased, become vacant, or been unoccupied for a period of sixty (60) consecutive days or more. An intent to abandon is not required as the basis for removal under this subsection. With respect to billboards placed, erected or constructed prior to the effective date of this Chapter, use of same shall be deemed to have ceased if it is not used or rented for a period of sixty (60) consecutive days or more; or
    - d. when there is a change of occupants of the premises or storefront on which the nonconforming sign is located.
- C. Billboards placed, erected or constructed prior to the effective date of this Chapter. Notwithstanding anything in this Chapter to the contrary, a billboard which is a non-conforming sign as defined in 70-05 which was placed, erected or constructed prior to the effective date of this Chapter shall be permitted to remain and shall not be subject to 70-14B1 so long as it is in full compliance with 70-14B2. In addition, billboards may not be altered, reconstructed, replaced, or relocated as set forth in 70-14A except as specifically authorized under 70-14B2.

## **SECTION 70-15 VARIANCES**

Variances to the provisions in this law shall be heard by the Village of Liberty Zoning Board of Appeals as permitted by the Village Law of the State of New York. Requests for variances shall be made in accordance with Article IX of Chapter 87 of the Code.

## **SECTION 70-16 ADMINISTRATION**

- A. Sign permit required. No person shall erect or display a sign unless the Code Enforcement Officer has issued a permit for the sign or the sign is exempt from the permit requirement pursuant to Section 70.09.I of this law.
- B. No sign permit shall be issued for signs in the Downtown Commercial Core or the Mill Street Gateway districts without having been issued a Certificate of Appropriateness pursuant to sections 70-07.B(1), 70-10, and 70-11.
- C. Application. A person proposing to erect or display a sign shall file an application for a permit with the Code Enforcement Officer. The application shall contain the following:
1. The name, address, and telephone number of sign contractor, if any, and the owner and occupant of the premises where the sign is to be erected or displayed; the date on which it is to be erected or displayed; the sign district in which it is located; and any variance that has been approved.
  2. Current color photographs of all building facades on which there are currently signs or which are proposed to contain signs, as well as any other freestanding signs on the premises.
  3. A drawing to scale that shows:
    - a. all existing signs displayed on the premises;
    - b. the location, height, size and colors of any proposed signs;
    - c. the percentage of the signable area covered by the proposed graphics. This information is not required if a Program for Graphics has been approved for the premises on which the sign will be displayed if the COA for the approved Program for Graphics is attached to the application.
  4. Specifications for the construction or display of the sign and the technical specifications for its illumination.
  5. A processing fee of twenty-five (\$25.00) dollars for each sign shall be paid at the time that the application is submitted as a condition to consideration of the application.
- D. Review and time limits.
1. The Code Enforcement Officer shall promptly review the application upon the receipt of a completed permit application and upon payment of the permit fee by the applicant.
  2. If the application is found to be complete and the premises for which the permit is sought is located in the Downtown Commercial Core or the Gateway district, or is an application for a Program for Signs in the Highway district, the Code Enforcement Officer shall forward the application to the sign review committee for its consideration.
  3. For all permit applications that do not require a COA and that comply with this law, the building, electrical and other adopted codes of the Village of Liberty, the Code Enforcement Officer shall decide the application within twenty-one (21) days from the date the completed application with permit fee was filed, unless this time period has been extended upon consent of the applicant.
  4. If the permit for the sign is not approved, the Code Enforcement Officer shall send by certified mail a letter stating the reasons for the denial to the address of the applicant listed on the sign application.
  5. The sign review committee will review a sign permit application forwarded to it by the Code Enforcement Officer and determine whether it meets the requirements for a COA within thirty-two (32) days of its receipt, unless this time period has been extended upon consent of the

applicant and the sign review committee. If the sign application is approved and complies with this law, the building, electrical and other adopted codes of the Village of Liberty, the Code Enforcement Officer shall issue a permit within five (5) business days of the sign review committee meeting at which it was considered.

6. If the COA for a sign is not approved, the sign review committee shall provide a decision to the Code Enforcement Officer in writing, who shall then send by certified mail a letter, within five (5) business days of the sign review committee meeting at which it was considered, stating the reasons for the denial to the address of the applicant as listed on the sign application.
  7. The decision of the sign review committee or the decision of the Code Enforcement Officer, whichever is applicable, shall be filed with the Clerk of the Village of Liberty within ten (10) days after the issuance of such decision.
  8. Sign applications and COAs not decided within the timeframes established in §70-16D (3) and (5) shall be deemed automatically denied.
- E. Appeals. Any applicant who is denied a permit and/or a Certificate of Appropriateness for the display of a sign may file a written appeal to the Zoning Board of Appeals, a copy of which shall be forwarded to the Code Enforcement Official. The appeal must be filed with the Zoning Board of Appeals within fourteen (14) days of the filing of a copy of the decision with the Village Clerk of the Village of Liberty.
- F. Revocation of Permit. All rights and privileges acquired under any provision of this law are mere licenses and are revocable by the Code Enforcement Officer or the Village Board upon demonstration that a sign is in violation of the general provisions of the sign law or of the conditions placed on a COA.

#### **SECTION 70-17 ENFORCEMENT**

The Code Enforcement Officer for the Village of Liberty is hereby charged with enforcing this law according to the following provisions.

- A. Inspections. Periodic inspections of all sign districts with photographic documentation of premises with signs shall be conducted to document whether signs displayed are in compliance with the applicable regulations.
- B. Register of nonconforming signs. A list, comprising the official register, of all non-conforming signs within the village shall be maintained.
- C. Landmark signs. A list of all signs determined to be landmark signs shall be maintained.
- D. Notice. Notice of violation(s) shall be made in writing and sent to the owner of the premises, and to the occupant of the premises for which the sign is displayed, if different. Such notice shall include a specified time-frame in which the violation is to be rectified.
- E. Cause removal of signs in violation of this law. After due notice, the Code Enforcement Officer shall order and/or cause the removal and disposal of those signs that continue to be in violation of this law including those not maintained in accordance with the approved application permit. The costs for such removal shall be added to the tax bill for the real property from which the sign has been removed by the Treasurer of the Village of Liberty if not paid in full by the date the Treasurer certifies the tax rolls for the Village for that year.

F. Any sign illegally placed within public rights-of-way may be removed without notice. The costs for such removal shall be added to the tax bill for the real property from which the sign has been removed by the Treasurer of the Village of Liberty if not paid in full by the date the Treasurer certifies the tax rolls for the Village for that year.

**SECTION 70-18 SEVERABILITY CLAUSE**

The invalidation of any section, subsection, clause, or phrase of this law by any court of competent jurisdiction shall not affect the validity of the remaining portions of the law.”

3. This local law shall take effect immediately upon its filing with the Secretary of State.

(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. 6 of 2006 of the (County)(City)(Town)(Village) of Liberty (Name of Legislative Body) on February 22, 2006, in accordance with the applicable provisions of law.

~~**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 2003 of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ (Name of Legislative Body) on \_\_\_\_\_, 2003, and was (approved)(not disapproved)(repassed after disapproval) by the \_\_\_\_\_ (Elective Chief Executive Officer\*) and was deemed duly adopted on \_\_\_\_\_, 2003, in accordance with the applicable provisions of law.~~

~~**3. (Final adoption by referendum.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 2003 of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ (Name of Legislative Body) on \_\_\_\_\_, 2003, and was (approved)(not disapproved)(repassed after disapproval) by the \_\_\_\_\_ (Elective Chief Executive Officer\*) on \_\_\_\_\_, 2003. 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 \_\_\_\_\_, 2003, in accordance with the applicable provisions of law.~~

~~**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 2003 of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ (Name of Legislative Body) on \_\_\_\_\_, 2003, and was (approved)(not disapproved)(repassed after disapproval) by the \_\_\_\_\_ (Elective Chief Executive Officer\*) on \_\_\_\_\_, 2003. Such local law was subject to permissive referendum and no valid~~

petition requesting such referendum was filed as of \_\_\_\_\_, 2003, in accordance with the applicable provisions of law.

\_\_\_\_\_  
\*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 chairman of the county legislative body, the mayor or 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 revisions proposed by petition.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 2003 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 the majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_, 2003, 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 2003 of the County of \_\_\_\_\_, State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_, 2003, 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 of 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.

Judy H Zurawski  
Village Clerk

Date: 2/22/06

(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 SULLIVAN

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

Attorney for the Village Title

County  
City  
Town of Liberty  
Village

Date: 2/22/06