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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.

**Town** of \_\_\_\_\_ VESTAL, NEW YORK \_\_\_\_\_  
**Local Law No.** \_\_\_\_\_ **B** \_\_\_\_\_ **of the year 2020**  
**PROPOSED LOCAL LAW "B" OF THE YEAR 2020**

**A Local law** "A Local Law Amending the Code of the Town of Vestal, Chapter 5, Article 5 "Signs" as follows:

**Be it enacted by the** \_\_\_\_\_ **TOWN BOARD** \_\_\_\_\_ **of**  
**the**  
(Name of Legislative Body)

**Town of** \_\_\_\_\_ **VESTAL** \_\_\_\_\_ **as follows:**

**Section 1.**

**Division 1. - IN GENERAL**

**Sec 5-111. - Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

*Abandoned sign* means a sign that is no longer associated with a viable business, building or operating event.

*Adjacent grade* means the portion of ground within a ten-foot radius of the center area of a ground sign.

*Advertising sign* means a sign or billboard which directs attention to a business, industry, profession, commodity, service or entertainment not sold or offered upon the same premises where the sign is located; or which advertises any person, event, activity or thing, regardless of whether any fee, charge, payment, sale or business is involved, which is not located on the property.

*Banner* means, a lightweight fabric or similar material used for a non-permanent (temporary) sign. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered a banner.

*Building identification sign* means any sign used to name, categorize, number, denote or indicate a specific building or a specific component in or on a building, i.e. building “A”, sprinkler connection “D”.

*Building wall* means any construction in connection with a building or structure, being a support member or not, which is not less than seventy-five (75) degrees and not greater than one hundred (100) degrees from vertical.

*Business directive sign* means a sign that is erected for the sole purpose of indicating that a group of establishments or premises are located on a certain street, highway or parcel.

*Business sign* means a sign which directs attention to a business, industry, profession, commodity, service or entertainment sold or offered upon the same premises where the sign is located.

*Canopy sign/awning sign* means any sign that is a permanent part of, or permanently attached to an awning, covering, or other fabric, plastic, or structural protective cover over a door, entrance, window, outdoor service area or wall of a building. Canopy signs are considered wall signs.

*Changeable sign* means a sign with the capability of content change by means of manual or remote input, including the following types:

1. *Manually activated* is a changeable sign whose message copy or content can be changed manually on a display surface.
2. *Electrically activated* is a changeable sign whose message copy or content can be changed by means of remote electrically energized on-off switching combinations of alphabetic or pictographic components arranged on a display surface. For the purposes of this article, on-off switching shall not be less than fifteen (15) seconds in duration.

*Code enforcement officer* shall mean any code official duly employed by the town and so designated with the task of enforcing this article. It shall also include the term “public authority” as noted in Section 1114 of the New York State Vehicle and Traffic Law.

*Directional business sign* means a sign that gives direction to a business, industry, profession, commodity, service, event, activity, entertainment or provides traffic paths to locations on a property or within a shopping plaza.

*Double-faced* means any two-faced sign utilizing both faces or surfaces for display purposes.

*Electronic message sign* means an electrically activated changeable sign whose variable message capability can be electronically programmed.

*Event notification sign* means a sign or signs erected by not-for-profit organizations to inform the general public of an event being held at property owned or occupied by the organization.

*Face or surface* means the surface of the sign upon, against or through which the message of the sign is exhibited.

*Feather flag* means a vertically oriented banner attached to a single pole allowing the fabric to hang loose at one or two of the four corners. These may also be known as advertising flags, swooper flags, flutter flags, blade flags, sail flags, bow flags, teardrop flags, tall flags, quill flags, and similar.

*Flag* means material, usually cloth, nylon or weather resistant fabric, usually of a rectangular shape, on which a symbol, marking, design or emblem is sewn in to, on or adhered to in order to be displayed, (usually on a pole) on a property for public view.

*Flashing/blinking sign* means signs or portions of signs, whose illumination is characterized by a repetitive cycle in which the period of illumination is either the same as or less than the period of non-illumination. For the purposes of this ordinance, flashing will be defined as occurring if the cyclical period between on-off phases of illumination is less than five (5) minutes.

*Gateway sign* means a monument ground sign constructed of natural masonry or stone, located on non-public owned property for use in presenting public announcements, emergency and local government messages and limited controlled advertisement, in a format approved by the Town of Vestal.

*Ground sign/ground sign structure* means any sign not attached to any building, but which is permanent and attached in or on the ground surface in a fashion such as not to be moved by hand.

*Height of ground sign* means the measurement from the lowest adjacent grade of the ground sign to the top most portion of the sign or structure supporting the sign.

*Human directional/sign twirler* means a commercial worker who holds a sign to direct traffic or individuals to a designated area.

*Identification sign* means a sign erected for the purpose of stating the name of a place of worship located on the premises where the sign is located.

*Illegal sign* means any sign erected, placed, installed or carried contrary to the requirements of, or prohibited by, this article

*Information sign* means a sign indicating proximity of a noncommercial parcel of land or a sign indicating proximity or direction to a noncommercial service, event or activity.

*Merchant/walkway sign* means a sign, not larger than four (4) square feet, which is attached on the ceiling, wall or column of a walkway or overhang and is mounted near the entrance location of a particular service or merchant to allow for ease of pinpointing that entrance.

*Monument ground sign* means a permanent ground sign that is installed without using a column or pole for primary support, but rather is anchored to the earth by means of a foundation that becomes a part of the sign structure.

*Multiple residence/multiple residence complex* means properties with a building or buildings on site which contain more than two (2) residential occupancies, excluding townhouse buildings.

*New York State design professional* means an architect or an engineer licensed by NYS Department of Education.

*Outdoor merchandise sign* means a sign not greater than four (4) square feet in area, located in immediate proximity to merchandise for sale or the business or service offered, describing such merchandise or service, its price and any terms of sale.

*Pad site* means a “stand alone” structure, not attached to any other building, located within the confines of a shopping plaza boundary, containing not more than two (2) separate businesses.

*Pennant* means any lightweight plastic, fabric, or other material, whether or not containing a sign message of any kind, designed to attract attention when moved in the wind. Pennants typically are suspended from a rope, wire, or string, usually in series.

*Permanent sign* means any sign intended and installed to be permanently in place at a given location by means of suitable fastening to a building or to a structure specifically erected to hold such sign(s) or to the ground.

*Projecting sign* means a sign which is attached to the wall or support structure of any building or structure and which extends beyond the surface of such wall a distance greater than twelve (12) inches (see also “wall sign”).

*Public office* includes elected positions of service held at the federal, state, county, town and school district levels of government.

*Roof sign* means a sign constructed upon or supported by a roof of any building or structure.

*Sandwich board/”a-frame” sign* means a type of advertisement composed of two boards holding a message or graphic and being either carried by a person or set up in a triangle shape, hinged at the top or side, or a single upright sign mounted on legs or a weighted base.

*Shopping plaza* means a property used for non-residential purposes, where there are not less than five (5) separate business spaces available for occupancy at the property.

*Shopping plaza entrance, primary* means, the main entrance or driveway for access to a shopping plaza property by vehicular traffic. This shall be administered by a one-time written election of the property owner.

*Shopping plaza entrance, secondary* means, an entrance or driveway for access to a shopping plaza property by vehicular traffic, which is other than the primary shopping plaza entrance.

*Sign* means any material, structure, or device or part thereof composed of lettered or pictorial matter or upon which lettered or pictorial matter is placed when used or located out of doors or outside or on the exterior of any building or wall of a building including window display area, for display of an advertisement, announcement, notice, directional matter or name, and

includes sign frames, billboards, signboards, painted signs, hanging signs, illuminated signs, pennants, fluttering devices, projecting signs or ground signs, and shall also include any announcement, logo, declaration, demonstration, display, illustration or insignia used to advertise or promote the interests of any person or business when the same is placed in view of the general public.

*Store front width* means the physical width of linear feet measured along the wall of the front, primary or main entrance of an individual space which is available to be occupied, used, leased or rented.

*Street frontage* means the measured length in feet, along the boundary line of a parcel of real property, which is the boundary of the address of the property.

*Surface sign* means any sign engraved, painted or otherwise on any outside surface of premises, including walls and windows.

*Temporary sign* means any outside sign constructed in such a way as to be portable or which conveys information which is meant to be applicable for periods of time of less than three (3) months, except as otherwise provided.

*Tube man* means an inflatable moving advertising product comprising of a long fabric tube, which is attached to and activated by an electric fan, causing the tube to move in a dynamic dancing or flailing motion. These may also be known as skydancers, air dancers, tall boys, or similar.

*Vacant lot, vacant property* means a parcel of land which is not occupied by a building, structure or permitted use. This includes buildings or tenant spaces in buildings that do not have a viable, approved use occupying the building or space.

*Wall sign* means any sign constructed or supported on a building wall or upright structure of a building and which shall not extend beyond the surface of such a wall or support structure, a distance greater than twelve (12) inches in any direction.

*Window sign* means a sign installed inside a window for purposes of viewing from the outside of the premises. This term does not include merchandise located in a window.

*Yard sign* means any sign designed exclusively to inform the general public, placed along a property frontage, of a fundraising campaign, political campaign, social event, on-site sale, for sale/rent signs, civic undertaking, annual festivity or related enterprises of a temporary nature.

Sec. 5-112. – Purpose.

This article is enacted to promote and protect public health, welfare and safety and to preserve the value of property and the aesthetic quality of the environment as well as the general well-being of the community. This article is further enacted to limit the type and number of signs which have questionable value as to their ability to generate business or which detract from the visual appearance of the community. This article is written with the knowledge that property regulated signs have a rightful and needed place in today's world.

Sec. 5-113. – Computation of permissible sign area.

(a) When determining total permissible sign area for any lot, property, business or tenant space, the area of any existing sign, other than exempt signs, shall be included in the computation.

The total area of existing and new signs shall not exceed the maximum allowable area requirements as set forth in this article.

(b) The computation of permissible sign area shall specifically include:

(1) The area of all outside ground, wall, canopy and surface signs which shall be the square footage of the entire display area except for double-faced signs, for which only the dimension of the largest face shall be used for such purpose.

(2) The square feet of “channel letter” (freestanding letters, numbers, emblems, etc.) wall signs shall be measured by calculating the area enclosed within a line drawn around the exterior perimeter of the object which make up the characters of the sign, logo or trademark and any intervening space.

(3) Window signs affixed to the outside of the window.

(4) Any other legal non-conforming sign.

Sec. 5-114. – Nonconforming signs.

(a) The goal of this section is to eliminate all non-conforming signs.

(b) Except as provided in this section, any sign existing at the time of the adoption of this legislation is considered a non-conforming sign.

(c) All illegal signs, nonconforming signs and signs made non-conforming by the adoption of this law, are prohibited and shall be removed immediately.

Exceptions:

(1) Approval for allowing a non-conforming sign to remain for a maximum of five (5) years from the date of enactment of this law or until replaced, removed or abandoned, may be given by the code enforcement official upon proof of issuance of a previous sign permit and by application for an extension.

(2) Existing signs in conformance with this article are allowed to remain if previous permits were granted.

(3) Pre-existing signs which were legally installed with the previous sign code shall be considered in compliance with this code revision.

(d) Any non-conforming sign which is not used for a period of three (3) months shall be deemed abandoned and shall be brought into conformity with this article.

Sec. 5-115. – Variances on appeal.

(a) Where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of this article, the zoning board of appeals (ZBA) of the town shall have the power in passing upon appeal requests to this article, to vary, or modify the application relating to the size of a sign, the number of signs on a property, the amount of square feet of signage, setback dimensions to a sign, length of display or other request including appeals of a decision of a code enforcement officer.

The need for a public hearing shall be at the discretion of the zoning board of appeals and/or the code enforcement officer.

Advance notification of variance meetings shall be sent to adjacent property and business owners within a 250-foot radius of the aggrieved property or business.

(b) Variances may be granted by the ZBA if in its judgment it finds that the variance sought will not be disproportionate, excessive, repetitive, injurious to the environment or otherwise detrimental to the public welfare.

As guidance, the board should consider the following: whether the applicant has other means to achieve the goal or benefit, whether this difficulty is self-created due to choice of building, location, lot, architecture or myriad of existing signs, whether the impact on the visual environment will be adversely effected, whether the very minimum amount of variance is being requested, whether an undesirable change will be produced for neighbors, by granting a variance.

The ZBA may impose any conditions which it deems necessary to carry out the provisions of this article.

(c) The zoning board of appeals may solicit advice from the planning board, town board, code enforcement official or other knowledgeable person or organization to gather information for making a decision.

(d) The applicant shall submit information on forms provided by the code enforcement office and, if necessary, in addition to any previous submittals, shall submit other information as needed for the board.

Sec. 5-116. – Appeals to the town board.

(a) Applications for an appeal on the determination of the ZBA or the planning board may be made to the town board.

(b) Any such application must be made not more than thirty (30) days after said decision is filed with the town clerk.

(c) The town board upon granting such appeal, may afford relief as set forth in section 5-115.

#### DIVISION 2. – PERMITS

Sec. 5-117. – Sign permit generally.

(a) No sign in any district shall be erected, altered, refaced, repainted or changed until a sign permit has been issued by the code enforcement official.

Exceptions: Signs offering property for sale or lease, flags, garage sale signs, building identification signs and similar type signs as determined by the code enforcement officer, do not require permits.

(b) All applicants for sign permits shall, as a minimum, submit completed permit application information including, but not limited to the following:

(1) Name, address and telephone number of the applicant and, if different, the written permission of the owners of the property on which the sign is to be located and, if the property is leased, of the tenants thereof.

(2) Location of the building, structure or lot to which or upon which the sign is to be attached to erected.

(3) The type, size and location of the sign.

(4) Drawings of the plans and specifications and method of construction and attachment to the buildings and/or in the ground.

(5) Sketches, pictorial matter, photographs and/or other detailed art necessary to clearly depict the actual color, lighting and design of the sign.

(6) As required, plans noting structural information and calculations.

(7) The name of the person erecting the sign.

(8) Information from an approved testing agency, for proof of testing, listing and certification of the individual electric components or energized equipment.

(9) The current total square feet of all signs currently existing at the property.

(10) Such other information as the code enforcement official shall require to ensure full compliance with this article.

The number of sets of drawings to be submitted shall be determined by the code enforcement officer.

(11) All permits shall be conditioned upon the elimination of all nonconforming and illegal signs, except as provided in section 5-114.

(12) As mandated by the code enforcement official, plans may be required to be stamped by a NYS licensed design professional.



(c) In addition, the following two (2) operations shall not be considered creating a new sign and, therefore, shall not require a sign permit:

(1) Replacing copy or changing the message on an approved sign which is specifically permitted and designed for use as a changeable sign.

(2) Maintenance, cleaning and other normal repair of an existing permitted sign or sign structure, unless a structural change or permanent message change is made.

Sec. 5-118. – Fees for permits generally.

(a) Permit application and appeal fees shall be prescribed from time to time by a resolution of the town board.

(b) The prescribed fee shall accompany any application or appeal submittal.

(c) Fees are non-refundable.

Sec. 5-119. – Reserved.

### DIVISION 3. – CRITERIA FOR SIGNS AND SIGN REVIEW; GENERAL REGULATIONS, PROHIBITIONS AND EXEMPTIONS

Sec. 5-120. – Standard criteria for all signs and sign review.

(a) As required in section 5-132, recommended criteria and design for specific types of shopping plaza signs shall be approved by the planning board by resolution.

When there are approved criteria and design for the type of signs in a shopping plaza and the code enforcement official finds that a proposed sign deviates from such criteria and design, the code enforcement official is authorized to disregard deviations which are determined to be minor.

(b) Signs having electrical components and/or an electrical connection, shall be inspected by an electrical inspector approved by the code enforcement officer and a certificate of compliance shall be submitted to the code enforcement officer.

(c) All signs shall be installed and fastened in place by appropriate means to withstand forces of gravity, wind, deflection, shear and other imposed loads.

(d) All signs shall be maintained structurally sound and in appearance at, or as close as is reasonably possible to, their general condition and appearance at the time of initial installation.

(e) Signs may be referred to the zoning board of appeals or the planning board by the code enforcement official as follows:

When regardless of the existence of permitting code language, criteria or design, it is the opinion of the code enforcement official that a sign should be reviewed by an authoritative board, to determine its harmony and compatibility with this law or the neighborhood or the environment, or it is his opinion that it should be reviewed for any purpose.

(1) The assigned board shall have thirty (30) business days from such referral by the code enforcement official to make recommendations and comments regarding the application.

a. There shall be no appeal fee required for this referral.

b. There is no requirement for public notification or public hearing except as requested by the reviewing board.

c. The recommendations and comments shall be made known to the applicant.

(2) Failure of the board to make such recommendations and comments within the allotted time frame shall constitute a waiver of such review.

(3) The board shall review the submitted sign application and approve, deny or approve with modifications or conditions.



(4) Review criteria shall relate to; size of signs, number of signs, light output, illumination, location, height, compatibility of the sign(s) with this article, impact upon the neighborhood, safety and environmental issues.

Secs. 5-121--5-123. – Reserved.

Sec. 5-124. – General regulations, prohibitions and exemptions.

(a) Except as specifically allowed herein, all banners, pennants, spinners, feather flags, sandwich boards, tube man displays, sign twirlers, human directional, and strings of lights shall be prohibited. Any existing items, pertaining to this section, shall have a maximum period of 60 days, from time of notification from the Code Enforcement Office, to remove such item.

(b) A recognized flag of a nation, group, club, and/or association shall be permitted, except that no more than two (2) flags of this type shall be permitted.

(1) In the case of multiple groups, clubs, or associations existing on a single property, not more than one (1) flag, as noted above shall be permitted for each individual entity.

(2) Flags shall only be displayed on the property or within the area under the control of the occupant where the particular represented entity is located.

(c) Non-flashing lights and decorations displayed in connection with holidays and recognized celebrations shall be allowed without a permit.

(d) All signs created by or at the direction of the local, county, state or federal government, shall be exempt from this article.

Signs located on properties owned by the Vestal School District, occupied by school facilities are exempt from this article.

(e) Information signs and business directive signs may only be erected by approval of the town board.

Such signs shall contain no merchandise advertising.

(f) For the purpose of increasing the safety of all users of the highways within the town and to promote a more aesthetically attractive community, all advertising signs shall be prohibited anywhere within the town.

(g) No person shall post or affix any notice, poster or other device or paper, including any poster, paper or device calculated to attract the attention of the public to any lamppost, public utility pole or shade tree, or upon any public structure, building or right-of-way except as may be authorized or required by law. Any sign installed or placed on the items or in the areas outlined in this section, shall be deemed illegal and shall be forfeited to the public and subject to confiscation.

Except as required by state law, or permitted by this article, no sign may be displayed without the consent of the legal owner of the property on which the sign is mounted or displayed. Proof of such permission or consent may be requested by the code enforcement official.

(h) Projecting signs are prohibited.

(i) Signs adhered on or otherwise legally approved as a permanent part of a vehicle which is duly licensed for use on the highway and in actual use for transportation purposes, shall be exempt from this article.

Signs on vehicles which do not come within this exemption shall be prohibited, including using any vehicle, trailer or other equipment primarily as a structure on which to display a sign.

(j) Signs located completely inside of buildings, shall be exempt from this article.

Exception: Blinking, flashing or animated signs which are visible from the nearest public thoroughfare or highway and that create a distraction by their animation, shall be prohibited.

(k) Except as specifically allowed in this article, no sign shall be a changeable sign, flashing sign or electronic message sign. In addition:

- (1) No sign shall be actually in motion.
- (2) No sign shall be environmentally activated.
- (3) No sign shall be mechanically activated.

(l) No sign or recognized business flag shall be located on any vacant lot or vacant property. Exceptions:

- (1) Permitted for sale or lease signs.
- (2) Signs on properties which have been approved for use by the planning board, zoning board of appeals or town clerk.
- (3) Signs approved by the town board.

(m) Sign content.

(1) Viewpoint neutrality.

a. Notwithstanding anything in this Article to the contrary, no sign or sign structure shall be subject to any limitation based upon the viewpoint of the message contained on such sign or displayed on such sign structure.

b. Notwithstanding anything in this Article to the contrary, it is the policy of the Town to regulate signs in a manner that does not favor commercial speech over noncommercial speech and does not regulate protected noncommercial speech by message content.

c. Within this Article, any distinction between onsite and offsite signs applies to commercial messages. It does not apply to noncommercial messages.

(2) Substitution of noncommercial speech for commercial speech.

Notwithstanding anything in this Article to the contrary, any sign erected pursuant to the provisions of this Article may, at the option of the owner, contain a noncommercial message in lieu of a commercial message and the noncommercial copy may be substituted in whole or in part at any time in place of the commercial copy. The noncommercial message (copy) may occupy the entire sign face or any portion thereof. The sign face may be changed from a commercial message to a noncommercial message or from one noncommercial message to another noncommercial message; provided, however, that there is no change in size, height, setback or spacing criteria contained in this Article.

(3) All interpretations of this Article are to be exercised in light of the policies, purposes and intent set forth herein. Whenever a sign permit or other approval is subject to discretion, such discretion shall not be exercised as to the message content.

(n) Yard signs. The unrestricted proliferation of yard signs throughout the town can be aesthetically detrimental to the environment, may be distracting to motorists and thereby create a traffic hazard and may contribute to littering of public and private property when not removed in a timely manner. The purpose of this sub-section is to preclude these undesirable consequences by placing reasonable restrictions on the placement and erection of yard signs.

(1) No person shall place or erect a yard sign on any property owned by the federal government, State of New York, the town or school district, including the paved and unpaved rights-of-way, located in the town.

(2) No yard sign shall be placed on overpass or underpass vehicular bridges or other bridges.

(3) No yard sign shall be placed on poles carrying utility lines, traffic signals, streetlights or telephone lines or on direction or traffic signs.

(4) No yard sign shall be erected or placed as to obstruct or impair vision at any road intersection or the entrance to and exit from driveways.

(5) The sign owner, the person erecting or placing the signs, the property owner and/or the property occupant(s) shall be responsible for violations of this subsection.

(6) Yard signs shall be erected only with the permission and consent of the property owner or an agent of the owner.

Proof of such permission or consent may be requested by the code enforcement official.

(7) Violations of the provisions of this section shall be subject to the penalties contained in this article.

(8) No sign permit is required for yard signs.

(9) Yard signs erected at any parcel within the Town shall be permitted as follows:

a. Yard signs erected shall not exceed six (6) square feet in area with no dimension exceeding forty-two (42) inches.

b. Yard signs erected shall not exceed three (3) feet in height measured from the adjacent grade.

(o) Roof signs are prohibited.

(p) Abandoned signs and their supporting structure, shall be removed no later than six (6) months after the sign becomes abandoned.

(q) Each permitted business use conducted within any building or upon any lot may have a business sign provided that no violations will be created by erecting any sign.

(r) Except as otherwise allowed, not more than six (6) signs are permitted on any one (1) property.

Exceptions:

(1) Signs approved in conjunction with shopping plazas.

(2) Signs indicating handicap accessibility features shall not be counted in this total.

(3) Building identification signs, event notification signs, directional business signs, outdoor merchandise signs and other approved temporary signs shall not be counted in this total.

(4) Signs required by governmental agencies shall not be counted in this total.

(5) Properties with more than one (1) and less than five (5) non-residential uses shall be permitted to have the number of signs as follows:

a. Two (2) uses: A maximum of eight (8) signs on the property.

b. Three (3) of four (4) uses: A maximum of ten (1) signs on the property.

(s) Illumination of signs may be integral to the components, such as characterized by lamps or other light emitting devices; or it may be from an external light source designed to reflect off the display.

Illuminated signs shall be designed and installed so as not to produce glare, undue distraction, confusion, annoyance or hazard to the surrounding area or to vehicular traffic.

(1) Illumination shall be the minimum necessary to accomplish the task of visibility.

(2) Laser type lighting is not permitted for any illumination or for special effects advertising.

(3) Except for businesses approved for 24- hour service, ground sign lighting shall be turned off daily no later than midnight and not reenergized until 5:00 a.m.

(t) Except as otherwise allowed or prohibited, signs of a temporary nature, typically erected on construction sites, listing prospective occupant(s), contractors, owners, design teams, coming soon and other pertinent information, may be placed on premises as follows:

(1) On properties where a valid, current building permit is in place.

Exception: At a time prior to construction as permitted by the code enforcement officer.

(2) Not more than two (2) signs may be used.

(3) No sign shall be greater than fifty (50) square feet in area.

(4) The sign shall not be lighted.

(5) The sign shall be removed immediately upon completion of the project or the issuance of a compliance certificate or one hundred eighty (180) calendar days from the date of placement on site, whichever occurs first.

(u) Except as allowed in this article, all permitted ground signs and monument signs shall be erected not closer than eight (8) feet to any front lot line and not closer than one (1) foot to any other lot line.

(v) To increase the safety of patrons and employees, signs are not permitted to be located on, above or around motor fuel dispensing equipment.

Exceptions:

(1) Signs, receiving property permits which are painted on the dispensing equipment.

(2) Signs depicting prices for fuel.

#### Division 4. – PERMITTED SIGNS IN CERTAIN DISTRICTS

Sec. 5-125. – One-Family Residence (RA-1) zoning district.

(a) *Permitted signs.* Signs shall be permitted as follows:

(1) For sale or rent. One (1) sign not to exceed six (6) square feet located on the property being offered. The sign shall be located not less than one (1) foot from the front or side property line.

(2) Permitted place of worship.

a. One (1) ground sign not to exceed sixteen (16) square feet in area and eight (8) feet in height.

b. One (1) wall sign not to exceed thirty-two (32) square feet in area.

c. Signs may be manually activated changeable sign type.

(3) One (1) temporary real estate development sign, not to exceed thirty-six (36) square feet, directing attention to a new residential subdivision.

Such sign shall require a permit issued by the code enforcement officer. The permit shall be issued for not more than twelve (12) months maximum and may be renewed one (1) time for an additional twelve (12) months, upon application.

(4) Garage, tag, barn or similar temporary sale.

a. Not more than three (3) signs, a maximum of three (3) square feet each, located on the property of the sale location.

b. These signs shall not be permitted more than three (3) times per calendar year at any one (1) property.

(5) Event notification signs.

a. As approved by the code enforcement officer.

b. Not to exceed three (3) square feet in area, when placed off site of the event.

c. Not to exceed thirty-seven (37) square feet in area, when placed at the event site.

d. Signs shall be removed within forty-eight (48) hours of the end time of the event.

(6) Yard signs as permitted in section 5-124.

(7) Signs as noted in subsection 5-124(t) shall not exceed thirty-two (32) square feet in size.

(b) *General regulations.* All signs, other than those listed above, shall be prohibited in an RA-1 zoning district.

Sec. 5-126.- Rural Residence (R-R) Multiple Residence (R-C) Planned Development Districts (PDD) and One- and Two-Family Residence (RA-2) zoning districts.

(a) *Permitted signs.* Signs shall be permitted as follows:

(1) Customary home occupation.

a. One (1) ground sign not to exceed six (6) square feet in area.

b. One (1) wall sign indicating the business name and entrance, not to exceed two (2) square feet in area.

c. One (1) sign indicating parking, not to exceed one (1) square foot in area.

(2) For sale or rent. One (1) sign not to exceed six (6) square feet located on the property being offered. The sign shall be located not less than two (2) feet from the front or side property line.

(3) Permitted place of worship.

a. One (1) ground sign not to exceed sixteen (16) square feet in area and eight (8) feet in height.

b. One (1) wall sign not to exceed thirty-two (32) square feet in area.

(4) One (1) temporary real estate development sign, not to exceed thirty-six (36) square feet, directing attention to a new residential subdivision. Such sign shall require a permit issued by the code enforcement officer. The permit shall be issued for a period of twelve (12) months and may be renewed one (1) time for twelve (12) months, upon application.

(5) Garage, tag, barn or similar temporary sale.

a. Not more than three (3) signs a maximum of three (3) square feet each, located on the property of the sale location.

b. These signs shall not be permitted more than three (3) times per calendar year at any one (1) property.

c. These signs shall only be placed five (5) days prior to the sale date and during the hours of the sale.

(6) Event notification signs.

- a. As approved by the code enforcement officer.
- b. Not to exceed three (3) square feet in area, when placed off site of the event.
- c. Not to exceed thirty-seven (37) square feet in area, when placed at the event site.
- d. Signs shall be removed within forty-eight (48) hours of the end time of the event.

(7) Yard signs as permitted in subsection 5-124(n).

(8) Multiple residence complex.

- a. One (1) ground sign to announce the name of the multiple residence complex, not to exceed sixteen (16) square feet in area and eight (8) feet in any direction.
- b. Directional business signs as approved by the code enforcement officer, not to exceed a maximum of six (6) signs.
- c. Building identification signs as approved by the code enforcement officer.

(b) *General regulations.* Permitted signs shall conform to the following specifications:

- (1) No sign shall be located closer than eight (8) feet to any lot line.
- (2) No ground sign shall be constructed to a height greater than eight (8) feet.

Sec. 5-127.- Residential Office zoning district.

(a) *Permitted signs.* Signs shall be permitted as follows:

(1) Customary home occupation.

- a. One (1) ground sign not to exceed six (6) square feet in area.
- b. One (1) wall sign indicating the business name and entrance, not to exceed two (2) square feet in area.
- c. One sign indicating parking, not to exceed one (1) square foot in area.

(2) For sale or rent. One (1) sign not to exceed six (6) square feet located on the property being offered. The sign shall be located not less than two (2) feet from the front or side property line.

(3) Event notification signs.

- a. As approved by the code enforcement officer.
- b. Not to exceed three (3) square feet in area, when placed off site of the event.
- c. Not to exceed thirty-seven (37) square feet in area, when placed at the event site.
- d. Signs shall be removed within forty-eight (48) hours of the end time of the event.

(4) Yard signs as permitted in subsection 5-124(n).

(5) Permitted place of worship.



a. One (1) ground identification sign not to exceed sixteen (16) square feet in area and eight (8) feet in height.

b. One (1) wall identification sign not to exceed thirty-two (32) square feet in area.

(6) One (1) temporary sign/banner per business is allowed for a maximum of two (2) weeks not more than six (6) times per calendar year, not to exceed a maximum of thirty-seven (37) square feet in area.

(7) Commercial uses.

a. *Ground signs.*

1. One (1) ground sign per lot, not to exceed twelve (12) feet in height.

2. No ground sign shall be greater than sixteen (16) square feet in area.

3. No ground sign shall have any dimension greater than ten (10) feet

b. *Wall signs.*

1. Not more than two (2) wall signs are permitted for each separate business occupancy located on any one (1) lot.

2. No wall sign shall be greater than sixteen (16) square feet in area.

3. No wall sign shall have any dimension greater than eight (8) feet.

(b) General regulations. Permitted signs shall conform to the following specifications:

(1) No sign shall be located closer than eight (8) feet to any lot line.

(2) No ground sign shall be constructed to a height greater than eight (8) feet.

Sec. 5-127.1. – Transitional Office and Transitional Neighborhood zoning district.

(a) Permitted signs. Signs shall be permitted as follows:

(1) Customary home occupation.

a. One (1) ground sign not to exceed six (6) square feet in area.

b. One (1) wall sign indicating the business name and entrance, not to exceed two (2) square feet in area.

c. One (1) sign indicating parking, not to exceed one (1) square foot in area.

(2) For sale or rent. One (1) sign not to exceed six (6) square feet located on the property being offered. The sign shall be located not less than two (2) feet from the front or side property line.

(3) Event notification signs.

a. As approved by the code enforcement officer.

b. Not to exceed three (3) square feet in area, when placed off site of the event.

c. Not to exceed thirty-seven (37) square feet in area, when placed at the event site.



d. Signs shall be removed within forty-eight (48) hours of the end time of the event.

(4) Yard signs as permitted in subsection 5-124(n).

(5) Permitted place of worship.

a. One (1) ground identification sign not to exceed sixteen (16) square feet in area and eight (8) feet in height.

b. One wall identification sign not to exceed thirty-two (32) square feet in area.

(6) One (1) temporary sign/banner per business is allowed for a maximum of two (2) weeks not more than six (6) times per calendar year, not to exceed a maximum of thirty-seven (37) square feet in area.

(7) Commercial uses.

a. Ground signs

1. One (1) ground sign per lot, not to exceed twelve (12) feet in height.

2. No ground sign shall be greater than twenty (20) square feet in area.

3. No ground sign shall have any dimension greater than ten (10) feet.

b. Walls signs.

1. Not more than two (2) wall signs are permitted for each separate business occupancy located on any one (1) lot.

2. No wall sign shall be greater than sixteen (16) square feet in area.

3. No wall sign shall have any dimension greater than ten (10) feet.

c. Changeable or electronic message type signs are permitted as follows: By a special permit issued by the town board. Electrically activated changeable signs and electronic message signs shall be lit with colors other than red.

Exception: Manually activated changeable signs are permitted to be installed where signs are permitted by this article.

(b) *General regulations.* Permitted signs shall conform to the following specifications:

(1) No sign shall be located closer than eight (8) feet to any lot line

(2) No ground sign shall be constructed to a height greater than eight (8) feet.

Sec. 5-127.2. – Gateway signs.

(a) Gateway signs shall be approved by special permit from the town board.

(1) The town board may request counsel and recommendations from the town planning board, the town zoning board of appeals or other town departments.

(b) Gateway signs shall be installed in locations along major thoroughfares in the Town of Vestal as approved by the town board. Not more than four (4) gateway signs shall be permitted within the boundaries of the town.

(c) Gateway signs shall adhere to all prescribed rules as noted on the gateway sign permit application, which may be amended from time to time as conditions warrant, and which shall be considered part of this local law for enforcement purposes.

(d) The maximum height of any gateway sign structure shall not exceed ten (10) feet above adjacent grade.

- (1) The town board may approve other heights as deemed necessary.
- (e) Any electronically activated changeable sign, incorporated into the design of a gateway sign, shall not have a display area greater than eight (8) feet by twelve (12) feet.
- (f) The architectural design of the sign shall include the message, "Welcome to the Town of Vestal" or similar greeting as approved by the town board.
- (g) Gateway signs only, may contain messages which include announcements for events, products, professions, business and etc. that are not located on the property on which the sign is located.
- (h) Gateway signs shall be properly maintained or removed as directed by the town in addition to other portions of this article.

Sec. 5-127.3. – Commercial and industrial districts.

(a) *Permitted signs.* The following signs shall be permitted for approved commercial/industrial uses in C-1, C-2, C-D, I and I-D zoning districts as provided below:

- (1) Directional business signs shall not exceed four (4) square feet for each business referred to on the sign and shall not exceed sixteen (16) square feet for entire sign.

- (2) Reserved.

- (3) One (1) sale sign not to exceed thirty-two (32) square feet shall be permitted to announce for sale or rent real property or any part thereof on which the sign is located.

- (4) Not in excess of three (3) signs not to exceed three (3) square feet each, advertising an open house, garage sale or similar purposes or advertising events, sales or activities of places of worship and other groups not operating for profit, provided that such signs are removed within seven (7) days of erection.

- (5) One (1) temporary sign/banner per business is allowed for a maximum of two (2) weeks not more than six (6) times per calendar year, not to exceed a maximum of thirty-seven (37) square feet in area.

- (6) One (1) outdoor merchandise sign for each type of merchandise legally for sale out-of-doors at the particular location.

- (a) Such sign may be a detached, portable or ground sign and shall be allowed in addition to the sign area permitted by this article.

- (b) Also permitted are such labels, tags, stickers, signs and printed packaging as may have been affixed to any merchandise at the time it was acquired by the seller.

- (7) Yard signs in the commercial and industrial zoning districts are prohibited except where approved by the Code Enforcement Official.

- (8) Business signs, subject to the following:

- Exception: Signs in plaza.

- a. In the case of parcels with street frontage of one hundred (100) feet or less, the following applies: The total area of all permitted signs on the premises or parcel shall not exceed fifty (50) square feet.

- b. In the case of parcels with street frontage of at least one hundred (100) feet and not more than one hundred fifty (150) feet: The total area of all permitted signs on the premises or parcel shall not exceed seventy-five (75) square feet. Individual signs shall not exceed a total of fifty (5) square feet in area.

- c. In the case of parcels with street frontage greater than one hundred fifty (150) feet, the following applies: The total area of all permitted signs on the premises or parcel shall not exceed one hundred (100) square feet plus one-quarter (.25) of a square foot for each linear foot

by which said street frontage exceeds one hundred fifty (150) feet, up to a maximum of two hundred (200) square feet of signs. Individual signs shall not exceed a total of one hundred (100) square feet.

(9) Ground signs.

a. No ground sign shall be erected to exceed a height of sixteen (16) feet above the level of adjacent grade.

b. The bottom of any ground sign within fifteen (15) feet of the entrance or exit or property line which may interfere with the sight distance of persons entering or exiting or on the highway shall be installed to provide for adequate and safe visibility.

c. Only one (1) ground sign structure is permitted on any property.

Exceptions:

1. Shopping plazas.

2. A maximum of two (2) ground signs shall be allowed on properties with street frontage of more than one hundred fifty (150) feet.

d. Adjoining business properties may erect a single joint ground sign structure which may be at the boundary of the two (2) properties.

1. Such signs shall conform to all stated restrictions on ground signs and all restrictions on maximum size for any one (1) sign.

2. No other ground sign structure is permitted to be erected on either of the properties sharing the joint ground sign.

(10) Wall signs. No wall sign shall cover wholly or partially any wall opening, nor project beyond the ends or top of the wall to which it is attached.

Exception: Where there are practical difficulties determined, that create a hardship due to an inadequate amount of wall height, the code enforcement officer may issue a permit for the sign to extend not over two (2) feet above the top of the wall.

(11) One (1) merchant/walkway sign per individual tenant space.

(12) Electrically activated changeable or electronic message type sign as follows:

a. Not more than one (1) sign is allowed for any individual business use.

b. Not more than one (1) sign is allowed on any property.

c. This type of sign is not allowed to be greater than forty (40) square feet in area and not greater than ten (10) feet in any dimension.

d. The maximum height to the top of any electrically activated changeable sign and electronic message sign mounted as a ground sign, shall not exceed fifteen (15) feet from adjacent grade.

e. Electrically activated changeable signs and electronic message signs shall be lit with colors other than red.

(b) *General regulations.* Permitted signs shall conform to the following specifications:

(1) No sign shall be located closer than eight (8) feet to any lot line.

Sec. 5-127.4. – Business directive sign.

(a) Approval to allow three (3) or more persons to erect a sign solely for directional or informational purposes may only be granted by the town board.

(b) Costs incurred by the town board shall be borne by the applicant. These include, but are not limited to:

- (1) Advertising a meeting or hearing.
- (2) Property survey(s).
- (3) Technical support costs.

(c) The proposed sign shall be of such character, intensity, size and location that it will be in harmony with orderly development of the district it is located in.

(d) The town board may develop and dictate the type, size and architecture of the sign, which may be uniformly required throughout the town.

(e) No other directions or information may be placed upon the sign other than outlined as follows:

- (1) The names of the persons located on the street or highway.
- (2) An indication of the geographical or commonly known designation of the area.

(f) The written permission of the owner of the property on which the directional or informational sign is to be located shall accompany the application.

Sec. 5-127.5. - Shopping plaza signs.

(a) All properties altered, reconfigured or reconstructed to meet the shopping plaza definition and shopping plazas constructed after August 1, 2010 shall be required to submit to the planning board for review and approval, a proposal for typical type, size and style of signs for that shopping plaza.

(b) Unless approved by the ZBA, the plan shall not establish requirements for greater signage amounts than is set forth in this section.

(c) After approval from the planning board, these submittals, as approved, shall dictate the permitted size and number of signs for the shopping plaza for each tenant space.

(d) Signs for existing shopping plazas shall be allowed as follows:

(1) Previously approved sign packages, formulas, ratios, size and quantity shall continue to be enforced unless there is a request by the property owner for approval of a new submittal to be reviewed as required in this article.

(2) Wall signs. One (1) wall sign is permitted for each individual tenant space as allowed below:

a. For tenant spaces with up to fifty (50) linear feet of store front width, wall sign length shall not exceed one-third (1/3) of the tenant store front width with a total sign area not to exceed forty (40) square feet and a total height not to exceed four (4) feet.

b. For tenant spaces with greater than fifty (50) linear feet of store front width, wall sign length shall not exceed one-third (1/3) of the tenant store front width with a total sign area not to exceed seventy (70) square feet and a total height not to exceed five (5) feet.

Exception: Tenant spaces which include a corner of a building may have two (2) wall signs. One (1) sign placed on each store front width. The total square feet permitted for these two (2) signs is not allowed to be greater than one and one-half (1½) times the amount allowed for one (1) sign as determined in the paragraphs above.

c. Electrically activated changeable signs and electronic message signs are permitted as wall signs only.

1. This type of sign is not allowed to be greater than forty (40) square feet in area and not greater than ten (10) feet in any dimension or the size allowed for in this section, whichever is smaller.

2. Not more than one (1) sign is allowed for any one (1) business.
3. Electrically activated changeable signs and electronic message signs shall be lit with colors other than red.

d. One (1) temporary banner per business is allowed for a maximum of two (2) weeks not more than six (6) times per calendar year, not to exceed a maximum of thirty-seven (37) square feet in area.

(3) Ground signs. Ground sign structures are permitted at a shopping plaza as follows:

a. For a shopping plaza with less than a total of five hundred (500) feet store front width, one (1) ground sign structure, located in the front yard or at the primary shopping plaza entrance, is permitted to announce the plaza and individual tenants.

This sign shall not exceed ten (10) feet in width and twelve (12) feet in height. The sign shall not be located closer than eight (8) feet to the front property line, or as permitted by the Planning Board.

b. For a shopping plaza with greater than five hundred (500) feet and less than one thousand (1,000) store front width, one (1) ground sign structure, located in the front yard or at the primary shopping plaza entrance, is permitted to announce the plaza and individual tenants.

This sign shall not exceed ten (10) feet in width and fifteen (15) feet in height.

c. For shopping plazas with greater than one thousand (1,000) feet total store front width, one (1) ground sign structure located at the primary shopping plaza entrance, is permitted to announce the plaza and individual tenants.

This sign is not to exceed sixteen (16) feet in width and twenty (20) feet in height.

d. Shopping plazas which have a secondary entrance for vehicular traffic may apply to the zoning board of appeals for approval of one (1) additional ground sign structure at that entrance.

(4) One (1) merchant/walkway sign per individual tenant space.

(e) Pad site signs are permitted as follows:

(1) Ground sign. A pad site building shall be permitted to have one (1) ground sign structure not to exceed twelve (12) feet in height, fifty (50) square feet in area and not exceeding ten (10) feet in any dimension. The sign shall not be located closer than eight (8) feet to the front property line, or as permitted by the Planning Board.

(2) Wall signs.

a. Wall signs are permitted on only two (2) sides of the building.

b. Each wall sign length shall not exceed one-third (1/3) of the tenant store front width with a total sign area not to exceed forty (40) square feet and a total height not to exceed four (4) feet.

(3) One (1) temporary sign/banner per business is allowed for a maximum of two (2) weeks not more than six (6) times per calendar year, not to exceed a maximum of thirty-seven (37) square feet in area.

Secs. 5-127.6-5-127.10. – Reserved

## DIVISION 5. – VIOLATIONS

### Sec. 5-127.11. – Violations.

(a) Signs that are illegal, prohibited, unsafe, improperly secured or constitute a hazard or a menace to the public or have been constructed or erected in violation of this article or any other applicable local, county or state law shall constitute a violation of this article of the Code.

Each day that a violation continues shall be a separate offense.

(b) Compliance orders.

(1) The code enforcement officer is authorized to order in writing the remedying of any condition or activity found to exist in, on or about any building, structure, or premises in violation of paragraph (a) of this section.

(2) Upon finding that any such condition or activity exists, the code enforcement officer shall issue a compliance order.

(3) The compliance order shall:

- a. Be in writing.
- b. Be dated and signed by the code enforcement officer;
- c. Specify the condition or activity determined to be in violation;
- d. Specify as necessary, the provision or provisions of the code(s) which is/are violated by the specified condition or activity;
- e. Specify the period of time which the code enforcement officer deems to be reasonable necessary for achieving compliance;
- f. Direct that compliance be achieved within the specified period of time.
- g. State that an action or proceeding to compel compliance may be instituted if compliance may be instituted if compliance is not achieved within the specified period of time.

(4) The code enforcement officer shall cause the compliance order, or a copy thereof, to be served on the owner and/or property manager and/or permit holder and/or other responsible person, in a manner which reasonably apprises the alleged offender, which may include but not be limited to, regular mail, certified mail, personal delivery and posting on the property.

(5) The code enforcement officer shall be permitted, but not required to, cause the compliance order, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other person taking part or assisting in work being performed at the affected property personally or by certified mail; provided, however, that failure to serve any person mentioned in this section shall not affect the efficacy of the compliance order.

(c) Appearance tickets. The code enforcement officer, any town police officer and each code inspector are authorized to issue appearance tickets for any violation of this article.

(d) Civil penalties.

(1) Any person who violates any provision of this article, or any term or condition of any sign permit, certificate of compliance, temporary certificate, stop work order or other notice or order issued by the code enforcement officer, shall be liable to a civil penalty of not more than two hundred dollars (\$200.00) for each day or part thereof during which such violation continues.

(2) The civil penalties provided by this subdivision shall be recoverable in an action instituted in the name of the town.

(e) Injunctive relief.



(1) An action or proceeding may be instituted in the name of the town, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of this article or any term or condition of any sign permit, certificate of compliance, temporary certificate, stop work order, or other order issued by the code enforcement officer pursuant to any provision of this article.

(2) No action or proceeding described in this subsection (e) shall be commenced without the appropriate authorization from the duly elected town board.

(f) Remedies not exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or remedy available to address any violation described in this section, and each remedy or penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this article.

Section 4. Any other local law, ordinance or resolution inconsistent herewith is hereby repealed.

Section 5. This Local Law shall take effect upon filing of this local law with the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

**Date of Publication: August 26, 2020**

**Date of Posting: August 26, 2020**

**Date of Public Hearing: September 16, 2020**

**Date of Adoption of Local Law:**

**Date Local Law Effective:**



(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 \_\_\_\_ of the (County)(City)(Town)(Village) of was duly passed by the Town of Vestal Board on \_\_\_\_\_ in accordance with the applicable provisions of law.

**2. (Passage by local legislative body with approval, no disapproval or re-passage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_ of 20 \_\_ of (County) (City) (Town) (Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_, and was (approved) (not approved) (repassed after disapproval) by the (Elective Chief Executive Officer\*) \_\_\_\_\_, and was deemed duly adopted on \_\_\_\_\_ 20 \_\_\_\_ 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 20 \_\_\_\_ of the (County)(City)(Town)(Village) of was duly passed by the \_\_\_\_\_ (Name of Legislative Body) on \_\_\_\_\_ 20 \_\_, and was (approved)(not approved) (re-passed after disapproval) by the (Elective Chief Executive Officer\*) \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_.

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 \_\_\_\_\_ 20 \_\_, 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 20 \_\_ of the (County)(City)(Town)(Village) \_\_\_\_\_ was duly passed by the (Name of Legislative Body) on \_\_\_\_\_ 20 \_\_, and was (approved)(not approved) (re-passed after disapproval) by the (Elective Chief Executive Officer\*) \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20 \_\_, in accordance with the applicable provisions of law.

**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 20 \_\_ 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 \_\_\_\_\_ 20 \_\_ , 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 20\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of \_\_\_\_\_ 20 \_\_, 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.

\* 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.

**(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 there from and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph, \_\_1\_\_ above.

*(Seal)*

\_\_\_\_\_  
Clerk of the county legislative body, City,  
Town or Village Clerk or officer designated  
by local legislative body

Date: \_\_\_\_\_