

Local Law Filing

12231

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

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

FILED
STATE RECORDS

AUG 16 2017

County

City of

Cooperstown

Town

Village

DEPARTMENT OF STATE

Local Law No. 12 of the year 2017

A local law to amend Chapter 227 (signs) of the Code of the Village of Cooperstown to regulate the placement of sandwich board signs

(Insert Title)

Be it enacted by the Board of Trustees of the

(Name of Legislative Body)

County

City of

Cooperstown

as follows:

Town

Village

Section 1. Section 227-2 (B) of the Code of the Village of Cooperstown is amended to add new definitions as follows.

FIXED-LOCATION ESTABLISHMENT – Any real property or portion thereof from which one or more services or one or more articles of merchandise are sold, or one or more Not-For-Profit Organizations operates. Restaurants and other businesses in which light manufacturing or processing are incidental to the sale of goods or services on the same premises are included in this definition. Home occupations and exterior lots for the display and sale of vehicles, heavy equipment, or manufactured housing are excluded from this definition. Vendors permitted under Chapter 276 and Vending, Peddling and Soliciting permitted under Chapter 277 are also excluded from this definition.

SIGN, SANDWICH BOARD — A freestanding portable sign composed of two panels set up in a triangle shape, hinged along the top, to form an inverted V.

Section 2. § 227-6 Specific Provisions of the Code of the Village of Cooperstown is amended by renumbering subsection C (Prohibited signs) as subsection D, subsection D (Supplemental provisions) as subsection E, and subsection E (Table 2) as subsection F, and by adding thereto a new subsection C as follows.

C. Sandwich board signs.

- (1.) Sandwich board signs shall not exceed two feet in width, with a maximum height of 42 inches.
- (2.) A sandwich board sign may only be used to advertise or promote an associated fixed-location establishment.
- (3.) Only one sandwich board sign may be used for its associated fixed-location establishment.
- (4.) A sandwich board sign may only be displayed during the regular business hours of its fixed-location establishment and shall be removed at the end of the business day.

- (5.) A sandwich board sign shall be constructed from durable materials, compatible with the materials of the building served, and present a finished appearance. Wood and metal are traditional, recommended materials. Rough-cut plywood, particle board, and plastic sandwich board signs are prohibited.
- (6.) Sandwich board signs may not be anchored to the sidewalk, or attached or chained to poles or other structures or appurtenances.
- (7.) Sandwich board signs must be weighted down or removed if winds gust to 20 miles per hour or more.
- (8.) Sandwich board signs may not be illuminated.
- (9.) Sandwich board signs may not be placed between the sidewalk and curb, whether that area is tree lawn or pavers.
- (10.) Sandwich Board signs allowed without a permit. A sandwich board sign may be used without a permit if all the following conditions are met.
 - (a.) The sandwich board sign shall be placed on private property on the same parcel as the fixed-location establishment.
 - (b.) The sandwich board sign shall be placed so as not to interfere with or obstruct vehicular or pedestrian traffic and a minimum of five feet of unobstructed passage must be maintained on any sidewalk.
- (11.) Sandwich Board signs allowed with a permit. A sandwich board sign may be used on public property if all the following conditions are met and a permit received.
 - (a.) An applicant for a sandwich board sign permit shall apply as set forth in § 227-4 (C) (1), except no fee shall be required.
 - (b.) The sandwich board sign may only be on public property immediately adjacent to its associated fixed-location establishment.
 - (c.) The application shall be accompanied by a scaled drawing that depicts the associated building's width, the distance from the wall of the building to the street, the location at which the proposed sandwich board sign will be placed, and the entrance to the associated fixed-location establishment.
 - (d.) The applicant shall provide proof of liability insurance in an amount determined from time to time by resolution of the Board of Trustees, which names the Village as an additional insured.
 - (e.) The Planning Board may only grant a sandwich board sign permit if it finds that the sandwich board sign's placement will not interfere with or obstruct vehicular or pedestrian traffic, and that a minimum of five feet of unobstructed passage will be maintained on the sidewalk.
 - (f.) In cases where a building adjoins a public sidewalk, a sandwich board sign shall be no more than one foot from the façade of the building.
- (12.) The Village of Cooperstown reserves the right and power to order the removal of sandwich board signs at any time because of anticipated or actual problems or conflicts in the use of the sidewalk area. These situations include, but are not limited to pedestrian traffic, festivals, parades, marches, road races, repairs to the street or sidewalk, or any emergencies occurring in the area.

Section 3. § 227-6 (D) (4) (d) of the Code of the Village of Cooperstown is amended as follows.

No sign shall be portable except for temporary A-frame signs on residential parcels (See Figure 12) or as permitted by § 227-6 (C).

Section 4. EFFECTIVE DATE

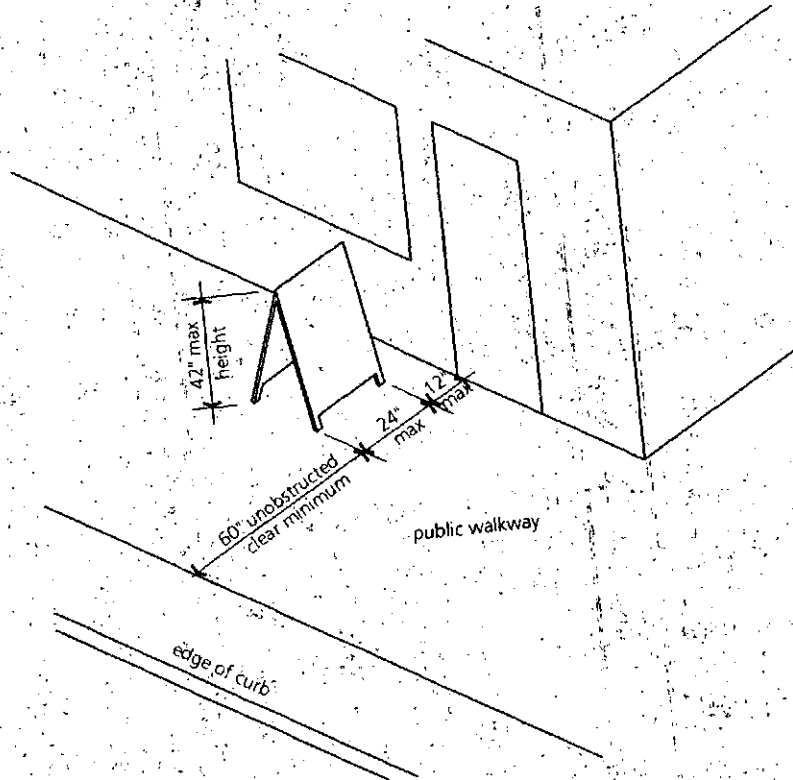
This Local Law shall take effect immediately upon filing with the Secretary of State of the State of New York.

SIGNS

227 Attachment 2

Village of Cooperstown

Graphic Sketches of Common Sign Types



13. Sandwich Board on Public Property

(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. 12 of 2017 of the ~~(County)~~(City)(Town)(Village) of Cooperstown was duly passed by the Board of Trustees on Aug. 8, 2017, in accordance with the applicable provisions of law.
(Name of Legislative Body)

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

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.
(Elective Chief Executive Officer)*

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 _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ 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.
(Elective Chief Executive Officer)*

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ 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.
(Elective Chief Executive Officer)*

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 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 November _____ 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.

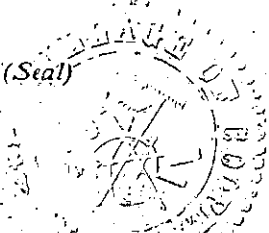
(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

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 _____, above.

[Handwritten Signature]

Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: August 8, 2017



(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 OTSEGO

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature _____

Village Attorney

Title _____

County _____

City _____

of Cooperstown

Town _____

Village _____

Date: August 8, 2017