

**VILLAGE OF CAYUGA HEIGHTS
LOCAL LAW 1 OF THE YEAR 2011**

**A LOCAL LAW ESTABLISHING AN EXEMPTION FOR PORTABLE SHEDS
FROM THE ZONING PERMIT REQUIREMENTS OF SECTION 20 OF THE VILLAGE
OF CAYUGA HEIGHTS ZONING ORDINANCE**

Be it enacted by the Board of Trustees of the Village of Cayuga Heights as follows:

Section I. PURPOSE AND INTENT.

The purpose of this Local Law is to establish exemptions for Portable Sheds (as defined herein) from the permit requirements of Section 20 of the Village of Cayuga Heights (the “Village”) Zoning Ordinance. The intent of this Local Law is to allow Village of Cayuga Heights' residents the opportunity to have a Portable Shed on their property without the requirement to obtain a permit from the Village, provided that the Portable Shed meets the requirements stated herein. Further, the intent is to specifically allow any Portable Shed that was in existence on the effective date of this Local Law to remain in its current location if such existing Portable Shed satisfies the requirements herein, even if it is located within the restricted portion of a yard. However, in the event that any existing Portable Shed located within the restricted portion of a yard is relocated or replaced in the future, it must comply with the yard set back requirements set forth herein.

Section II. AUTHORITY.

This Local Law is enacted pursuant to the grant of powers to local governments provided for in (i) Section 10 of the Municipal Home Rule Law to adopt and amend local laws not inconsistent with the provisions of the New York State Constitution or not inconsistent with any general law relating to its property, affairs, government or other subjects provided for in said Section 10 of the Municipal Home Rule Law and (ii) Section 3-300 of Village Law.

Section III. PERMIT EXEMPTION AND LEGALIZATION OF CERTAIN EXISTING
PORTABLE SHEDS.

As of the effective date of this Local Law, Portable Sheds (as defined herein) shall be exempt from the Village of Cayuga Heights zoning permit process, specifically Section 20 of the Zoning Ordinance. No more than one (1) Portable Shed will be allowed on any lot. The square footage of Portable Sheds shall not be included in lot coverage calculations. Portable Sheds shall comply with the following yard set back restrictions, measured at right angles to the property lines:

Front Yard	25 feet
Side Yard	3 feet
Rear Yard	3 feet

For the purpose of this Local Law "Portable Sheds" shall be defined as a building or structure that:

- A. has a maximum area of 144 sq/ft, including any roof eaves or overhangs;
- B. has a maximum height of 10 feet, measured from the lowest point of the grade to the peak of the roof;
- C. does not have any exterior wall greater than 8 feet in height, measured from the lowest point of the grade to the top of the wall;
- D. does not have any exterior wall greater than 12 feet in length;
- E. neither has a permanent foundation nor is affixed by any means to the ground;
- F. may not be occupied by persons; and
- G. has no heat, electricity, air conditioning, or water service, and has no connection to any public utility.

Any building or structure that satisfies the definition of a Portable Shed, that is located within the required set back areas of a lot, and that is in existence on the effective date of this Local Law will be deemed legal and may remain in its current location until the time it is relocated or replaced. Any Portable Shed that is placed on a lot after the effective date of this Local Law shall comply with all requirements of this Local Law.

Section IV. SUPERSEDING EFFECT.

All Local Laws, resolutions, rules, regulations and other enactments of the Village of Cayuga Heights in conflict with the provisions of this Local Law are hereby superseded to the extent necessary to give this Local Law full force and effect.

Section V. VALIDITY.

The invalidity of any provision of this Local Law shall not affect the validity of any other provision of this Local Law that can be given effect without such invalid provision.

Section VI. EFFECTIVE DATE.

This Local Law shall be effective as of the date of filing with the New York Secretary of State, except that it shall be effective from the date of service as against a person served with a copy thereof, certified by the Village Clerk, and showing the date of its passage and entry in the Minutes of the Village Board of Trustees.