

VILLAGE OF CAYUGA HEIGHTS

A LOCAL LAW AMENDING THE VILLAGE OF CAYUGA HEIGHTS ZONING ORDINANCE TO PERMIT LOCAL TOURIST-ORIENTED DIRECTIONAL SIGNS WITHIN DESIGNATED AREAS OF THE VILLAGE OF CAYUGA HEIGHTS

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

SECTION I. PURPOSE & INTENT.

It is the purpose and intent of this local law to amend of the Village of Cayuga Heights Zoning Ordinance so as to:

- A. Authorize, with a permit and Planning Board approval, local tourist-oriented directional signs within designated areas of the Village of Cayuga Heights;
- B. Clarify the permitted locations of local tourist-oriented directional signs within designated areas of the Village of Cayuga Heights; and
- C. Designate the Superintendent of Public Works of the Village of Cayuga Heights as the individual responsible for providing certain approvals for the specific location of local tourist-oriented directional signs permitted within or adjacent to a public or private right-of-way, and to clarify such approval process.

SECTION II. AMENDMENT TO THE VILLAGE OF CAYUGA HEIGHTS ZONING ORDINANCE.

Article IX (entitled "Zoning") of the Village of Cayuga Heights is hereby amended to include a new Section, entitled Local Tourist-Oriented Directional Signs, as follows:

LOCAL TOURIST-ORIENTED DIRECTIONAL SIGNS

A. Definitions:

Local tourist-oriented directional sign -- any ground-mounted free-standing directional sign [other than a New York State tourist-oriented directional sign (separately defined herein) over which the Village has no jurisdiction] to be situated within the Village of Cayuga Heights that is (i) to be used to provide local directional guidance (i.e., subsequent turns or critical decision points) to a tourist oriented business within the Village as a supplement to a New York State tourist-oriented directional sign situated at an intersection on a conventional highway or expressway, and (ii) required in accordance with

the New York State Supplement to the National Manual of Uniform Traffic Control Devices and as part of the approval by the New York State Department of Transportation of a New York State tourist-oriented directional sign; such tourist-oriented businesses within the Village include gas stations, restaurants, hotels, motels, resorts and golf courses.

New York State tourist-oriented directional sign -- any directional sign (i) under the jurisdiction of New York State, (ii) for use to guide traffic from the New York State numbered route system to tourist-oriented businesses not located on the system, and (iii) provided for in the New York State Supplement to the National Manual of Uniform Traffic Control Devices.

B. The following signs are permitted with a permit and Planning Board approval:

- 1. Local tourist-oriented directional sign (see definition herein) no greater in size than two and one-half (2.5) square feet and the top of which being no higher than nine (9) feet above the ground.**
 - a. Prior to the issuance of the required permit for a local tourist-oriented directional sign, the proposed sign must be approved by the Planning Board of the Village of Cayuga Heights.**
 - b. Upon receipt of a completed permit application for a tourist-oriented directional sign, such application shall be referred by the Zoning Officer to the Planning Board Chairperson, whereupon (i) the application shall be scheduled for review by the Planning Board within thirty-one (31) days following the receipt of the application by the Planning Board Chairperson (or such subsequent meeting date to which the Planning Board Chairperson and applicant may agree); and (ii) the applicant shall be notified by the Zoning Officer of such scheduled meeting date. No public hearing shall be required. The Planning Board's determination shall be made within thirty-one (31) days following the meeting at which the application is reviewed by the Planning Board; provided, however, that the time within which the Planning Board must render its decision may be extended by mutual consent of the applicant and the Board.**
 - c. No approval of a local tourist-oriented directional sign will be granted by the Planning Board unless the proposed sign meets all of the following requirements:
 - (i) such local tourist-oriented directional sign will not obstruct or impair vision or traffic, or in any way create a nuisance, hazard or otherwise be detrimental to or endanger the public health, safety or general welfare;****

(ii) such local tourist-oriented directional sign will not be injurious to the use and enjoyment of other property in the vicinity or neighborhood;

(iii) such local tourist-oriented directional sign is appropriate in appearance and in harmony with the design and color of the New York State tourist-oriented directional sign (see definition herein) giving rise to the necessity for such local tourist-oriented directional sign;

(iv) the specific location of such local tourist-oriented directional sign is approved by the Village Superintendent of Public Works. Signs may not be erected or maintained within a public or private right-of-way without the written approval of the owner of such right-of-way and any authority having jurisdiction over such right-of-way, if any.

d. Any previously approved local tourist-oriented directional sign shall be removed in the event that (i) it is no longer required in accordance with the New York State Supplement to the National Manual of Uniform Traffic Control Devices as part of the approval by the New York State Department of Transportation of a New York State tourist-oriented directional sign, or (ii) it is no longer required because the York State tourist-oriented directional sign originally necessitating the local tourist-oriented directional sign has been removed. In the event that the Zoning Officer determines that removal of the local tourist-oriented directional sign so required, he or she shall so notify the record owner of the sign at the owner's last know address by registered or certified mail, (return receipt requested), such notice to provide a period of thirty (30) days from the date of such written notice for the sign to be removed. If the sign is not removed within the required thirty (30) day period, the Zoning Officer may remove the sign and thereafter assess all costs and expenses incurred in such removal against the record owner of such sign.

SECTION III. SUPERCEDING 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 superceded to the extent necessary to give this local law full force and effect.

SECTION IV. 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 V. EFFECTIVE DATE.

This Local Law shall be effective upon (i) its filing in the office of the Secretary of State and (ii) ten (10) days after publication and posting as required by law; provided, however 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.