

VILLAGE OF MORAVIA

LOCAL LAW # 1 OF 1988

VILLAGE OF MORAVIA COMPREHENSIVE ZONING AND LAND USE LAW

BE IT ENACTED BY THE VILLAGE BOARD OF TRUSTEES

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VILLAGE OF MORAVIA COMPREHENSIVE ZONING AND LAND USE LAW

ARTICLE I: PREAMBLE

Sec. 100 PURPOSE

Pursuant to the authority conferred by Section 7.700 of the Village Law of the State of New York and in order to encourage the most appropriate use of land; and protect and conserve the value of property; and promote the health, safety and general welfare of the community, this law has been established; to regulate the location, use, and occupancy of buildings and the use of land for trade, industry, residence, and other uses; to regulate and limit the height and bulk of buildings and other structures; to regulate and determine the area of yards and other open spaces; to regulate the density of population; and for said purposes, to divide the Village into districts; to provide for its enforcement and administration; and to prescribe penalties for the violations of its provisions, the Board of Trustees of the Village of Moravia does hereby enact the following Comprehensive Zoning and Land Use Law.

Sec. 101 INTENT

Regulations and districts as set forth in this Law have been made with reasonable consideration as to, among other things, the nature of development in the surrounding region, the character of each district and its suitability for particular uses, and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the Village.

ARTICLE II: SHORT TITLE

This Law may be known and may be cited as the Village Zoning Law.

ARTICLE III: DEFINITIONS

Sec. 300 For the purpose of this Law, certain terms and words used herein shall be interpreted to have the following meaning:

Sec. 300.01 Words used in the present tense include the future;

Sec. 300.02 The singular include the plural;

Sec. 300.03 The word "person" includes a corporation, partnership, and association, as well as an individual. The use of any gender shall be deemed to include any other gender.

Sec. 300.04 The words "lot", "plot", or "parcel" have the same meaning and may be used interchangeably in this Law;

Sec. 300.05 The term "shall" is intended be to mandatory;

Sec. 300.06 The words "used" or "occupied as applied to any land or building or otherwise mentioned in this Law shall be construed to include the words "intended, arranged, or designed to be occupied..

Sec. 301 DEFINITIONS (see Amendment Attachment)

For the purpose of the Law, certain terms and words are herewith defined as follows:

Sec. 301.01 ACCESSORY USE: A use customarily incidental and subordinate to the principal use, and located on the same lot with such principal use.

Sec. 301.02 AREA REGULATIONS: The regulation of building size, set-backs or yard, parking and loading requirements and similar regulations, but excluding performance standards.

Sec. 301.03 AUTO-WRECKING YARD: The use of any area or portion of any lot whether inside or outside a building for the temporary storage of automobiles awaiting dismantling, and the dismantled parts of automobiles, or for the dismantling, cutting, demolition and burning of automobiles.

Sec. 301.04 BASEMENT: That space of a building that is partly below grade which has more than half of its height, measured from floor to ceiling, above the average established grade of the ground adjoining the building. (See also CELLAR)

Sec. 301.05 BUFFER STRIP, BUFFERING: A strip of land, generally adjacent to a property line, in which a screen of planting is installed and planted with deciduous and evergreen trees and shrubs in any combination deemed by the Code Enforcement Officer to be dense enough and high enough to be a visual buffer between properties. If approved by the Planning Board, a decorative screen may be used as a substitute for planting.

Sec. 301.06 BOARDING HOUSE: An owner occupied dwelling in which no more than four persons, in addition to the owner's family, are housed or lodged, with or without meals, for payment of rent. A dwelling shall be deemed a boarding house when more than one room within it is available for rent. A rooming house.

Sec. 301.07 BUILDING: Any structure covered by a roof supported by columns or by walls and intended for shelter, housing, or enclosure of persons, animals, or chattel.

Sec. 301.08 BUILDING, ACCESSORY: A building, the use of which is customarily incidental and subordinate to that of a principal building, and located on the same lot herewith.

Sec. 301.09 BUILDING, ALTERATION OF: As applied to a building or a structure means a change or rearrangement in the structural parts or in the exit facilities, or an enlargement, whether by extending on a side or by increasing height, or the reduction, or the moving from one location or position to another.

Sec. 301.10 BUILDING COVERAGE: That percentage of the total lot area covered by buildings.

Sec. 301.11 BUILDING, DETACHED: A structure which has open space on all four sides.

Sec. 301.12 BUILDING, FRONT LINE OF: The line of that face of the building nearest the front line of the lot. The face shall include bay windows, covered porches whether closed or unenclosed, or any projections thereof, which are over fifty (50) square feet in area.

Sec. 301.13 BUILDING, HEIGHT OF: The vertical distance from the mean finished grade to the highest point of the building measured at the street side of the building.

Sec. 301.14 BUILDING, PRINCIPAL: A building in which is conducted, or intended to be conducted, the principal use of the lot, on which the building is located.

Sec. 301.15 CAR LOT: Premises used for selling or offering for sale of two or more vehicles at any one time.

Sec. 301.16 CELLAR: That space of a building that is partly below grade which has more than half its height, measured from floor to ceiling, below the finished grade of the ground adjoining the building.

Sec. 301.17 CHANNEL: A natural or artificial watercourse, with a definite bed and banks to confine and conduct continuously or periodically flowing water.

Sec. 301.18 COMMON OPEN SPACE: A parcel of land or an area of water, or a combination of land and water, designed and intended for the private or public use. Common open space may contain such complementary structures and improvements as are necessary and appropriate for the benefit and enjoyment of the space.

Sec. 301.19 COMMUNITY CENTER: An education or recreation center or other similar facility operated by an educational, philanthropic, religious, or governmental institution or agency.

Sec. 301.20 CONDOMINIUM: A multi-family project of one family dwelling units which may consist of one, a part, or more than one building wherein the real property title and ownership are vested in an owner who has an undivided interest with others in the common usage areas and facilities which serve the development. The means of administration and maintenance of common areas are mutual entered into by the respective owners.

Sec. 301.21 DEVELOPER: Shall mean the legal or beneficial owner or owners of all the land proposed to be included in a Planned Development. The holder of an option or contract to purchase, a lessee having a remaining term of not less than twenty years, or other person having an enforceable proprietary interest in such land, shall be deemed to be a Developer for the purposes of this Law.

Sec. 301.22 DRIVE-IN THEATER: A drive-in theater is an open lot or part thereof with its appurtenant facilities devoted to the showing of motion pictures on a paid admission basis to patrons seated in automobiles.

Sec. 301.23 DWELLING UNIT: Any room or group of rooms located within a residential building and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking, and eating by one family.

Sec. 301.24 DWELLING, SINGLE FAMILY: A building containing a one family dwelling unit.

Sec. 301.25 DWELLING, TWO FAMILY: A building containing two single family dwelling units.

Sec. 301.26 DWELLING, MULTIPLE: A building or portion thereof containing three (3) or more dwelling units.

Sec. 301.27 DWELLING, MANUFACTURED HOME: A housing unit incorporating structures or components designed for residential occupancy, constructed by a method or system of construction whereby the structure or component is wholly or in substantial part manufactured in a manufacturing facility and is intended for permanent installation on a building lot.

Sec. 301.28 DWELLING, MOBILE HOME: A moveable living unit manufactured off-site and designed to be transported on its own wheels or those of another vehicle or vehicles and designed to be used as a single family detached residence and provided with the following mechanical systems and equipment; sleeping accommodations, flush toilet, tub or shower, kitchen facilities, and plumbing and electrical connections designed for outside hook-up. A mobile home shall also mean a movable unit designed for office or business use.

Sec. 301.29 DWELLING, TOWNHOUSE: A multi-story single family dwelling unit attached to other similar dwelling units utilizing common open space and parking.

Sec. 301.30 ELECTRICAL DISTRIBUTION SUBSTATION: A place with or without a building where equipment is assembled or placed and designed to receive energy from a high-voltage distribution supply system, so as to convert it to a form suitable for local distribution and to distribute the energy to feeders through switching equipment designed to protect the service from the effect of faults.

Sec. 301.31 FAMILY: One or more persons occupying a dwelling unit and living as a single housekeeping unit.

Sec. 301.32 FLOOD, 100 -YEAR: the highest level of flood that, on average, is likely to occur once every 100 years. The base flood.

Sec. 301.33 FLOODABLE AREA: That area as indicated on the official Flood Hazard Boundary Maps for the Village of Moravia shall be construed to be within the floodable area.

Sec. 301.34 FLOOR AREA: The sum or the gross horizontal area of the several floors in any building including the basement of a building and its accessory buildings on the same lot,

and including the area of enclosed porches and enclosed terraces, but excluding basements and enclosed terraces, but excluding basements and accessory buildings which are not used or intended to be used for human occupancy. All dimensions shall be measured between exterior dimensions shall be measured between exterior faces of walls.

Sec. 301.35 GARAGE, COMMERCIAL: Any structure or building used in the business of storing, repairing, selling, greasing, washing, servicing, adjusting, or equipping motor vehicles.

Sec. 301.36 GARAGE, PRIVATE: An enclosed space for the storage of one or more motor vehicles and within which space no business activity or industry, connected directly or indirectly with motor vehicles, is conducted.

Sec. 301.37 GASOLINE STATION: Any area of land, including structures and buildings thereon, that is used for the sale of gasoline or oil or other fuel for the propulsion of motor vehicles and which may include facilities for polishing, greasing, washing, spraying, dry cleaning or otherwise cleaning, repairing, and servicing such motor vehicles.

Sec. 301.38 GRADE-MEAN FINISHED: The average grade level of the ground measured at the street side of the building.

Sec. 301.39 HIGHWAY RIGHT-OF-WAY: That line which measures the right-of-way of any road and which is established by the Town, County, or State agency having jurisdiction over the road.

Sec. 301.40 HOME OCCUPATION: A clearly subordinate use of a dwelling for commercial or service purposes when such use is not detrimental to the residential character of the lot on which such use is located, or of the surrounding neighborhood, and which meets the special conditions specified in Section 702.11 of this law.

Sec. 301.41 KENNEL: A land use or structure for the harboring for gain, or more than two dogs or cats that are more than six months old.

Sec. 301.42 LANDSCAPING: The act of changing or enhancing the natural features of a plot of ground (usually around a building) so as to make it more attractive as by adding lawns, trees, bushes, fences, etc.

Sec. 301.43 LIVING AREA: That area comprised of the enclosed occupied living accommodations within a residence, exclusive of unfinished basements, garages, open porches.

Sec. 301.44 LOADING SPACE: An off-street space, area or berth, with an appropriate means of access to a street or way, intended for the temporary parking of a vehicle while loading or unloading merchandise or materials.

Sec. 301.45 LOT: A piece or parcel of land occupied or capable of being occupied by a principal building or a group of such buildings and accessory buildings or utilized for a principal

use and uses, accessory or incidental to the operation thereof, together with such open spaces as required by this law and having frontage on a public street.

Sec. 301.46 LOT, CORNER: A lot situated at the junction of and fronting on two or more intersecting streets or highways.

Sec. 301.47 LOT, DEPTH: The mean distance from the street line of the lot to its opposite rear line measured in the general direction of the sidelines of the lot.

Sec. 301.48 LOT, FRONT LINE: The lot line, which abuts upon a street or highway right-of-way boundary.

Sec. 301.49 LOT, WIDTH: The mean horizontal distance measured at right angles to its depth parallel to the front lot line.

Sec. 301.50 MINING: The act of removing any natural resources from the land. This includes, but is not limited to, the removal of rock, gravel, sand, top soil, and underground materials.

Sec. 301.51 MOBILE HOME PARK: Any lot, place, or parcel of ground whereupon two (2) or more mobile homes are located or parked for occupancy.

Sec. 301.52 MOTEL: A building or group of buildings providing rental sleeping rooms and which may also include dining rooms, kitchens, serving rooms, ballrooms and other facilities and services intended primarily for the accommodation of the personal needs of transient public.

Sec. 301.53 MOTOR FREIGHT STATION: An area or building used primarily for the maintenance and/or storage of trucks, tractor-trailer vehicles, and parts for tractor-trailer vehicles and industrial materials.

Sec. 301.54 NONCONFORMING BUILDING: A building or structure existing at the time of enactment of the Law which does not conform to the area regulations of the district or zone in which it is situated but otherwise complies with all federal, state, and local laws, rules and regulations.

Sec. 301.55 NONCONFORMING USE: A use of land existing at the time of enactment of the Law which does not conform to the use regulations of the district or zone in which it is situated but otherwise complies with all federal, state, and local laws, rules and regulations. The filing or approval of a map or a plan including a subdivision map or plan prior to the effective date of the Law shall not constitute a "use of land" within the meaning of this definition.

Sec. 301.56 NURSING OR CONVALESCENT HOME: Any establishment for hire where persons are housed and furnished with meals and nursing care.

Sec. 301.57 PARKING LOT: Any space used for the storage of more than three vehicles on

a continuing basis, such space either being for hire or accessory to an existing building or use of land.

Sec. 301.58 PARKING SPACE, OFF STREET: An off-street area, or berth, with an appropriate means of vehicular access and egress to a street, intended for the temporary storage of vehicles.

Sec. 301.59 PERFORMANCE STANDARD: A criterion established to control noise, odor, dust, dirt, vibration, noxious gases, glare, smoke, water pollution, and explosive hazards, or visual pollution generated by or inherent in the use of land or buildings.

Sec. 301.60 PORCH: Any extension of a building, covered or uncovered, excluding steps.

Sec. 301.61 PLAN: The design of a development, including a plat or sub-division, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, private street, ways and parking facilities. The phrase "provision of the Plan" when used in these regulations shall mean the written and graphic materials referred to in this definition.

Sec. 301.62 PROFESSION: A vocation, occupation or employment involving labor, skill, education, and special knowledge.

Sec. 301.63 PUBLIC AND SEMI-PRIVATE UTILITY USE: A building, structure or lot used for or in connection and the transmission, distribution or regulation of water, gas, electric, telephone, or other public service.

Sec. 301.64 REAR YARD DEPTH: The distance between the rear lot line and the nearest point of a building.

Sec. 301.65 RECREATION AREAS: Land or structures designed for recreation.

Sec. 301.66 RESTAURANT: A building wherein food or beverages are available for on-site consumption including drive-in food service.

Sec. 301.67 ROOMING HOUSE: A building containing a dwelling unit and rooms for the rooming and/or boarding of three or more periods of not less than one week.

Sec. 301.68 SCREENING: Fences, bushes, trees, or other and/or artificial material which obscures any building or use of land.

Sec. 301.69 SHOPPING CENTER: A lot used for two or more commercial use units, attached or detached, which relate to a common parking area, and common points of ingress and egress and common circulation patterns.

Sec. 301.70 SIDE YARD WIDTH: The distance between the sideline of the lot and the nearest point of a principal building.

Sec. 301.71 SIGN: Includes any permanent or temporary structure or part thereof or any device attached, painted or represented directly or indirectly on a structure or other outdoor surface that shall display or include any letter, word, insignia, flag, or representation used as, or which is in the nature of, an advertisement, announcement, visual communication or direction, or is designed to attract the eye or bring the subject to the attention of the public in a positive manner.

Sec. 301.72 SIGN, AUDIO-ANIMATED: movement on any portion thereof.

Sec. 301.73 SIGN, OFF-PREMISES: A sign which directs attention to a person, business, profession, product, home occupation, or activity not conducted on the same lot.

Sec. 301.74 SIGN, ON-PREMISES: A sign which directs attention to a person, business, profession, home occupation, or activity conducted on the same lot. A "for sale" or "for rent" sign relating to the lot on which it is displayed shall be deemed an "on premises" sign.

Sec. 301.75 STREET: Any public way dedicated to public vehicular travel. Street shall be taken as synonymous with road or highway.

Sec. 301.76 STREET, CENTERLINE: The line determined by connecting the midpoint of the surfaced portion of any street, road, or highway.

Sec. 301.77 STREETLINE: Limit of street or highway. For the purposes of this Law, street line shall be the curb line of the street.

Sec. 301.78 STRUCTURE: Materials assembled, constructed, or erected, the use of which requires location on the ground or attachment to something having location on the ground.

Sec. 301.79 SWIMMING POOL: Any body of water or receptacle for water having a depth at any point greater than two (2) feet, used or intended to be used for swimming, and constructed, installed or maintained in or above the ground. A swimming pool shall be deemed a structure for all purposes under the provisions of this Law.

Sec. 301.80 YARD: An open space unobstructed from the ground up, on the same lot with a principal structure, extending along a lot line or street line and inward to the structure. The size of a required yard shall be measured as the shortest distance between the structure and a lot line or street line.

Sec. 301.81 YARD, FRONT: A yard between a principal structure and a street line and extending the entire length of the street line. In the case of a corner lot, the yards extending along all streets are front yards. In the case of a lot other than a corner lot that fronts on more than one street, the yards extending along all streets are front yards.

Sec. 301.82 YARD, REAR: A yard between a principal structure and a rear lot line

extending the entire length of the rear lot line.

Sec. 301.83 YARD, SIDE: A yard between a principal structure and a side lot line, extending from the front yard to the rear yard. In the case of a lot having no street frontage or a lot of odd shape, any yard that is not a front yard or a rear yard shall be considered a side yard.

Sec. 301.84 BED AND BREAKFAST: An owner-occupied dwelling in which no more than nine persons, in addition to the owners' family, are housed or lodged, with or without the morning meal, for a payment of rent. A dwelling shall be deemed a bed and breakfast when one or more rooms are available for rent and a morning meal is provided for transient guests.
(Local Law # 3 of 1990 amendment)

ARTICLE IV: DISTRICTS

Sec. 400 ESTABLISHMENT OF DISTRICTS

For the purpose of this Law, the Village of Moravia is hereby divided into the following districts:

RResidential District
CBD.....Central Business District
C.....Commercial
COM/LT.....Commercial/Light Industrial District
AG.....Agricultural District
A/R.....Agricultural/Recreational District

Sec. 401 ZONING MAP

Said districts are shown, defined and bounded on a Map entitled, "Village of Moravia Zoning District Map" adopted and certified by the Village Clerk, which accompanies and which, with all explanatory matter thereon, is hereby made a part of this Law.

***Amended by Local Law # 1 of 1990 to read as follows:

The Zoning Map of the Village of Moravia is hereby changed so as to modify the western boundary of the Commercial Light Industrial District (CL Zone). This boundary is currently the western most property lines of the western most properties within said zone. The new western boundary shall be the boundary of the floodway at its eastern most point from the Owasco Inlet, approximately 1000 feet east of the Village's western boundary when measured on West Cayuga Street and approximately 850 feet east of the Village's western boundary when measured on Aurora Street. Said floodway shall be as determined by the Federal Emergency Management Agency on the Floodway Map prepared in accordance with the National Flood Insurance Program effective September 30, 1982 or thereafter amended by that agency. The northern, southern and eastern boundaries of the CL Zone shall not be changed.

The above referenced FEMA Map is attached and hereby made a part of the Zoning Map of the Village of Moravia.

The Village Clerk, with the assistance of a civil engineer or such other qualified person as maybe designated by the Board of Trustees, shall make changes on said map as directed by the Board of Trustees. The original of said map shall be filed in the Office of the Village Clerk and shall be available for public inspection.

Amended by Local Law # 1 of 1994 to read as follows:

a) The approximately .25 acre parcel of land located at 7 East Cayuga Street in the Village, and further identified as tax parcel No. 210.10-1-37 is removed from the residential district; and

b) The approximately .25 acre parcel of land which is located at 7 East Cayuga Street in the Village, and further identified as tax parcel No. 210.10-1-37 is hereby re-zoned as part of the Central Business District.

Amended by Local Law # 6 of 1994 to read as follows:

The approximately 1/2 acre parcel of land located at 31 Central Street in the Village, and further identified as tax parcel No. 210.13-2-8 is removed from the residential district; and

The approximately 1/2 acre parcel of land which is located at 31 Central Street in the Village, and further identified as tax parcel No. 210.13-2-8 is hereby re-zoned as part of the Central Business District.

Sec. 402 DISTRICT BOUNDARIES

Where uncertainty exists with respect to the boundary of any district shown on the Village of Moravia Zoning district Map, the following rules shall apply:

Sec. 402.01

Where district boundaries are so indicated as to approximately follow lot lines, such lot lines shall be construed to be such district boundaries.

Sec. 402.02

Where district boundaries are indicated as approximately following roads or highway centerline, or highway, or railroad right-of-way lines, such lines shall be construed to be such boundaries.

Sec. 402.03

Where uncertainty exists in determining the precise location of any district boundary line, the Zoning Board of Appeals with advice from the Village Planning Board shall interpret the intent and purpose of the land use district map.

ARTICLE V: GENERAL PROVISIONS

Sec. 500 APPLICATION OF REGULATIONS

Except as hereinafter provided:

Sec. 500.01

No building of land shall hereafter be used or occupied, and no building or part thereof shall be erected, moved, or altered except in conformity with the regulation herein set for the for the district in which it is located.

Sec. 500.02

Any parcel of land with an area or width less than that prescribed for a lot in the district in which such a lot is situated, which at the time of the adoption of this law was under one (1) ownership and when the owner thereof owns no adjoining land, may be used for a purpose permitted in the district without obtaining a variance from the Board of Appeals, provided that all other regulations prescribed for the district by this Law shall be complied with.

Sec. 501 LOTS IN MORE THAN ONE DISTRICT

Where a district boundary line divides a lot, the regulations of either portion of the lot may at the owner's option be extended up to fifty feet beyond the boundary if the district.

Sec. 502 PRINCIPAL BUILDINGS PER LOT

Except by variance, there shall be no more than one principal building per lot.

Sec. 503 EXCEPTIONS

Sec. 503.01

The provisions of Schedule II shall not prevent reconstruction of a single-family dwelling, provided that the yard requirements are observed, on any lot was lawful when created and which prior to the effective date of this Law was in separate ownership duly recorded by plot or deed.

Sec. 503.02 HEIGHT EXCEPTION

The limitation of height as set forth in Schedule II shall not apply to towers or spires of churches.

Sec. 503.03 COMPLETION

Nothing in this article shall prohibit the completion of any structure of conforming use for which excavation has been prepared and the foundation walls and/or slabs constructed prior to the enactment of this Law, provided, however, that the construction must be completed within a period of one (1) year from the date. Structures of nonconforming uses must be completed by the date of enactment of this Law.

ARTICLE VI: USE REGULATIONS

Sec. 600 APPLICABILITY OF REGULATIONS

Except as provided by law or in this Law, in each district no building, structure, or land shall be used or occupied except for the purpose permitted and for the districts so indicated, as set forth in Schedule I of this Law.

Sec. 601 SCHEDULE OF REGULATIONS

Regulations for land uses or activities permitted in the various districts, or land uses or activities having special conditions attached to them, or for which a special permit is required, are set forth in Schedule I. Regulations for lot size, yards, building height and similar density and area height and similar density and area requirements are set forth in Schedule II. Both said schedules are hereby adopted and made part of this Law.

Sec. 602 USES PERMITTED AND USES NOT PERMITTED

A land use or activity not set forth in Schedule I is not permitted in the Village of Moravia except that uses or activities which are similar to those which are permitted in the district may be

permitted by the Zoning Board of Appeals.

Sec. 603 USES SUBJECT TO OTHER REGULATIONS

In addition to the regulations set forth in this Law, all uses permitted in the Village of Moravia shall be subject to the New York State Uniform Fire Prevention and Building Code and all other relevant regulations of the State, County, and Village.

SEC. 604 SCHEDULE I: LAND USES AND ACTIVITIES

R = Residential
 CBD = Central Business District
 C/L = Commercial/Light Industrial
 A/R = Agricultural/Recreational
 AG = Agricultural
 C = Commercial

P = Permitted by Right
 NP = Not Permitted in District
 SC = Permitted with Special Conditions (see Sec. 702)
 SP = Special Permit Required

LAND USE OR ACTIVITY	<u>R</u>	<u>CBD</u>	<u>C/L</u>	<u>A/R</u>	<u>AG</u>	<u>C</u>	<u>REFERENCE</u>
1. Tilling of the soil	SC	SC	P	P	P	P	Sec 702.1
2. Dwelling, Single Family	P	P	P	P	P	P	
3. Dwelling, Two Family	P	P	P	NP	NP	P	
4. Dwelling, Town House	NP	P	P	NP	NP	P	
5. Dwelling, Mobile Home	SC	SC	SC	NP	NP	NP	Sec 702.2

6. Conversion of an existing building into a 2 family dwelling	SC	P	P	SC	SC	P	Sec 702.3
7. Dwelling, Multiple Family	NP	SC	SC	NP	NP	SC	Sec 702.4
8. Hospital, Nursing Home	SC	SC	SC	NP	NP	SC	Sec 702.5
9. Place of Worship	SC	SC	SC	NP	NP	SC	Sec 702.6
10. Public School	P	P	P	P	P	P	
11. Private School	SC	SC	SC	SC	SC	SC	Sec 702.7
12. Library, Museum	SC	SC	SC	NP	NP	P	Sec 702.8
13. Community Center, Adult Education and Recreation Center	SC	SC	SC	NP	NP	SC	Sec 702.9

SEC. 604 SCHEDULE I: LAND USES AND ACTIVITIES

P = Permitted by Right
 NP = Not Permitted in District
 SC = Permitted with Special Conditions
 (See Sec. 702)
 SP = Special Permit Required

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LAND USE OR ACTIVITY	<u>R</u>	<u>CBD</u>	<u>C/L</u>	<u>A/R</u>	<u>AG</u>	<u>C</u>	<u>REFERENCE</u>
14. Day Nursery; Nursery School; Kindergarten & similar facility	SC	SC	SC	NP	NP	SC	Sec. 702.10
15. Customary Home Occupation	SC	SC	SC	SC	SC	SC	Sec. 702.11
16. Noncommercial Greenhouse	P	P	P	P	P	P	
17. Private Garage	P	P	P	P	P	P	
18. Swimming Pool, Private	SC	SC	SC	SC	SC	SC	Sec. 702.12

19. Fence, Wall, Landscaping	SC	SC	SC	SC	SC	SC	Sec. 702.13
20. Off-Street Parking	SC	SC	SC	SC	SC	SC	Sec. 702.14
21. Sign	SC	SC	SC	SC	SC	SC	Sec. 702.15
22. Boarding House	SC	SC	SC	SC	SC	SC	Sec. 702.16
23. Club, Lodge	NP	P	P	NP	NP	P	
24. Medical or Dental Office	NP	P	P	NP	NP	P	
25. Office	NP	P	P	NP	NP	P	
26. Bank	NP	P	P	NP	NP	P	
27. Radio and TV Studio	NP	P	P	NP	NP	NP	

SEC. 604 SCHEDULE I: LAND USES AND ACTIVITIES

P = Permitted by Right
 NP = Not permitted in District
 SC = Permitted with Special Conditions
 (See Sec. 702)
 SP = Special Permit Required

LAND USE OR ACTIVITY	<u>R</u>	<u>CBD</u>	<u>C/L</u>	<u>A/R</u>	<u>AG</u>	<u>C</u>	<u>REFERENCE</u>
28. Retail and Commercial Business such as food, drugs, sundries, books, dry goods, appliances, furniture, sporting goods, gifts, flowers	NP	P	P	NP	NP	SC	Sec. 702.20
29. Personal Services such as barber, beauty and tailor shop	NP	P	P	NP	NP	P	
30. Laundry, Dry-cleaning,							

self serve and pick-up station	NP	P	P	NP	NP	P	
31. Clothing and shoe shop	NP	P	P	NP	NP	P	
32. Repair of household items	NP	P	P	NP	NP	P	
33. Restaurant	NP	P	P	NP	NP	P	
34. Photo Studio	NP	P	P	NP	NP	P	
35. Bowling Alley, skating rink	NP	P	P	NP	NP	P	
36. Theater (except Drive-in)	NP	P	P	NP	NP	P	
37. Veterinary Clinic, Animal Hospital	NP	NP	P	SC	SC	P	Sec. 702.2

SEC. 604

SCHEDULE I: LAND USE AND ACTIVITIES

P = Permitted by Right
 NP = Not Permitted in District
 SC = Permitted with Special Conditions
 (See Sec. 702)
 SP = Special Permit Required

LAND USE OR ACTIVITY	<u>R</u>	<u>CBD</u>	<u>C/L</u>	<u>A/R</u>	<u>AG</u>	<u>C</u>	<u>REFERENCE</u>
38. Kennel	NP	NP	NP	NP	NP	NP	
39. Garage, Commercial	NP	NP	P	NP	NP	P	
40. Auto Sale and Rental	NP	NP	P	NP	NP	P	
41. Car Wash	NP	NP	P	NP	NP	P	
42. Theater, Drive-in	NP	NP	P	NP	NP	NP	
43. Miniature Golf Course	NP	NP	P	NP	NP	P	
44. Hotel, Motel	NP	P	P	NP	NP	NP	
45. Mobile Home Park	NP	NP	SC	NP	NP	NP	Sec. 702.21

46. Production, processing, cleaning, servicing, testing repair or storage of materials, goods, or products	NP	NP	SC	NP	NP	NP	Sec. 702.18
47. Research, experimental and testing laboratory	NP	NP	SC	NP	NP	NP	Sec. 702.18
48. Assembly of optical, mechanical & other equip.	NP	NP	SC	NP	NP	NP	Sec. 702.18
49. Nursery, Greenhouse	NP	NP	SC	SC	SC	NP	Sec. 702.19

SEC. 604 SCHEDULE I: LAND USE AND ACTIVITIES

P = Permitted by Right
 NP = Not Permitted in District
 SC = Permitted with Special Conditions
 (See Sec. 702)
 SP = Special Permit Required

LAND USE OR ACTIVITY	<u>R</u>	<u>CBD</u>	<u>C/L</u>	<u>A/R</u>	<u>AG</u>	<u>C</u>	<u>REFERENCE</u>
50. Wholesale, Storage, Warehouse	NP	NP	SC	NP	NP	NP	Sec. 702.19
51. Delivery and Distribution Center	NP	NP	SC	NP	NP	NP	Sec. 702.19
52. Dry Cleaning and Dyeing Plant	NP	NP	SC	NP	NP	NP	Sec. 702.19
53. Printing and Publishing Plant	NP	NP	SC	NP	NP	SC	
54. Tavern	NP	NP	P	NP	NP	NP	
55. Gasoline Station	NP	NP	P	NP	NP	NP	

(see Amendment Attachment for additional uses)

**SECTION 605 SCHEDULE II
TABLE OF DIMENSIONAL REQUIREMENTS**

	Minimum Lot Area (sq. ft.)	Minimum Lot Width	Minimum Yard Setbacks			Maximum Building Coverage	Maximum Building Height
			Front	Rear	Side		
R Single Family Dwelling	12,000	100'	25'	15'	25'	40%	35'
R Two Family Dwelling	24,000	100'	25'	15'	25'	40%	35'
CBD Permitted Uses	3,000	20'	10'	9'	0* **	70%	35'
Com./Lt. Permitted Uses	12,000	100'	50'	20'	20*	50%	35'
A/R Permitted Uses	20,000	100'	25'	9'	25'	20%	35'
AG Permitted Uses	40,000	200'	25'	15'	25'	20%	35'
C Permitted Uses	20,000	200'	25'	20'	20'	20%	35'

* In all cases where commercial use abuts residential area, a ten (10) foot buffer zone is required.

** In the CBD, corner lots should front on Main Street with a minimum of five (5) feet setback on the other street to allow for sidewalks.

ARTICLE VII: SPECIAL CONDITIONS AND SPECIAL PERMITS

Sec. 700 INTENT

The intent of this Article VII is to set for the supplemental regulations, procedures and conditions which shall apply to certain land use activities in the Village of Moravia which are incongruous or sufficiently different in terms of their nature, location, and potential effect on the surrounding environment and the quality of the community, and which warrant special evaluation of each individual case.

Sec. 701 APPLICABILITY

No zoning permit shall be issued by the Code Enforcement Officer for any land use or activity listed in Schedule I as having special conditions applicable (SC) or requiring a special permit (SP) until the Code Enforcement Officer is satisfied that the applicable regulations set forth in this Article VII have been complied with or that a variance to such regulations has been duly granted.

Sec. 702 SPECIAL CONDITIONS

The Code Enforcement Officer shall issue a Zoning Permit for the following uses only when satisfied that applicable special conditions, as set forth in this Section 702, have been complied with, in addition to all other requirements of this Law.

Sec. 702.1 TILLING OF THE SOIL IN R DISTRICT

Permitted when such tilling activity is related to a domestic garden and not a commercial farming operation.

Sec. 702.2 DWELLING, MOBILE HOME IN R, CBD, C/L DISTRICTS

**** (Local Law # 3 of 2000 amends Local Law # 2 of 1986 and Local Law # 3 of 1986) ****

Permitted when such mobile home complies with Local Law # 2 of 1986 as amended.

Sec. 702.3 CONVERSION OF AN EXISTING BUILDING INTO A TWO FAMILY DWELLING IN R, A/R, AG DISTRICT

Permitted when:

- a. Each dwelling unit shall have a minimum floor area of 600 square feet and at least 12,000 square feet of lot area.
- b. At least two off-street parking spaces shall be provided on the same lot as the building being converted
- c. Except as may be necessary for purposes of safety, there shall be no major structural changes to the exterior of the building and, after conversion, the building shall retain substantially the same appearance it had before conversion.

Sec. 702.4 MULTIPLE FAMILY DWELLING IN CBD, C, C/L DISTRICTS

Permitted when:

- a. Building contains not more than six (6) dwelling units.
- b. Structure in not more than three (3) stories in height
- c. A minimum of four hundred (400) square feet of living space is provided for each dwelling unit.
- d. One (1) off-street parking spaced is provided for each dwelling unit.

Sec. 702.5 HOSPITAL, NURSING HOME IN R, CBD, C, C/L

Permitted when:

- a. A lot area of not less than two (2) acres shall be provided.
- b. Lot area shall be increase by 1,000 sq.ft. over the initial two (2) acres for each bed over the initial forty (40) beds.

Sec. 702.6 PLACE OF WORSHIP IN R,CBD, C, C/L DISTRICTS

Permitted when any housing, which is provided for religious personnel, meets the requirements of this Law.

Sec. 702.7 PRIVATE SCHOOL IN ALL DISTRICTS

Permitted when:

- a. Such activity is not conducted as a gainful business.
- b. Living accommodations for faculty or students shall meet the minimum residential requirements of this Law and the State of New York.

Sec. 702.8 LIBRARY, MUSEUM IN R, CBD, C/L DISTRICTS

Permitted when:

- a. Such use is open to the public or connected with permitted educational use and not conducted as a private gainful business.
- b. Adequate off-street parking can be provided.

Sec. 702.9 COMMUNITY CENTER, ADULT EDUCATION AND RECREATION CENTER IN R, CBD, C, C/L DISTRICTS

Permitted when:

- a. Such activity is operated by an educational, philanthropic or religious institution and not conducted as a private gainful business.
- b. A lot area of not less than one (1) acre is provided.
- c. No outdoor active recreation area shall be located nearer to any lot line than the required yard depth.
- d. Outdoor play areas shall be sufficiently screened and sound insulated as to protect the neighborhood from inappropriate noise and other disturbance.

Sec. 702.10 DAY NURSERY, NURSERY SCHOOL, KINDERGARTEN AND SIMILAR FACILITY IN R, CBD, C, C/L DISTRICTS

Permitted when:

- a. Day care is given to no more than thirty (30) children and the teacher/student ratio is no greater than 1:10.
- b. Outdoor play areas shall be sufficiently screened to protect the neighborhood from inappropriate noise or other disturbance.
- c. Any facility accommodating more than ten (10) children shall have a minimum lot area of one (1) acre.

Sec. 702.11 CUSTOMARY HOME OCCUPATION IN ALL DISTRICTS

Permitted when:

- a. Such activity is carried on wholly indoors and within the principal building by the occupant thereof or in another structure accessory to the principal building.
- b. Such activity is clearly incidental and secondary to the use of the dwelling for residential purposes.
- c. There is no use of show windows or display or advertising visible outside the premises to attract customers or clients other than the home occupation announcement sign as permitted.
- d. No external alterations, additions, or changes to the structure shall be required to accommodate or facilitate the home occupation.
- e. The floor area devoted to such activity is less than twenty-five percent of the total floor area of the dwelling unit, and in no event more than five hundred (500) square feet of floor area.
- f. No offensive noise, odor, vibration, smoke, dust, heat, humidity, glare, or other objectionable effects shall result from the home occupation.

Sec. 702.12 SWIMMING POOL, PRIVATE IN ALL DISTRICTS

Permitted when such facility is incidental to a permitted use and not provided as an independent principal use, and in compliance with the provisions of Section 910 of this Law.

Sec. 702.13 FENCE, WALL, LANDSCAPING IN ALL DISTRICTS

Permitted when the traffic visibility requirements of this Law can be complied with. (See Sec. 906)

Sec. 702.14 OFF STREET PARKING IN ALL DISTRICTS

Permitted subject to the provisions and requirements of Section 801 of this Local Law.

Sec. 702.15 SIGN IN ALL DISTRICTS

Permitted when in compliance with the provisions and regulations of Section 911 of this Law.

Sec. 702.16 BOARDING HOUSE IN ALL DISTRICTS

Permitted when at least one off-street parking place can be provided for each room available or rent.

Sec. 702.17 MOBILE HOME PARK IN C/L DISTRICT

**** (Local Law # 3 of 2000 amends Local Law # 2 of 1986 and Local Law # 3 of 1986) ****

Permitted in accordance with Local Law # 2 of 1986 as amended.

Sec. 702.18 PRODUCTION, PROCESSING, CLEANING, SERVICING, ETC. OF MATERIALS, GOODS OR PRODUCTS; RESEARCH, EXPERIMENTAL AND TESTING LABORATORIES; ASSEMBLY OF EQUIPMENT IN C/L DISTRICT

Permitted when such uses or activities can be carried out in compliance with the performance standards set forth in Section 909 of this Local Law.

Sec. 702.19 NURSERIES, GREENHOUSES IN C/L, AG, A/R DISTRICTS; WHOLESALE, STORAGE, WAREHOUSES, DELIVERY AND DISTRIBUTION CENTERS, DRY CLEANING, AND DYEING PLANTS AND SIMILAR USES IN COM/LT AND C DISTRICTS

Permitted when such uses or activities can be carried out in compliance with the performance standards set forth in Section 909 of this Local Law.

Sec. 702.20 RETAIL AND COMMERCIAL BUSINESSES IN C DISTRICT

Specifically excluded are adult book and video stores and retail liquor stores.

Sec. 702.21 VETERINARY CLINIC, ANIMAL HOSPITAL IN A/R, AG DISTRICTS

Buffer strips are required and setbacks are increased to twenty-five (25) feet from all adjacent property.

Sec. 702.22 BED AND BREAKFAST IN ALL DISTRICTS

**** (Local Law # 3 of 1990 amendment) ****

Permitted when:

- a. Such activity is carried on wholly indoors and within the principal building by the occupant thereof or in another structure accessory to the principal building.
- b. There is no use of show windows or display or advertising visible outside the premises to attract customers or clients other than the home occupation announcement sign as permitted.
- c. There is no exterior storage of materials.
- d. No external alterations, additions, or changes to the structure shall be required to accommodate or facilitate the bed and breakfast other than those required to meet building or safety codes so that the bed and breakfast retains its predominately residential character.

- e. No offensive noise, odor, vibration, smoke, dust, heat, humidity, glare, or other objectionable effects shall result from the bed and breakfast.
- f. A minimum of one off-street parking space shall be provided for each guest room and two off-street parking spaces shall be provided for the owner-occupant.
- g. The bed and breakfast shall be owner-occupied.

702.23 (see Amendment Attachment)

ARTICLE VIII: OFF STREET PARKING AND LOADING

Sec. 800 GENERAL PROVISIONS

- a. Except in the Central Business District, off-street parking space shall be required for all buildings constructed or new uses established after the effective date of this Law. Each off-street space shall consist of at least two hundred (200) square feet with a minimum width of ten (10) feet. In addition, space necessary for aisles, maneuvering and drives shall be provided.
- b. For uses not specified in Section 801 the Board of Appeals shall, on appeal, allow require parking consistent with those specified in this section.
- c. For any building having more than one (1) use, parking shall be required as provided for each use.
- d. No automobile or other vehicle shall be parked between the dwelling and the street line except in compliance with Section 800 paragraph f.
- e. Floor area for the purposes of computing parking requirements shall be the sum of the horizontal area within exterior walls of the several floors of a building; excluding basement, cellar, and attic areas used primarily for storage or service.
- f. All required off-street parking and loading spaces shall be adequately drained and provide with a paved or graveled surface and necessary access drives.
- g. Off-street parking spaces set forth in Sec. 801 of this Law shall be considered to be required space on the lot on which it is located and shall not be encroached upon in any manner by non-parking activities. If such space cannot be reasonably provided on the same lot on which the principal use is located, the Board of Appeals may permit such space to be provided on other property located within reasonable walking distance from such principal use. Such off-site parking space assigned to a principal use on another lot shall not thereafter be reduced or encroached upon in any manner.
- h. In the Central Business District the off-street parking schedule should be considered as

recommended, rather than required. However, all efforts should be made to develop off-street parking.

Sec. 801 OFF-STREET PARKING SCHEDULE

USE	MINIMUM SPACE REQUIRED
1. Dwelling	Two (2) spaces for each dwelling unit
2. Rooming house, Boarding house, tourist home, motel, hotel	One (1) space for each guest room
3. Administrative, professional, institutional or utility office.	One (1) space for each 400 sq. ft. of gross floor area plus one (1) space for each employee on premises, with a minimum of three (3) spaces
4. Funeral Home	Fifteen (15) spaces, plus space for employees and residential staff cars
5. Church or temple assembly	One (1) space for each four (4) seating spaces in main room
6. Private school	Two (2) spaces for each classroom
7. Theater or other	One (1) space for each four (4) seating spaces place of assembly
8. Nursing or Convalescent home	One (1) space for each four (4) beds plus one (1) space for for each employee on premises
9. Retail store or bank	One (1) space for each four hundred (400) sq. ft. of gross floor area
10. Club or restaurant	One space for each seventy-five (75) sq. ft. of gross floor area
11. Bowling alley	Four (4) spaces for each alley
12. Whole sale, storage, freight terminal or utility use	One (1) space for each two thousand (2000) sq. ft. of gross floor area
13. Industrial use or manufacturing use	One (1) space for each two (2) employees on the maximum working shift

14. Home Occupation	Maximum of one (1) space for each two hundred fifty (250) sq. ft. of floor area devoted to such use
15. Drive-in restaurant	One space for each four seats in the restaurant with a minimum of twenty-four (24) spaces being required
16. Commercial or shopping center	Five (5) spaces per thousand (1000) sq. ft. of gross leasable floor area
17. Bed and Breakfast (*LL#3 of 1990 amendment*)	One (1) space for each guest room and two (2) for the owner occupant

Parking space requirements are minimum unless otherwise stated. If calculations indicate that a partial space is required, a full space shall be provided. Example: calculations indicated 6.4 spaces required; seven should be provided.

Sec. 802 OFF-STREET LOADING

- a. At least one (1) off-street loading berth shall be provided for each commercial or industrial establishment hereafter erected or substantially altered to have a gross floor area in excess or five thousand (5000) sq. ft., computed as described below. Space for off-street loading shall be in addition to space for off-street parking.
- b. Each berth shall be not less than twelve (12) feet wide and forty (40) feet long.
- c. Space for such berth may occupy any part of any required side or rear yard, except no such berth shall be located closer than one hundred (100) feet to a residential district lot line unless wholly within a completely enclosed building.

ARTICLE IX: ADDITIONAL REGULATIONS

Sec. 900 APPLICABILITY

Regulations and criteria related to special aspects of the land use and development in the Village of Moravia are set forth in this Article IX and are hereby incorporated into, and made part of this Law.

Sec. 901 PUBLIC UTILITIES

Installations of public utilities shall be reviewed by the Planning Board for possible undergrounding where proposed in any residential district as it applies to telephone, television cable, and electric facilities.

Sec. 902 FLOOD AREAS

Construction in any district must conform to the regulations of the Federal Flood Emergency Management Act and Local Law # 1 of 1987.

Sec. 903 BUFFER STRIP REQUIRED

Where residential and commercial uses abut, a buffer strip of not less than ten feet in width shall be provided and maintained along the side and rear property lines of the commercial use.

Sec. 904 ABANDONED VEHICLES

No unregistered motor vehicle, automobile, automobile trailer or other vehicles shall remain outside, uncovered on any property within any district within the Village. When such vehicle has been so dismantled or parts removed therefrom or otherwise abandoned so that such vehicle may be incapable of operation or use for a period of thirty (30) continuous days, it must be protected with secure covering to obstruct view of the vehicle by at least ninety (90) percent from all directions. Acceptable coverings include plastic or canvas tarpaulin or equal or better materials.

Abandoned vehicles shall be governed by the rules and regulations established under Local Law #4 of 1986, "A Local Law to Regulate Junk Yards". **** (Local Law # 2 of 1990 amendment) ****

Sec. 905 ABANDONED CELLAR HOLES, WELLS, SWIMMING POOLS AND BUILDINGS

Within six (6) months after work on any excavation for a building has begun, such excavation shall be covered over or refilled by the owner to the normal grade. Any building substantially destroyed by any cause or rendered incapable of its intended use shall be rebuilt or demolished within six (6) months.

Any excavation or cellar hole three (3) feet or more in depth remaining after the demolition or destruction of a building from any cause or abandoned well or swimming pool shall be permanently covered over or filled by the owner within one (1) month.

Sec. 906 FENCES

Any fence or wall built within ten (10) feet of any street line or within thirty-five (35) feet of the centerline of any intersection shall be of open construction, such as wire, wood, picket, or iron and shall not exceed four (4) feet in height. Hedges or other dense foliage built within ten (10) feet of the centerline of any intersection shall not exceed three (3) feet in height.

Sec. 907 STORAGE AND DUMPING

Sec. 907.01

On any lot or plot no storage of junk shall be permitted except in accordance with provisions of Local Law # 4 of 1986.

Sec. 907.02

All spaces between buildings and structures shall be kept sufficiently free and clear of materials of every nature for the purpose of providing adequate light, air, and protection against fire.

Sec. 907.03

Dumping of refuse or waste material is prohibited in all districts within the Village except for the purpose to establish grades, for which a special permit must be obtained from the Board of Appeals.

Sec. 908 SATELLITE TELEVISION RECEIVERS

Private satellite television receivers exceeding two and one-half (2.5) feet in diameter are restricted to rear yard placement or conforming satellite receivers must not exceed three (3) feet in height.

Sec. 909 PERFORMANCE STANDARDS

Sec. 909.01 ODOR

It shall be unlawful for any person to permit the emission of any odor that is unreasonably offensive as measured at the individual property lines.

Sec. 909.02 GLARE

It shall be unlawful for any person to carry on a process at such a location, such that a continuous direct or sky-reflected glare, including but not limited to floodlights or from high temperature processes such as combustion or welding, so as to cause glare to impair the vision of the driver of any motor vehicle.

Sec. 909.03 FIRE AND SAFETY HAZARDS

All buildings, operations, storage, waste disposal, etc., shall be in accordance with applicable provisions of the latest published edition of the New York State Uniform Fire Prevention and Building Code.

Sec. 909.04 OPEN STORAGE

It shall be unlawful for any person to permit the open storage of any material, scrap or waste material without screening, such as a fence, hedge or other barrier at least eight (8) feet high, that makes the open storage invisible to the persons passing in a normal manner any property line facing a public right-of-way. Location of said screening shall be subject to the front, side and rear yard restrictions provided, however, protective fencing, decorative planting, etc., shall not be subject to these restrictions.

Sec. 910 PRIVATE SWIMMING POOLS (see amendments)

Private swimming pools may be installed in Residential districts only as accessory to a dwelling for the private use of the owners or occupants of such dwellings and their guests, or as accessory to a nursery school or day camp for children under the following conditions:

Sec. 910.01

Such pool shall be erected in the rear yard of the premises (except the side yard, in the case of a corner lot or a double lot, may be used if all other requirements of the Law are met) and when an in ground pool type shall be surrounded by a good quality and well maintained fence, not less than four feet in height. Fencing requirements pertaining to above ground pools may be waived provided the requirements of Section 910.02 are met.

Sec. 910.02

***Amended by Local Law # 1 of 1993 to read as follows:

If the sidewall height of an above ground pool is less than 24 inches, no fence shall be required. If the deck or pool top of an above ground pool is at least 46 inches above the adjoining grade, no fence shall be required as long as the access ladder or steps to the pool can be blocked in an approved manner when the pool is not in use.

Sec. 910.03

***Amended by Local Law # 1 of 1993 to read as follows:

Such pool shall not be erected closer than twelve (12) feet from the rear and side property lines of the premises and, in the case of a corner lot, closer than twenty-five (25) feet from any street line along an abutting street.

Sec. 910.04

Amended by Local Law # 1 of 1993 to read as follows: Such pool shall not occupy more than forty percent (40%) of the area of the rear yard or side yard excluding all garage or other accessory structures located in such area.

Sec. 911 SIGNS

All land activities permitted by Schedule I of this Law, or permitted by variance, may provide on-premises signs if such signs are in accordance with the specifications set forth in this Section 911.

Sec. 911.01 PERMITS

All on-premises signs over twelve (12) square feet in area and all off-premises signs over two (2) square feet in area except governmental signs regardless of size shall require the issuance of a sign permit before erection or replacement. Applications for sign permits shall be made to the Village Clerk who shall issue a permit for any sign which complies with all of the regulations contained herein.

Sec. 911.02 GENERAL REGULATIONS

The following general regulations shall apply to all signs unless otherwise noted:

1. No sign shall have visible moving or movable parts of flashing, animated or intermittent illumination.
2. No sign shall project over a public thoroughfare.
3. No sign shall be located within ten (10) feet of any side property.
4. The height of all signs in all districts shall not exceed twenty feet.

Sec. 911.03 ON-PREMISES SIGNS

1. In any residential district there shall be no more than one (1) sign per parcel. The area of any such sign, including the home occupation announcement sign, shall be limited to six (6) sq. ft.
2. In other districts, the area of any single sign shall be limited to twenty-four (24) square feet.
3. The total area of all signs shall not exceed fifty (50) square feet.

Sec. 911.04 OFF-PREMISES SIGNS

No off-premises sign or other advertising device shall be permitted except as follows:

1. Signs directing patrons, members, or an audience to temporary exhibits, shows, or events and signs erected in conjunction with a political election shall be permitted subject to the following requirements:
 - a. No such sign shall exceed twenty-four (24) square feet in area.
 - b. Signs shall be removed within two (2) weeks after the date of the exhibit, show, event or election.
 - c. No permit shall be issued for the erection of such signs until a deposit shall be made with the Village Clerk in accordance with a fee schedule adopted by the Village Board to guarantee removal within the time prescribed. Failure to remove such signs within the time

prescribed shall result in forfeiture of the deposit.

d. No such sign shall be posted earlier than two (2) weeks before the occurrence of the event to which it relates.

2. Official traffic signs and other official federal, state, county, village or town government signs are permitted.

ARTICLE X: NONCONFORMING USES

Sec. 1000 CONTINUATION OF A NONCONFORMING USE

The lawful use of any land existing at the time of the enactment of the law may be continued, although such use does not conform with the provisions of the Law except as hereinafter provided. Nonconforming use right is conveyed with property ownership.

Sec. 1001 EXTENSION OR ENLARGEMENT

No land use permit shall be issued and no nonconforming use shall hereafter be extended or enlarged except following authorization by the Board of Appeals as a special extension.

Sec. 1002 ABANDONMENT

When a nonconforming land use has been discontinued or abandoned for a period of twelve (12) consecutive months, or for a total of eighteen (18) months in any twenty-four (24) month period, such use shall not, thereafter, be re-established, and future use of such property shall be in compliance with the provisions of this Law.

Sec. 1003 RESTORATION

Sec. 1003.01

Any nonconforming building which has been damaged by fire or other natural cause to the extent of sixty percent (60%), or more, of the Fair Market Value of any improvements on the land, shall only be repaired or rebuilt in the conformity with the regulations of this Law unless such conformity is made impossible or impracticable due to the size, shape or other geographic limitation of the lot on which it is located. In such cases the reconstructed structure shall not exceed the height, area, or volume of the damaged structure.

Sec. 1003.02

Reconstruction or restoration shall begin within twelve (12) months from the date of damage and shall be carried on without interruption. Notwithstanding the above, any damaged nonconforming structure which is determined to be unsafe or a hazard to public health or safety shall be subject to any other Village, County, or State regulations related to unsafe buildings.

Sec. 1003.03

Nothing in this Law shall prevent the strengthening or restoring to a safe condition any wall, floor, or roof which has been declared unsafe by the Code Enforcement Officer.

Sec. 1004 REVERSION

No nonconforming use shall, if once changed into a conforming use, be changed back again into a nonconforming use.

Sec. 1005 NONCONFORMING LOT

Any lot which does not meet the applicable minimum area and frontage regulations of Schedule II of this Law shall not be further reduced in size.

ARTICLE XI: ADMINISTRATION

Sec. 1100 ENFORCEMENT

Sec. 1100.01 CODE ENFORCEMENT OFFICER

The provisions of this Law shall be administered and enforced the Code Enforcement Officer who shall be appointed by the Village Board. It shall be the duty of the Code Enforcement Officer and he/she will have the power to:

1. Receive and examine applications for permits and to refer applications to the Planning Board for review and recommendation, when required or deemed advisable.
2. Issue permits and certificates of occupancy only when there is compliance with the provisions of this Law and with other Village Local Laws provided, however, the issuance of a permit shall not be deemed a waiver of the requirements of any other Village, County, or State Law.
3. Receive application for special permits and forward these applications to the Zoning Board of Appeals for action.
4. Following refusal of a permit, to receive applications for appeals from alleged error by the Code Enforcement Officer, or for variances and forward these applications within three (3) days to the Zoning Board of Appeals for action thereon.
5. Conduct inspections and surveys to determine compliance or non-compliance with the terms of this law.
6. Issue stop, cease, and desist orders, and order in writing correction of all conditions found to be in violation of the provisions of this Law. Such written orders shall be served

personally or by certified mail upon persons, firms, or corporations deemed by the Code Enforcement Officer to be violating the terms of this Law. It shall be unlawful for any person to violate any such order lawfully issued by the Code Enforcement Officer, and any person violating any such order shall be guilty of a violation of this Law.

7. With the approval of the Village Board or when directed by them, institute in the name of the Village any appropriate actions or proceedings to prevent the unlawful erection, construction, reconstruction, alteration, conversion, maintenance or use; to restrain, correct or abate such violation, so as to prevent the occupancy or use of any building or structure or land, or to prevent any illegal act, conduct, business, or use in or about such premises.

8. Revoke by order a permit issued under a mistake of fact or contrary to the law or the provisions of this Local Law.

9. Maintain a map showing the current classification of all land.

10. Upon the request of the Village Board, the Planning Board, or the Board of Appeals, present such bodies facts, records, or reports which they may request to assist them in making decisions.

Sec. 1101 ZONING PERMITS

Sec. 1101.01

No structure shall be erected, constructed, reconstructed, extended or moved, and no land or building changed in use, until a Zoning Permit has been secured from the Code Enforcement Officer. Upon completion of changes in use or construction, reconstruction, extension, or moving of structures, the applicant shall notify the Code Enforcement Officer of such completion.

Sec. 1101.02

No permit shall be considered as complete or permanently effective until the Code Enforcement Officer has noted on the permit that the work or occupancy and use has been inspected and approved as being in conformity with the provisions of this Law.

Sec. 1101.03

Zoning Permit shall be not be required for: general maintenance work; painting; clearing woodlands; building ponds; tilling the soil; constructing fences, terraces, steps or other similar features; landscaping. However, all such activities shall conform with the requirements of this Local Law.

Sec. 1101.04

Zoning Permits shall be issued with a one (1) year life, provided however, that if work is not

commenced within six (6) months after the issuance of the permit, the permit shall automatically expire and a new permit shall be required before such work or change in uses commences.

Note: There are special provisions for issuance of permits in areas designated as flood hazard areas by the Federal Emergency Management Agency.

Sec. 1102 CERTIFICATE OF OCCUPANCY

Sec. 1102.1

No land shall be used or occupied and no building hereafter erected, altered, or extended shall be used or changed in use until a Certificate of Occupancy shall have been issued by the Code Enforcement Officer stating that the buildings or proposed use thereof complies with the provisions of this Law and any other pertinent law.

Sec. 1102.02 TEMPORARY CERTIFICATE OF OCCUPANCY

Upon request, the Code Enforcement Officer may issue a temporary Certificate of Occupancy for a building or structure, or part thereof, before the entire work has been completed provided such portions as have been completed may be occupied safely without endangering life or the public health and welfare. A temporary certificate shall remain in effect for a period not to exceed three (3) months from its date of issuance. For good cause the Code Enforcement Officer may allow a maximum of two (2) extensions for periods not exceeding three (3) months each.

Sec. 1103 APPLICATION REQUIREMENTS FOR ZONING PERMITS

All applications for permits shall be made in writing by the owner, tenant, vendee under contract sale, or authorized agent, on a form supplied by the Village and shall be filed with the Code Enforcement Officer. The application shall include:

1. A statement as to the proposed use of the building or land.
2. A site layout drawn to scale showing the location, dimensions, and height of proposed buildings, structures, or uses and any existing buildings in relation to property and street lines.
3. The number, location, and design of parking spaces and loading spaces, if applicable.
4. The size, dimensions, location, and methods of illumination for signs, if applicable.
5. Any additional plans and information reasonably necessary for the Code Enforcement Officer to ascertain whether the proposed use, change in use, erection, alteration, or addition complies with the provisions of this Local Law.

Sec. 1104

When a building permit is also required for any structure for which a Zoning Permit is required by this Law, an application for a building permit which contains the information required by Section 1103 shall be deemed to include an application for a Zoning Permit.

Sec. 1105

A permit for any new use or construction which will involve the on-site disposal of sewage or waste, or a change in use or an alteration which will result in an increased volume of sewage or waste to be disposed of on the site, or which will require a new or modified water supply, shall not be issued until a certificate of approval has been issued by the Cayuga County Health Department.

Sec. 1106 ISSUANCE OF A ZONING PERMIT

Permits shall be granted or refused within fifteen (15) days after the written application has been filed with the Code Enforcement Officer. Upon completion of the activity authorized by any Zoning Permit, the holder of such permit shall notify the Code Enforcement Officer of such completion.

All applications with accompanying plans and documents shall become, and be preserved as, a public record, subject to the disposition of the Village Board.

Sec. 1107 ENVIRONMENTAL ASSESSMENT

Until authorized by the appropriate lead agency, no Zoning Permit shall be issued for any proposed building or use which, in the judgment of the Code Enforcement Officer, would require an environmental impact statement. Such application shall be referred to the appropriate lead agency for a determination as to whether an environmental impact statement will be needed.

Sec. 1108 FEES

The applicant for a Zoning Permit shall at the time of making application, pay the Village a fee in accordance with a fee schedule adopted by resolution of the Village Board upon the enactment of this Law or as such schedule may be amended by resolution of the Village Board.

Sec. 1109 COMPLAINTS OF VIOLATIONS

Whenever a violation of this Law occurs, any person may file a complaint in regard thereto. All such complaints must be in writing and shall be filed with the Village Board, who shall properly record such complaint and immediately investigate any report thereon.

ARTICLE XII: ZONING BOARD OF APPEALS

Sec. 1200 ESTABLISHMENT OF ZONING BOARD OF APPEALS

In order that the objectives of this Law may be more fully and equitably achieved and a means for competent interpretation of this Law provide, there is, established a Zoning Board of Appeals for the Village.

Sec. 1201 MEMBERSHIP, TERMS OF OFFICE

The Zoning Board of Appeals shall consist of five (5) members appointed by the Village Board for overlapping five (5) year terms.

Sec. 1202 PROCEDURES

The Village Board shall appoint a Chairperson and the Zoning Board of Appeals shall appoint a Secretary and shall prescribe rules in accordance with the provisions of the state statutes and this Law for the conduct of its affairs.

Sec. 1203 MEETINGS

Meetings shall be held at the call of the Chairperson and at such other times as the Zoning Board of Appeals shall specify in its rules of procedure.

Sec. 1204 RECORDS AND DECISIONS

Minutes shall be recorded of all proceedings which shall contain evidence and date relevant to every case considered together with the votes of the members and the final disposition of each case. Every decision of the Zoning Board of Appeals shall bear the signature of a majority of the members of the Board of Appeals on the original thereof. All decisions of the Board of Appeals shall be permanently filed with the official Village records. The Zoning Board of Appeals shall notify the Village Board, Planning Board and Planning Board, and the Code Enforcement Officer of all decisions and resolutions.

Sec. 1205 POWERS AND DUTIES

The Board of Appeals shall have all the powers and duties prescribed by Section 7-712 of the Village Law of the State of New York, and by this Law, which are more specifically defined as follows:

Sec. 1205.01 INTERPRETATION

Upon appeal from a decision by the Code Enforcement Officer, to decide any questions involving the interpretation of any provision of this Law including a determination of the exact location of any district boundary, if there is uncertainty with respect thereto.

Sec. 1205.02 USE VARIANCE

Where there is unnecessary hardship in the way of carrying out the strict letter of this Local Law, as to permitted use of a building or land, the Board of Appeals shall have the authority to vary the use regulations so that the spirit of the Law shall be observed. No use variance shall be granted by

the Board, however, until it finds that all of the following conditions apply:

1. Economic return. That the building or land in question cannot yield a reasonable economic return if used only for a purpose permitted in the district. Proof of a more profitable return if the variance is granted is not, in itself, evidence of hardship.
2. Unique circumstances. That unique circumstances exist for the building or land in question which are not generally found throughout the district and which deprive the applicant of the reasonable use of such building or land.
3. Neighborhood character. That granting the variance will be in harmony with the spirit and intent of this Local Law and will not alter the essential character or quality of the neighborhood, endanger public health or safety, or substantially diminish or impair property values in the neighborhood.
4. Not self-created: That the problem to be solved by granting the variance is not self-created by the applicant.

The granting of a use variance does not relieve the applicant of the responsibility for meeting the area requirements for uses permitted in the district. In granting any use variance the Board shall prescribe any conditions that it deems necessary or desirable.

Sec. 1205.03 AREA VARIANCE

Where there are practical difficulties or special conditions which make regulations governing the lot size, yard size, building height, and other area regulations not specifically related to the use of land or buildings, unreasonable or impossible to comply with, the Board of Appeals shall have the authority to vary or modify such regulations as long as the spirit of the regulation to be altered is observed. In granting an area variance the Board shall find:

1. Economic injury. That the owner of the property is experiencing financial hardship or significant economic injury because of such regulations.
2. Reasonable objective. That the applicant's intended objective is reasonable and there is no way to accomplish such objective if the area regulations specified in this Law are strictly enforced.
3. Neighborhood character. That the variance requested will not be unduly detrimental to adjoining properties and will not alter the essential character of the neighborhood.
4. Minimum relief. That the variance requested the minimum necessary to grant relief.
5. Not self-created. That the problem to be solved by granting the variance is not self-created by the applicant.

Proof of the ability to improve access to solar radiation for energy uses may be grounds for granting an area variance. In granting any area variance the Board shall prescribe any conditions that it deems necessary or desirable.

Sec. 1205.04

Applicant shall have the burden of proof in establishing his right to a variance.

Sec. 1205.05 NONCONFORMING USE

Upon application, the Board of Appeals may authorize the alteration, enlargement, reconstruction, moving, replacement of, or additions to a nonconforming building or structure, or the alteration of a specific nonconforming use, when it has been determined, after public hearing, that such modification of the nonconforming building, structure, or use will not significantly alter the character of the surrounding neighborhood and that the change requested is the minimum necessary to grant relief. In granting relief the Board may prescribe any conditions that it deems necessary or desirable.

Sec. 1205.06 ENVIRONMENTAL REVIEW

Before granting a Use Variance the Board of Appeals shall determine whether the requested variance could have a significant environmental impact. In addressing environmental impact considerations, the Board shall be guided by the provisions of Part 617 of the regulations of the New York State Department of Environmental Conservation and any local law enacted pursuant thereto.

Sec. 1206 WHO MAY APPEAL

Appeals to the Zoning Board of Appeals may be taken by any person or Village Official aggrieved or affected by any provision of this Law or by any decision including any order to stop, cease, desist issued by the Code Enforcement Officer in enforcing the provisions of this Law.

Sec. 1207 RULES AND PROCEDURES FOR FILING APPEALS

Sec. 1207.01 GENERAL RULES AND PROCEDURES FOR APPEALS

1. Any appeal shall be made by filing the same with the Code Enforcement Officer within thirty (30) days after the date of the Code Enforcement Officer's adverse decision.
2. All appeals made to the Board of Appeals shall be in writing on standard forms prescribed by the Board of Appeals.
3. All appeals shall refer to the specific provisions of this Law involved.
4. All appeals shall set forth names and addresses of all adjoining owners including those across public roads from the subject property.

Sec. 1207.02

The Code Enforcement Officer shall specify the alleged error, the section or sections of this Law to which it pertains and the interpretation thereof that is claimed.

Sec. 1207.03

Appeals for variance from the strict application of this Law shall include the zoning permit application denied by the Code Enforcement Officer together with a statement with any supporting evidence regarding the requirements of this Law.

Sec. 1208 NOTICE OF HEARING

Upon filing with the Zoning Board of Appeals of an application for a variance, or an appeal from alleged error of the Code Enforcement Officer, the Board shall fix a reasonable time and place for a public hearing thereon and give notice as follows:

Sec. 1208.01

At least five (5) days prior to the date fixed for a public hearing publish a notice in the official paper describing the location of the building or lot and the general nature of the question involved. At least five (5) days before such hearing, the Board shall mail notices thereof to the parties and to the regional state park commission having jurisdiction over any state park or parkway within five hundred (500) feet of the property affected by such appeal and to others as may be required by Sec. 239.1 and m of the General Municipal Law, including the Cayuga County Planning Board.

Sec. 1208.02

At least thirty (30) days before the date of the hearing on an application or appeal for a Use Variance, the Board of Appeals shall transmit a copy of the notice of such hearing to the Village Planning Board and shall request an advisory report thereon prior to the date of such hearing. Failure to submit a report to the Board of Appeals prior to the hearing shall constitute approval of said application or appeal by the Planning Board.

Sec. 1209

In exercising the above mentioned powers, the Board of Appeals may, in conformity with the provisions of this Law, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination, including a stop order or orders to cease and desist, as ought to be made. Notice of such decision shall forthwith be given to all parties in interest.

Sec. 1210 APPEAL TO COURT

Sec. 1210.01

Any person or persons, jointly or severally aggrieved by the decision of the Board of Appeals or any officer, department, Board or Bureau of the Village, may apply to the Supreme Court of the State of New York for review by a proceeding under Article Seventy-Eight of the Civil Practice Law and Rules. Such proceeding under Article Seventy-Eight of the Civil Practice Law and Rules. Such proceedings shall be instituted within thirty (30) days after the filing of a decision in the office of the Village Clerk. The Court may take evidence or appoint a referee to take such evidence as it may direct and report the same with his findings of fact and conclusions of law, if it shall appear that testimony is necessary for the proper disposition of the matter. The Court at special term shall itself dispose of the cause on the merits, determining all questions which may be presented for determination.

Sec. 1210.02

Costs shall not be allowed against the Zoning Board of Appeals or Village Board unless it shall appear to the Court that it acted with gross negligence or in bad faith or with malice in making the decision appealed from.

Sec. 1211 FEES

Appeals and applications before the Board of Appeals or Village Board as prescribed by this Law shall be accompanied by payment to the Village in accordance with a fee schedule adopted by resolution of the Village Board upon enactment of this Law, or as such schedule may be amended by resolution of the Village Board.

ARTICLE XIII: AMENDMENTS

Sec. 1300 AMENDMENTS

The Village Board may from time to time on its own motion, or on petition, or on recommendation of the Planning Board of the Zoning Board of Appeals amend, supplement, or repeal the regulations and provisions of this Law after public notice and hearing.

Sec. 1301 NOTICE OF PROPOSED AMENDMENTS

Every such proposed amendment or change whether initiated by the Village Board or by petition shall be referred to the Planning Board for report thereon before the public hearing thereafter provided for. The Village Board by resolution adopted at a stated meeting shall fix the time and place of a public hearing on the proposed amendments and cause notice to be given as follows:

1. By publishing a notice of the time and place of the hearing at least ten (10) days prior to the date of such hearing in a paper of general circulation in the Village.
2. A written notice of any proposed change or amendment affecting property within the protected area of a housing project authorized under the Public Housing Law, as such area is shown on an approved map filed with the Code Enforcement Officer, shall be given to the

housing authority erecting or owning the project and to the government providing financial aid or assistance thereto at least ten (10) days prior to the date of such hearing.

3. A written notice of any proposed change or amendment affecting property within five hundred (500) feet of the boundaries of any state park or parkway shall be given to regional state park commission having jurisdiction over such state park at least ten (10) days prior to the date of such hearing.

4. A written notice of any proposed change or amendment affecting property within five hundred (500) feet of the boundaries of any city, village, town or county shall be given to the clerk or such municipality and to the clerk of the county legislature at least ten (10) days prior to the date of such hearing.

5. In case, however, of a protest against such change signed by the owners of twenty percent (20%) or more of the area of land included in such proposed change or of that immediately adjacent extending one hundred (100) feet therefrom or of that directly opposite thereto, extending one hundred (100) feet from the street frontage of such opposite land, such amendment shall not become effective except by the favorable vote of at least four (4) members of the Village Board.

Sec. 1302 REFERRAL TO CAYUGA COUNTY PLANNING BOARD

As required under Sections 239-1 and m of the New York State General Municipal Law, certain variances and amendments shall be referred to the County Planning Board for review and recommendations. Within thirty (30) days of referral, the County Planning Board shall report its recommendations and shall support them with a full statement of its reasons. If the County Planning Board fails to report, action on the proposal may proceed. If the County Planning Board disapproves the proposal, or recommends modification thereof, the Village agency having jurisdiction shall not act contrary to such disapproval or recommendation except by a vote of the majority plus one of all the members thereof and after a resolution fully setting forth the reasons for such contrary action.

ARTICLE XIV: ENFORCEMENT, PENALTIES, SEVERABILITY CLAUSE, REPEALER, EFFECTIVE DATE

Sec. 1400 ENFORCEMENT AND REMEDIES

In case any building or structure is erected, constructed, reconstructed, altered, converted or maintained, or any building, structure or land is used in violation of this Law or of any other Local Law, ordinance or other regulation made under authority conferred thereby, the proper local authorities of the Village, in addition to other remedies, may institute any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance or use, to restrain, correct or abate such violation, to prevent the occupancy of said building, structure, or land or to prevent any illegal act, conduct, business or use in or about such premises; and upon the failure or refusal of the proper local officer, board or body of the Village to

institute any such appropriate action or proceeding for a period of ten (10) days after written request by a resident taxpayer of the Village so to proceed, any three taxpayers of the Village residing in the district wherein such violation exists, who are jointly or severally aggrieved by such violation, may institute such appropriate action or proceeding in like manner as such local officer, board or body of the Village is authorized to do.

Sec. 1401 FINES AND PENALTIES

Any person, firm, corporation or other violating any provision of this Local Law shall be deemed guilty of a violation and upon conviction thereof shall be subject to a fine of not exceeding fifty dollars (\$ 50) per day or imprisonment for a period not exceeding six (6) months, or both such fine and imprisonment. Each week's continued violation shall constitute a separate additional violation.

In addition to other penalties, Village of Moravia may institute any appropriate action or proceeding to prevent the unlawful erection, construction, alteration, or use of any building or land in violation of the provisions of this Local Law or to prevent the enforced removal of conditions prohibited by this Local Law.

Sec. 1402 SEVERABILITY

It is hereby declared to be the legislative intent that:

1. Should the Courts declare any provision of this Local Law to be invalid or ineffective in whole or in part, the effect of such decision to be invalid or ineffective, and all other provisions of this local law shall continue to be separately and fully effective.
2. Should the Courts find the application of any provision or provisions of this Local Law to any lot, building, or other structure, or tract of land, to be invalid or ineffective, in whole or in part, the effect of such decision shall be limited to the person, property, or situation immediately involved in the controversy, and the application of any such provision to other persons, property or situation shall not be affected.

Sec. 1403 REPEALER

All other existing laws or parts of laws in conflict with this Law, to the extent of the conflict and no further, are hereby repealed.

The provisions of this Law shall supplement local laws, ordinances, codes or regulations existing in the Village of Moravia and other statutes and regulations of municipal authorities having jurisdiction applicable thereto. Where a provision of this Law is found to be in conflict with any provision of a local law, ordinance, code or regulation, the provision or requirement which is more restrictive or which establishes the higher standard shall prevail. *(Local Law # 2 of 1990 amendment)

Sec. 1404 EFFECTIVE DATE

This Local Law shall take effect ten (10) days after filing with the Secretary of State of the State of New York

AMENDMENTS

Local Law # 2 of 1990 (Abandoned Vehicles)

Article IX Section 904: Abandoned vehicles shall be governed by the rules and regulations established under Local Law # 4 of 1986, "A Local Law to Regulate Junk Yards".

Article XIV Section 1402: The provisions of this Law shall supplement local laws, ordinances codes or regulations existing in the Village of Moravia and other statutes and regulations of municipal authorities having jurisdiction applicable thereto. Where a provision or requirement which is more restrictive or which establishes the higher standard shall prevail.

Local Law # 3 of 1990 (Bed and Breakfast)

Article III: Definitions

Bed and Breakfast: An owner-occupied dwelling in which no more than nine person, in addition to the owner's family, are housed or lodged, with or without the morning meal, for payment of rent. A dwelling shall be deemed a bed and breakfast when one or more rooms are available for rent and a morning meal is provided for overnight transient guests.

Article VI: Use Regulations

Schedule I: Land Uses and Activities

Sec. 702.22 (added) Bed and Breakfast in All Districts permitted when:

- a. Such activity is carried on wholly in doors and with in the principal building by the occupant thereof or in another structure accessory to the principal building.
- b. There is no use of show windows, or display or advertising visible outside the premises to attract customers or clients other than the home occupation announcement sign as permitted.
- c. There is no exterior storage of materials.
- d. No external alterations, additions, or changes to the structure shall be required to accommodate or facilitate the bed and breakfast other than those required to meet building or safety codes so that the bed and breakfast retains its predominately residential character.
- e. No offensive noise, odor, vibration, smoke, dust, heat, humidity, glare, or other objectionable effects shall result from the bed and breakfast.
- e. A minimum of one off-street parking space shall be provided for each guest room and two off-street parking spaces shall be provided for the owner-occupant.
- g. The bed and breakfast shall be owner-occupied.

Local Law # 6 of 1990 (Map Change)

The Zoning Map of the Village of Moravia is hereby changed so as to modify the western boundary of the Commercial Light Industrial District (CL Zone). This boundary is currently the western most property lines of the western most properties within said zone. The new western boundary shall be the boundary of the floodway at its eastern most point from the Owasco Inlet,

approximately 1000 feet east of the Village's western boundary when measured on West Cayuga Street and approximately 850 feet east of the Village's western boundary when measured on Aurora Street. Said floodway shall be as determined by the Federal Emergency Management Agency on the Floodway Map prepared in accordance with the National flood Insurance Program effective September 30, 1982 or thereafter amended by that agency. The northern, southern and eastern boundaries of the CL Zone shall not be changed.

The above referenced FEMA Map is attached hereto and hereby made a part of the Zoning Map of the Village of Moravia.

Local Law # 1 of 1991 (Rental Permits)

Local Law # 1 of 1991 hereby amends in part, Section IV of Local Law # 5 of 1990 entitled Rental Permits.

To be included with Section IV:

1. A change in tenancy in tenancy occurs within three (3) months of a rental inspection provided that;
 - A. All previous violations have been corrected and approved by the Code Enforcement Officer and that such inspection resulted in a Certificate of Compliance being issued.
2. Exemptions can only be granted by the Code Enforcement Officer. Property owners must still complete a rental permit application if a change in tenancy occurs.
3. Only one exemption will be granted within given three (3) month period.

This Local Law shall take effect immediately.

Local Law # 1 of 1993 (Swimming Pools)

Section 910.02 of Local law # 1 of 1988 (Village of Moravia Comprehensive Zoning and Land Use Law) is amended by deleting the text in its entirety and replacing it with the following language:

If the sidewall height of an above ground pool is less than 24 inches, no fence shall be required. If the deck or pool top of an above ground pool is at least 46 inches above the adjoining grade, no fence shall be required as long as the access ladder or steps to the pool can be blocked in an approved manner when the pool is not in use.

Section 910.03 of Local Law # 1 of 1988 (Village of Moravia Comprehensive Zoning and Land Use Law) is amended by deleting the text in its entirety and replacing it with the following language:

Such pool shall not be erected closer than twelve (12) feet from the rear and side property lines of the premises and, in the case of a corner lot, closer than twenty-five feet from any street

line along an abutting street.

Section 910.04 of Local Law # 1 of 1988 (Village of Moravia Comprehensive Zoning and Land Use Law) is amended by deleting the text in its entirety and replacing it with the following language:

Such pool shall not occupy more than forty percent (40%) of the area of the rear yard or side yard excluding all garage or other accessory structures located in such area.

Local Law # 1 of 1994 (Map Change)

Section 1: Section 401 of Local Law 1 of 1988, which establishes certain zoning districts within the Village of Moravia by reference to a zoning map which accompanied and is made a part of that law, is amended by making the following changes on that map:

- a) The approximately .25 acre parcel of land located at 7 East Cayuga Street in the Village, and further identified as tax parcel No. 210.10-1-37 is removed from the residential district; and
- b) The approximately .25 acre parcel of land which is located at 7 East Cayuga Street in the Village, and further identified as parcel No. 210.10-1-37 is hereby re-zoning as part of the Central Business District.

Section 2: The Village Clerk, with the assistance of a Civil Engineer or such other qualified person which may be designated by the Board of Trustees, shall make a change on the Village Zoning Map to effect the above change in district boundary lines and the original of that map shall be filed in the office of the Village Clerk and shall be available for public inspection.

Local Law # 6 of 1994 (Map Change)

Section 1: Section 401 of Local Law # 1 of 1988, which establishes certain zoning districts within the Village of Moravia by reference to a zoning map which accompanied and is made a part of that law, is amended by making the following changes on that map.

- a) The approximately 1/2 acre parcel of land located at 31 Central Street in the Village, and further identified as tax parcel No. 210.13-2-8 is removed from the residential district; and
- b) The approximately 1/2 acre parcel of land which is located at 31 Central Street in the Village, and further identified as tax parcel No. 210.13-2-8 is hereby re-zoned as part of the Central Business District.

Section 2: The Village Clerk, with the assistance of a Civil Engineer or such other qualified person which may be designated by the Board of Trustees, shall make a change on the Village Zoning Map to effect the above change in district boundary lines and the original of that map shall be filed in the office of the Village Clerk and shall be available for public inspection.

Local Law # 3 of 1997 (Map Change)

Section 1. Section 401 of Local Law # 1 of 1988, which establishes certain districts within the Village of Moravia by reference to a zoning map which accompanied and is made part of that law, is amended by making the following changes on that map:

- a) The approximately 1/4 parcel of land located at 9 East Cayuga Street in the Village, and further identified as tax parcel No 210.10-1-36 is removed from the residential district; and
- b) The approximately 1/4 parcel of land which is located at 9 East Cayuga Street in the Village, and further identified as tax parcel No 210.10-1-36 is hereby re-zoned as part of the Central Business District.

Section 2. The Village Clerk, with the assistance of a Civil Engineer or such other qualified person which may be designated by the Board of Trustees, shall make a change on the Village Zoning Map to effect the above change in district boundary lines and the original of that map shall be filed in the office of the Village Clerk and shall be available for public inspection.

Local Law # 4 of 1997 (Satellite Television Receivers)

Section 1. The purpose of this law is to amend Section 908 of Local Law # 1 of 1988 (The Zoning Law), regarding Satellite Television Receivers, in order to bring that section of the Local Law in conformity with recent Federal regulations.

Section 2. The text of Section 908 of Local Law number 1 of 1988 is hereby deleted in its entirety and replaced with the following text:

A. In commercial, commercial/light industrial, and central business zones:

1. A private satellite television receiver or antenna which is more than two meters in diameter may be placed only in the rear yard of the property; and
2. A private satellite television receiver or antenna which is two meters or less in diameter may be placed at any location in the lot.

B. In residential, agricultural, and recreational zones:

1. A private satellite television receiver or antenna which is more than one meter in diameter may be placed only in the rear yard of the property; and
2. A private satellite television receiver or antenna which is one meter or less in diameter may be placed at any location on the lot.

Local Law # 3 of 1999 (Adult Oriented Businesses)

Section 702.23: Adult Oriented Business in Agricultural or Agricultural/Recreational Zones.

An adult-oriented business shall be a permitted use in the Village of Moravia only within an agricultural zone or an agricultural/recreational zone, as those zones were established by Local Law # 1 of 1988 or subsequent amendments thereto, and subject to the other placement, use, and permitted regulations set forth in Local Law # 2 of 1999.

Land Use or Activity	Residential	Central Busin.	Comm. Lt. Ind.	Ag./Rec.	Agricultural	Commercial	Site Plan Approval Req.	Reference
56. Adult Oriented Business	NP	NP	NP	SP	SP	NP		Sec. 702.23

Local Law # 3 of 2000 (Manufactured Housing and Mobile Home Law)

Section 702.2 of Local Law # 1 of 1988 (Village of Moravia Comprehensive Zoning and Land Use Law) is amended by deleting the text in its entirety and replacing it with the following language:

Permitted when such mobile home complies with Local Law # 3 of 2000.

Section 702.17 of Local Law # 1 of 1988 (Village of Moravia Comprehensive Zoning and Land Use Law) is amended by deleting the text in its entirety and replacing it with the following language:

Permitted in accordance with Local Law # 3 of 2000.

Local Law #1 of 2001 (Rezoning of Oak Hill Road)

Section 1: Section 401 of Local Law 1 of 1988, which establishes certain zoning districts within the Village of Moravia by reference to a zoning map which accompanied and is made a part of that law, is amended by making the following changes on that map:

a) The following parcels of land located on the west side of Oak Hill Road in the Village are hereby removed from the agricultural district; (tax parcel Nos. 210.06-1-20.1, 210.06-1-18, 210.06-1-21, 210.06-1-1.1, 210.10-1-4) and

b) The following lands located on the west side of Oak Hill Road in the Village and identified by the tax parcel Nos. 210.06-1-20.1, 210.06-1-18, 210.06-1-21, 210.06-1-1.1, 210.10-1-4 are hereby re-zoned as part of the Ag/Rec District of the Village.

Section 2: The Village Clerk, with the assistance of a Civil Engineer or such other qualified person which may be designated by the Board of Trustees, shall make a change on the Village Zoning Map to effect the above change in district boundary lines and the original of that map shall be filed in the office of the Village Clerk and shall be available for public inspection.

Section 3: In all other respects, Local Law Number 1 of 1988 (including subsequent amendments) remains in full force in effect.

Section 4: This amended section of Local Law Number 1 of 1988 will be effective immediately.

SECTION VII. SEVERABILITY

The invalidity of any section or provision of this local law shall not invalidate any other section or provision thereof.

SECTION VIII. EFFECTIVE DATE

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

Local Law #1 of 2003 (Farm or Agricultural Equipment)

SECTION I: PURPOSE:

The purpose of this local law is to amend Section 604 of the Zoning Law (Schedule 1: Land Uses and Activities) so as to regulate the outdoor storage of farm or agricultural equipment within the Village of Moravia.

SECTION II:

A. Local Law #1 of 1988 is hereby amended by adding to Section 604 of that law a new subdivision, (numbered 56) to “Schedule I: Land Uses and Activities” providing that the temporary or permanent outdoor storage of farm equipment, agricultural equipment, and agricultural products and harvested crops shall be a permitted use and activity in any agricultural district, agricultural/recreational district, and commercial/light industrial district; but it shall not be a permitted use or activity in any residential district, in the central business district, or in any commercial district.

B. Sections 1000 and 1002 of Local Law #1 of 1988 notwithstanding, no such storage of farm equipment, agricultural equipment, agricultural products and harvested crops shall be permitted in any residential district, in the central business district, or in any commercial district eighteen (18) months after the Local Law shall have become law.

SECTION III. VALIDITY

Should any word, section, clause, paragraph, sentence, part or provision of this Local Law be declared invalid by a court of competent jurisdiction, such determination shall not affect the validity of any other part of this local law which can be given effect without such invalid part or parts.

SECTION IV: EFFECTIVE DATE This local law shall take effect immediately.