

TOWN OF CAIRO

LOCAL LAW 2 - 1998

A LOCAL LAW REGARDING A TEMPORARY NINETY DAY
MORATORIUM ON PLACEMENT OF
LARGE SIGNS AND BILLBOARDS

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF CAIRO, as follows:

SECTION 1: TITLE

This local law shall be referred to as the "Temporary Ninety Day Moratorium on Placement of Large Signs and Billboards".

SECTION 2: PURPOSE AND INTENT

Pursuant to the statutory powers vested in the Town of Cairo to regulate and control land use, and to protect the health, safety and welfare of its residents, the Town Board hereby declares a temporary ninety (90) day moratorium on the establishment, placement, construction, enlargement, and erection of signs and billboards exceeding 40 square feet in area.

The Town of Cairo does not have regulations that effectively govern signs. The Town of Cairo presently has applications for the construction and location of very large signs before it, and anticipates that other applications will be filed in the near future.

The Town Board desires to address the establishment, placement, construction, enlargement, and erection of large signs and billboards on a comprehensive Town wide basis, rather than on the present ad hoc basis, and to adopt a sign ordinance to regulate same.

SECTION 3: SCOPE OF CONTROLS

A. During the effective period of this local law:

1. The Town Board shall not grant any approvals which would have as the result, the establishment, placement, construction, enlargement, or erection of a sign

or billboard exceeding 40 square feet in area.

2. The Planning Board shall not grant any approval to a subdivision plat, site plan, special permit, wetlands permit or other permits which would have as the result the establishment, placement, construction, enlargement or erection of a sign or billboard exceeding 40 square feet in area.

3. The Chief Executive Officer shall not issue any permit, approval or certificate which would have as the result the establishment, placement, construction, enlargement, or erection of a sign or billboard exceeding 40 square feet in area.

B. The Town Board reserves the right to direct the Chief Executive Officer to revoke or rescind any Building Permit or Certificate of Occupancy issued in violation of this Local Law.

SECTION 4: NO ACTION UPON OR FINAL CONSIDERATION OF APPLICATIONS

A. No currently pending application for establishment, placement, construction, enlargement, or erection of a sign or billboard exceeding 40 square feet in area or for approval for subdivision plat, site plan, special permit, wetlands permit, or other permit, variance, Building Permit or Certificate of Occupancy of or for a currently situated or proposed sign or billboard exceeding 40 square feet in area shall be finally considered by any board or agency of the Town of Cairo while this Local Law is in effect. Nothing in this Local Law shall preclude an applicant from having conferences with regard to such pending application with appropriate boards or agencies of the Town of Cairo while this Local Law is in effect.

B. No new application for establishment, placement, construction, enlargement, or erection of a sign or billboard exceeding 40 square feet or for approval for subdivision plat, site plan, special permit, wetlands permit, or other permit, variance, Building Permit or Certificate of Occupancy of or for a currently situated or proposed sign or billboard exceeding 40 square feet in area shall be acted upon or considered by any board or agency of the Town of Cairo while this Local Law is in effect.

SECTION 5: TERM

This Local Law shall be in effect for a period of ninety (90) days from its effective date.

SECTION 6: PENALTIES

Any person, firm or corporation that shall establish, place, construct, enlarge or erect any sign or billboard in violation of the provisions of this Local Law or shall otherwise violate any of the provisions of this Local Law shall be subject to:

A. Such penalties as may otherwise be provided by laws, rules, regulations of the Town of Cairo for violations; and

B. Injunctive relief in favor of the Town of Cairo to cease any and all such actions which conflict with this Local Law and, if necessary, to remove any construction which may have taken place in violation of the Local Law.

SECTION 7: VALIDITY

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

Approved by:



RAYMOND SUTTMEIER
Acting Supervisor,
Town of Cairo

Dated: September 18, 1998

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ (Name of Legislative Body) on _____ 19____, in accordance with the applicable provisions of law.

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

I hereby certify that the local law annexed hereto, designated as local law No. 3 of 1998 of the ~~(County)~~(City)(Town)(Village) of Cairo was duly passed by the Town Board (Name of Legislative Body) on August 26, 1998, and was (approved)(~~not disapproved~~)(~~repassed after~~ ~~disapproval~~) by the Acting Supervisor (Elective Chief Executive Officer*) and was deemed duly adopted on September 9, 1998 in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ (Name of Legislative Body) on _____ 19____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ (Elective Chief Executive Officer*) on _____ 19____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 19____, in accordance with the applicable provisions of law.

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

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ (Name of Legislative Body) on _____ 19____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ (Elective Chief Executive Officer*) on _____ 19____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 19____ in accordance with the applicable provisions of law.

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

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

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 19____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the County of _____, State of New York, having been submitted to the electors at the General Election of November _____ 19____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

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

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 2, above.

(Seal)

Ann T. Roszfeld
Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body

Date: September 18, 1998

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK
COUNTY OF GREENE

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

Robert S. [Signature]
Signature
TOWN ATTORNEY
Title

~~County~~
~~City~~ of CAIRO
~~Village~~

Date: 9-18-98

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
162 WASHINGTON AVENUE, ALBANY, NY 12231

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

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

~~County~~
~~City~~ of CAIRO
~~Town~~
~~Village~~

Local Law No. 2 of the year 19 98...

A local law regarding a TEMPORARY NINETY DAY MORATORIUM ON PLACEMENT
(Insert Title) OF LARGE SIGNS AND BILLBOARDS

Be it enacted by the Town Board of the
(Name of Legislative Body)

~~County~~
~~City~~ of CAIRO as follows:
~~Town~~
~~Village~~

SEE ATTACHED

(If additional space is needed, attach pages the same size as this sheet, and number each.)