

Local Law Filing

(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 ☐ Town ☒ Village
(Select one:)

of Rockville Centre

Local Law No. 4 of the year 2020

(Insert Title)

A local law to enact a temporary moratorium on certain awnings and signs in commercial or retail establishments.

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

☐ County ☐ City ☐ Town ☒ Village
(Select one:)

of Rockville Centre as follows:

Section one. Findings. The zoning and other regulations of the Village of Rockville Centre currently include various regulations pertaining to awnings, signs and signage in the commercial and retail areas of the Village. Such regulations were adopted some time ago, and the Board of Trustees finds and concludes that the regulations should be reviewed, and revised, to improve the effectiveness of such regulations and to assure their conformity with modern legal standards. Continuation of the current regulations, and installation or additions or changes to existing awnings or signage while such review is in progress, would not be in the best interests of the Village, or the public health, safety and welfare of the residents of the Village, and may not be appropriate in any particular circumstance. The Board of Trustees hereby finds and concludes that it is in the best interests of the public, including the residents of the Village of Rockville Centre, that a temporary moratorium be declared for a reasonable period of time with respect to the installation or new or altered awnings or signage in the non-residential areas of the Village. Such a moratorium would provide the Village a reasonable opportunity to review and amend its zoning and other regulations as may be appropriate, while at the same time preventing any new or altered awnings or signage from achieving legal or vested rights status without conforming to new or revised regulations which may be enacted upon the termination of the moratorium period.

Section two. Moratorium. From and after the effective date of this law, and continuing for a period of time as set forth hereinafter, no person or entity shall install any new awning or sign, nor replace or alter any existing awning or sign, as such terms are defined in Village Code chapters 96 and 335, on or in any commercial or retail building or property in the Village, and (b) no application shall be processed or accepted, and no permit or approval may be issued, by the Village, or any officer, agent, department or agency thereof, with respect to the installation of any new awning or sign, or replacement or alteration of any existing awning or sign, on or in any commercial or retail building or property in the Village. Nothing in this moratorium shall be interpreted or applied to prevent otherwise lawful changes or alterations to any existing lawful interior sign, as that term is defined in Village Code chapters 96 and/or 335.

Section three. Duration of Moratorium. (a) The moratorium established by this law shall be effective until and including thirty (30) days from the date of adoption of this law, unless sooner terminated as provided herein.

(b) Notwithstanding the provisions of paragraph (a) of this section, the Board of Trustees, by resolution adopted by a majority of its members, may extend the duration of the moratorium provided for herein for one or more periods of time not exceeding a total of one hundred eighty (180) additional days.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, the Board of Trustees, by resolution adopted by a majority of its members, may (i) limit the scope of the moratorium as it is applied to certain types or categories of awnings or signs or (ii) terminate the moratorium enacted by this law, at any time prior to the expiration thereof.

Section four. Exemptions. In any case where the owner or occupant of a retail or commercial property demonstrates to the satisfaction of the Board of Trustees that the provisions of this law, or the effects of this law have created a financial hardship to such person, and that a proposed sign or awning would not be contrary to the intentions of the Board of Trustees in proposing revisions to the Village Code, the Board of Trustees may, after public hearing, grant an exemption from the provisions of this law.

Section five. If any clause, sentence, paragraph, section, article, or part of this local law shall be adjudged to be invalid by any court of competent jurisdiction, such judgment shall not affect, impair or invalidate any other part of this local law, or the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section six. This local law shall take effect immediately upon adoption and filing pursuant to the Municipal Home Rule Law, and shall be applicable to all permit or other approval applications subject to this law which are pending on the date of adoption of this law or filed during the effective period of this law.

(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. 4 of 2020 of the ~~(County)(City)(Town)~~(Village) of Rockville Centre was duly passed by the Board of Trustees on September 14, 2020, in accordance with the applicable *(Name of Legislative Body)* 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. _____ of 20__ of the ~~(County)(City)(Town)~~(Village) of _____ was duly passed by the _____ on _____ 20__, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 20__, 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 20__ of the ~~(County)(City)(Town)~~(Village) of _____ was duly passed by the _____ on _____ 20__, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20__. *(Elective Chief Executive Officer*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20__, in accordance with the applicable provisions of law.

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

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20__ of the ~~(County)(City)(Town)~~(Village) of _____ was duly passed by the _____ on _____ 20__, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20__. Such local *(Elective Chief Executive Officer*)* law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20__, in accordance with the applicable provisions of law.

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

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

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20__ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20__, became operative.

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

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20__ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20__, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

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

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph, 1 above.

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

(Seal)

Date: September 14, 2020