

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 Monroe

Local Law No. 5 of the year 2020

A local law A Local Law Implementing a Moratorium on New Signs with a Sign Area Greater Than
(Insert Title)
24 Square Feet in Size in the Unincorporated Town of Monroe, New York

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

County City Town Village
(Select one:)

of Monroe as follows:

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

(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. 5 of 2020 of the ~~(County)(City)(Town)(Village)~~ of Monroe was duly passed by the Town Board on October 19 2020, in accordance with the applicable provisions of law.
(Name of Legislative Body)

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 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: 10-21-2020

**UNINCORPORATED TOWN OF MONROE, NEW YORK
TOWN BOARD**

**ADOPTED LOCAL LAW NO. 5
IMPLEMENTING A MORATORIUM ON NEW SIGNS WITH A SIGN AREA
GREATER THAN 24 SQUARE FEET IN SIZE IN THE UNINCORPORATED
TOWN OF MONROE, NEW YORK**

Section 1. Legislative findings and intent.

The unincorporated Town of Monroe, New York (“Town of Monroe”) presently has in effect Town of Monroe Town Code Article XIII governing signs.

It has come to the attention of the Town Board of the Town of Monroe that there is a need to address in a careful and prudent manner the establishment, placement, construction, enlargement and permitting process for such uses on a comprehensive, town-wide basis. The Town Board desires to review its existing rules and regulations and to adopt such other and further local land use provisions to specifically regulate large signs as may appear prudent after due study and deliberation has been held.

Pursuant to the statutory powers vested in the Town Board of the unincorporated Town of Monroe to regulate and control land use, and to protect the health, safety and welfare of its residents, the Town Board of the Town of Monroe hereby declares a six month moratorium on the establishment, placement, construction, enlargement and upon the issuance of any zoning permit, building permit, special use permit or zoning variance for any new or existing signs with a sign area in excess of 24 square feet in the Town of Monroe.

Section 2. Scope of moratorium.

For purposes of this Local Law, a sign is a name, identification, description, display, or illustration or any other visual display which is affixed to, or painted, or represented directly or indirectly upon a building, structure or piece of land which directs attention to an object, product, place, activity, person, institution, organization or business, including any text, symbol, light, marks, letters or figures painted thereon or incorporated in the composition of an exterior surface of a building or structure.

During the effective period of this Local Law, Sections 57-55 and 57-56 of the Town Code of the Town of Monroe shall be limited such that any new signs in excess of 24 square feet shall not be permitted.

The Town Board of the Town of Monroe, the Zoning Board of Appeals of the Town of Monroe, the Planning Board of the Town of Monroe, the Building Inspector/Code Enforcement Officer, and the Zoning Enforcement Officer shall not grant any permits or approvals that would result in the establishment, placement, construction, enlargement, or addition, or modification of any new or existing sign with a sign area in excess of 24 square feet.

The Town Board of the Town of Monroe reserves the right to direct the Town Building Inspector/Code Enforcement Officer and/or Zoning Enforcement Officer to revoke or rescind any building permit or approval issued in violation of this Local Law.

Any permit or approval previously issued by the Town of Monroe or any board or officer thereof, prior to the enactment of this Local Law, but where the placement, construction, enlargement, or addition, or modification of any new or existing sign as referred to herein, has not occurred prior to the enactment of this Local Law, said prior approval or permit shall be deemed null and void and of no further effect.

Section 3. **Hardship review.**

Upon a showing of severe hardship (defined as a significant financial impact on a use), the Town Board may grant relief from the moratorium imposed in Subsection 2 hereof if it determines, in its absolute discretion, that granting such relief is consistent with the health, safety and general welfare of its inhabitants of the Town and their property and in harmony with the spirit and purpose of this Local Law.

Upon receipt of a written application for said relief from the moratorium, the Town Board shall hold a public hearing on said application and, thereafter, act to grant, deny or otherwise consider the application.

Section 4. **Casualty exemption.**

The provisions of this Local Law shall not apply to the restoration or replacement of any sign or portion thereof which shall have been damaged or destroyed by fire or other casualty. This exemption, however, shall not be applicable to the restoration or replacement of any sign which, prior to the effective date of this Local Law, shall have constituted a non-conforming sign under the Zoning Code of the Town of Monroe, nor shall this Subsection 4 in any way prevent the extinguishment of any non-conforming use as a result of casualty destruction.

Section 5. **Expiration of moratorium.**

This Local Law shall expire without further action of the Town Board six (6) months following the effective date hereof and thereafter shall be of no force or effect. However, if it appears that any required review and study referred to hereinabove will not be completed within six (6) months from the effective date of this Local Law, the Town Board may, by Local Law, extend the period of this moratorium for an additional six (6) months or such other and further time period that is reasonable in scope and duration.

Section 6. **Penalties.**

Any person, firm or corporation that shall establish, place, construct, enlarge or erect any new sign or any addition or modification to an existing sign 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 applicable by local law, ordinance, rule, or regulation of the

Town of Monroe to cease any and all such actions which conflict with this Local Law and, if necessary, to remove any construction that may have taken place in violation of this Local Law.

Section 7. State Environmental Quality Review Act.

Pursuant to 6 NYCRR 617.5(30) this Local Law is classified as Type II action which requires no further review under the State Environmental Quality Review Act.

Section 8. Severability.

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

Section 9. Effective date.

This Local Law shall become effective immediately upon being filed with the Secretary of State.