

# 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 St. Johnsville

Local Law No. 2 of the year 2010

A local law pursuant to the authority of section 1-7 of Local Law No. 1 of 2004 amending section

*(Insert Title)*

275-11, C-1 Commercial District, of Chapter 275 of the "Code of the Village of

St. Johnsville".

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

County  City  Town  Village  
*(Select one.)*

of St. Johnsville

as follows:

AS ATTACHED

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

I. FINDINGS.

The Board of Trustees, based upon extensive review and recommendation of the Planning Board, finds that § 275-11, C-1 Commercial District, of Chapter 275, Zoning, of the Code of the Village of St. Johnsville should be amended to provide for certain additions and deletions in order to both more effectively preserve the historical concept of, and provide for modern complements to, this zoning district.

II. § 275-11. C-1 COMMERCIAL DISTRICT.

§ 275-11 of the Code of the Village of St. Johnsville, until further amended, shall hereafter read:

The following use regulations shall apply in any C-1 Commercial District.

A. Permitted uses.

- (1) Uses regularly permitted in the R-2 Residence District except churches and street level dwellings.
  - (1)(a) Above street level dwellings utilizing a main rear entrance.
- (2) Restaurant or other place for serving food or beverages.
- (3) Retail store.
- (4) Laundry or dry-cleaning, self-service or pickup station.
- (5) Household appliance, radio, television, electronics, computer and telephone sales and service.
- (6) Bank, savings-and-loan institution.
- (7) Business or professional office.
- (8) Public building, public park.
- (9) Personal service shop such as barber, beauty parlor, tailor and shoe repair.
- (10) Hotel, motel.
- (11) Educational, eleemosynary, religious or philanthropic institution.
- (12) Club or lodge.
- (13) Theater, bowling alley.
- (14) Printing, letter press shop, copying services.
- (15) Auto sales and service.
- (16) Public utility station or structure.

(17) Signs, as follows:

(a) Business sign pertaining only to a permitted use, product or service available on the same premises, provided that the aggregate area of all such signs shall not be greater than three square feet for each foot of frontage actually occupied by such use, but not exceeding 200 square feet of aggregate sign area. Said sign shall be integral with, or attached flat against the building, or may project not more than four feet beyond the building line and not above the main roof of the street frontage.

(b) In case of a principal use involving no building, or in case of a building the front wall of which is located farther from the street than the required depth of front yard or width of side yard, one pole sign shall be permitted on the premises. Such sign shall not exceed 30 square feet in area for each display surface and shall have a clearance above the ground surface of 12 feet or more and an overall height of not more than 20 feet.

(c) Flashing or intermittent illumination is not permitted.

(d) Signs existing at the time of adoption of this chapter may remain so long as they are maintained in good structural condition.

(18) Parking lot.

B. Uses permitted upon issuance of a special permit by the Board of Appeals:

- (1) Gasoline station, gasoline station/convenience store.
- (2) Drive-thru food service.
- (3) Church if located 750 feet, or more, from an existing church.

(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. 2 of 2010 of the ~~(County)(City)(Town)(Village)~~ of St. Johnsville was duly passed by the Board of Trustees on November 16 2010, 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.)**

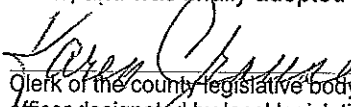
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority 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 \_\_\_\_\_<sup>1</sup> above.

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

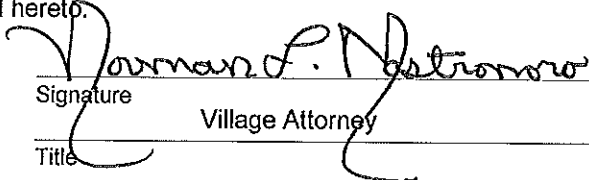
Date: 11-18-10

(Seal)

**(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 MONTGOMERY

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.

  
\_\_\_\_\_  
Signature  
Village Attorney  
\_\_\_\_\_  
Title

~~XXXXX~~  
~~XXX~~ of St. Johnsville  
~~Town~~  
Village

Date: NOVEMBER 16, 2010