

August 2, 2021



NYS Department of State
State Records and Law Bureau
Suite 600
99 Washington Avenue (1 Commerce Plaza)
Albany, NY 12231

Re: Local Law 3, 2021 amending Chapter 187 (Zoning) to add Section 187-77 G
Outdoor Storage of Certain Materials

Dear Sir/Madam:

I am enclosing for filing purposes Village of Fayetteville Local Law No. 3 2021.

Very truly yours,

MACKENZIE HUGHES LLP

Edward J. Spencer III

EJS/eg
Enc.

cc: Lorie Corsette

EDWARD J. SPENCER III
ATTORNEY AT LAW
DIRECT DIAL: (315) 233-8205
EMAIL: TSPENCER@MACKENZIEHUGHES.COM

{M0786855.1}

MACKENZIE HUGHES TOWER
440 S. WARREN ST., SUITE 400
SYRACUSE, NY 13202
PHONE: (315) 474-7571
FAX: (315) 474-6409
WWW.MACKENZIEHUGHES.COM

(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.

Village of Fayetteville Local Law No.3 of the year 2021.

A local law to amend Chapter 187 (Zoning) of the Village of Fayetteville
(Insert Title)
Code to add Section 187-77.G – Outdoor Storage of Certain Materials

Be it enacted by the Board of Trustees of the Village of Fayetteville as follows:

1. § 187-77. G. OUTDOOR STORAGE OF CERTAIN MATERIALS
 - A. The storage of garbage containing waste materials, rubbish and all types of refuse containers shall be separate from all adjoining lots or rights-of-way by a screening device not less than four feet in height or otherwise contained within an enclosed structure, except during such times as are designated for the removal of contents. No unpleasant or noxious odors are permitted beyond lot lines. Outdoor storage shall not be located within a required yard or transition area.
 - B. Personal on demand storage (PODS® or similar portable outdoor storage containers commonly used for moving and storage of personal property).
 - (1) For purposes hereof, personal on demand storage ("PODS®") shall mean a portable shed, trailer, cargo container or similar storage facility that is capable of being loaded with materials and placed on a residential property for the purpose of storing materials.
 - (2) A resident shall be allowed to have a PODS® for 14 days without need of a permit as long as its use is to assist with the moving into or out of the dwelling, or any other lawful use not dealing with construction or catastrophe as described below. After the fourteen-day period, the owner must submit an application to the

Code Enforcement Officer to receive a permit which authorizes additional use of the PODS® for a period of time not to exceed 30 days.

- (3) A resident shall be allowed to have PODS® in conjunction with an active building permit issued for residential construction or renovation at a site. A permit shall be required, which permit shall run concurrent with the length of the building permit.
 - (4) In the event of a catastrophe (fire, water, storm damage, or other similar occurrence) PODS® are allowed without permit for 30 days. After the thirty-day period, a permit will be required upon application to the Code Enforcement Officer and PODS® will only be permitted in conjunction with a building permit.
 - (5) PODS® are prohibited from being placed in the street, or in a location that blocks a public sidewalk or obstructs the view at any driveway or street intersection. PODS® placed in a front yard must be located within the established driveway outside of the street line. PODS® located in a side or rear yard are subject to lot line setback requirements. The Code Enforcement Officer may waive these requirements in the event of catastrophe.
 - (6) Absent catastrophe or a building permit justifying the need, only one PODS® unit shall be permitted on a residential property at a time.
 - (7) A PODS® permit fee shall be established by the Village Board.
- C. Building materials of any kind shall not be collected nor allowed to accumulate on any property except in connection with an active building permit.

2. This local law is effective immediately upon filing with the Secretary of State.

(Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as Local Law No. 3 of 2021 of the Village of Fayetteville was duly passed by the Board of Trustees on June 14, 2021, in accordance with the applicable provisions of law.

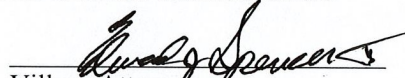
I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law and was finally adopted in the manner indicated in the above paragraph.


Lorie Corsette, Village Clerk

Date: 7-29-21

STATE OF NEW YORK
COUNTY OF ONONDAGA

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.


Village Attorney