

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 Hamlin

Local Law No. #10 of the year 20²³

A local law INTRODUCTORY LOCAL LAW #10-2023
(Insert Title)

Chapter 520 – Zoning Article VI Miscellaneous Regulations §520-80 Lighting, Artificial

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

County City Town Village
(Select one:)

of Hamlin as follows:

WHEREAS, the Town Board of the Town of Hamlin did heretofore hold and conduct a Public Hearing to consider the enactment of Introductory Local Law # 10-2023; and

WHEREAS, such Public Hearing was duly held and conducted by the Town Board of the Town of Hamlin on the 27th day of September, 2023 at 6:00 p.m. at which hearing, all interested persons were heard concerning the subject matter thereof; and

WHEREAS, after due consideration, the Town Board believes it would be appropriate to enact such Local Law so as to amend Chapter 520 of the Code of the Town of Hamlin;

NOW, THEREFORE, be it resolved by the Town Board of the Town of Hamlin, Monroe County, New York, as follows:

Section 1. By the adoption of this Resolution, the Town Board does hereby enact Local Law # 10-2023 amending Chapter 520 of the Code of the Town of Hamlin to read and provide as follows:

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

INTRODUCTORY LOCAL LAW #10-2023
(cont.)

Chapter 520 – Zoning

Article VI Miscellaneous Regulations

§520-80 Lighting, Artificial

A. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

GLARE

Any artificial light which shines with a strong, steady or dazzling light.

LAND

Comprising not only buildings but the ground, soil or earth as commonly understood.

STRUCTURE

A dwelling, barn, pole or elevated object or a building or other structured improvement on any premises of such physical size as to be capable of having attached thereto or incorporated thereon, on the exterior, artificial lighting by means of electrical, gas or other luminescent fixtures.

B. Light sources facing neighboring property.

1. No artificial lighting shall shine directly upon any neighboring residential property or be so established that it shall shine directly upon any residential property or shall shine directly on or into any room or rooms, porches or patios of any residential property, nor shall any artificial lighting be maintained or operated from any structure or land in such a manner as to be a nuisance or an annoyance to neighboring residential properties or as to interfere with the physical comfort of the occupants of residential properties.

2. Lights directly facing a neighboring residential property or located in close proximity shall be shielded to keep direct glare from said property.

3. No sources of light shall be maintained or operated in connection with any building or land in any manner or by any process or method which transmits an objectionable glare on residential property.

4. In no instance will any glare be permitted if such glare originates from a light source facing any dwelling unit.

5. The light spillage on an adjacent property shall be less than 0.5 footcandles.

C. Nonconforming lights.

1. Any existing lights which do not conform to the regulations herein established shall be considered a nonconforming light.

2. All nonconforming lights shall be discontinued within thirty (30) days from the effective date of this chapter, and their continued use shall be subject to the regulations of this chapter.

D. Legislative authority.

This chapter is enacted pursuant to the authority given any municipality of this state to enact ordinances which the governing body deems necessary and proper for the good government, order or protection of persons and property and for the preservation of the public health, safety and welfare of the Town of Hamlin and its inhabitants.

E. Penalties for offenses.

Any person or persons responsible for such nuisance or annoying lighting as described hereinbefore, whether owner, lessee or lessees or others using any premises with or without the permission of the owner, violating any of the provisions of this chapter shall, upon conviction thereof, a complaint having been made, be subject to a fine not exceeding two hundred fifty dollars (\$250.) or to imprisonment for a term not exceeding fifteen (15) days, or to both fine and imprisonment, in the discretion of the court. Each day a particular violation shall continue to constitute a separate offense.

Section 2. That the Town Clerk's shall give due notice of the enactment of this Local Law by the filing of the same with the Secretary of State as required by statute.

(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. 9 of 2023 of the (County)(City)(Town)(Village) of Hamlin was duly passed by the TownBoard on Sept. 27 2023, 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) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.
(Elective Chief Executive Officer)*

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) (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) (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.)

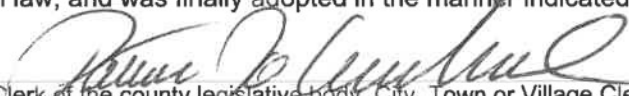
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified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


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

Date: 10-23-23

(Seal)