

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 Solvay

Local Law No. 2 of the year 2024

A local law Local Law amending the Village of Solvay Village Code Chapter 165 by adding thereto a
(Insert Title)
Section 165-43 entitled Sidewalk Cafe Permit Ordinance regulating operations of sidewalk
cafes within the Village of Solvay.

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

County City Town Village
(Select one.)

of Solvay as follows:

LOCAL LAW NO.: 2 of 2024
LOCAL LAW AMENDING THE VILLAGE OF SOLVAY VILLAGE CODE CHAPTER 165 BY ADDING THERETO A
SECTION 165-43 ENTITLED SIDEWALK CAFÉ PERMIT ORDINANCE REGULATING OPERATIONS OF
SIDEWALK CAFÉS WITHIN THE VILLAGE OF SOLVAY

(See attached)

(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. 2 of 2024 of the (County)(City)(Town)(Village) of Solvay was duly passed by the Village of Solvay Board of Trustees on May 28 2024, 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 _____ above.

 Harry DeCarlo, Clerk-Treasurer
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: June 3, 2024

(Seal)



LOCAL LAW NO.: 2 of 2024

LOCAL LAW AMENDING THE VILLAGE OF SOLVAY VILLAGE CODE CHAPTER 165 BY ADDING THERETO A SECTION 165-43 ENTITLED SIDEWALK CAFÉ PERMIT ORDINANCE REGULATING OPERATIONS OF SIDEWALK CAFÉS WITHIN THE VILLAGE OF SOLVAY

BE IT ENACTED BY THE VILLAGE BOARD OF THE VILLAGE OF SOLVAY AS FOLLOWS:

Section 1: The Village of Solvay Village Code, being Local Law No.4 of 1991, as has previously been amended, is hereby further amended at Chapter 165 by adding thereto new provisions for regulation of Sidewalk Cafés within the Village of Solvay entitled §165-43 Sidewalk Café Permit Ordinance, to read as follows:

“§165-43 SIDEWALK CAFÉ PERMIT ORDINANCE

§165-43.1. – Title.

This article shall be known as the “Sidewalk Café Permit Ordinance.”

§165-43.2. – Definition of sidewalk and sidewalk café.

For the purposes of this article, *sidewalk café* shall mean an area on a public sidewalk or village park adjacent to a restaurant, bar or other commercial business that is used by said restaurant, bar or other commercial business to seat and/or serve its patrons.

Sidewalk shall mean that portion of the right -of-way which is located between the curb line or the lateral line of a street and the building frontage, which is intended for use by pedestrians, and generally includes landscape, trees, and other street furniture. The sidewalk may include private property that is generally perceived as part of the public sidewalk.

§165-43.3. – Permit required for sidewalk cafes.

No person, corporation, limited liability company, general partnership or limited partnership shall set up, maintain or operate a sidewalk café on a public sidewalk or village park without a sidewalk café permit from the Village of Solvay Office of Code Enforcement.

§165-43.4. – Permit application.

An application for a sidewalk café permit shall be made to the Village of Solvay Office of Code Enforcement for a sidewalk café on a sidewalk or in a village park. The application for sidewalk café permit shall be made on forms prescribed by the Office of Code Enforcement. The application shall request relevant information relating to the sidewalk café, including , but not limited to, the hours of operation, a diagram of the sidewalk café, the dimensions and amount of square footage to be used by the sidewalk café and the existence of necessary licenses and permits.

§165-43.5. – Sidewalk café permit fees.

The fee for a sidewalk café permit shall be based upon the amount of square footage being used by the sidewalk café. Accordingly, the fees for a sidewalk café permit shall be as follows:

First time application\$100.00

Annual renewal applications\$50.00

The fee for sidewalk café permits shall be paid at the time that the application for a sidewalk café permit is submitted. No application for a sidewalk café permit shall be accepted where the sidewalk café permit has not been paid.

§165-43.6. – Rules and regulations.

The Village of Solvay Office of Code Enforcement shall promulgate rules and regulations regarding the operation of sidewalk cafes within their jurisdiction. These rules and regulations shall be provided to applicants for sidewalk café permits. Applicants shall sign a statement under oath that they have read the rules and regulations and agree to comply with the rules and regulations.

§165-43.7. – Insurance.

The operator of a sidewalk café must secure commercial general liability insurance for the sidewalk café in an amount set by the Village of Solvay Office of Code Enforcement. The insurance must have the Village of Solvay listed as an additional insured in the insurance policy.

§165-43.8. – Issuance of sidewalk café permits.

The Village of Solvay Office of Code Enforcement shall issue a sidewalk café permit for sidewalk cafes within its jurisdiction where the proposed sidewalk café poses no danger to public safety and/or health, the applicant and operator of the sidewalk café are in compliance with the Village of Solvay Code Enforcement rules and regulations and all applicable state and local laws, ordinances, resolutions and rules and regulations and the requirements of this article have been complied with.

§165-43.9. – Expiration of permit.

Sidewalk café permits shall be valid from April 1 to October 31 of the year for which the sidewalk café permit is issued unless the permit is suspended or revoked.”

Section 2: Local law No.: 4 of 1991, as amended, remains in full force and effect except as hereinabove amended.

Section 3: This local law shall take effect immediately upon posting and publication as required by law and filing with the Secretary of State