

LOCAL LAW 2008-1

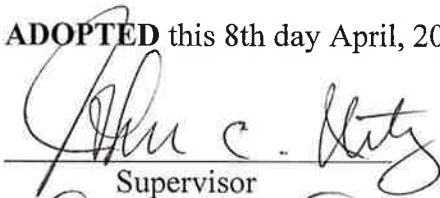
ADOPTED

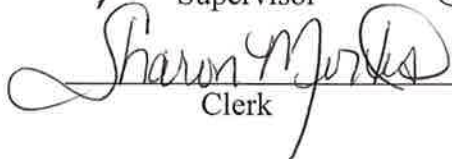
**THIS IS TO CERTIFY THAT THE FOLLOWING LOCAL LAW NO. 2008-1
WAS ADOPTED AT THE REGULAR MEETING OF THE LEE TOWN BOARD
ON APRIL 8TH, 2008:**

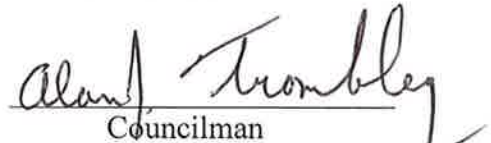
**Town of Lee
PO Box 191
Lee Center, NY 13363**

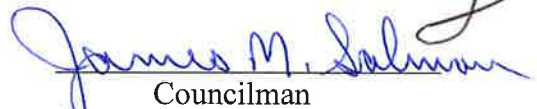
AMENDMENT OF ZONING ORDINANCE

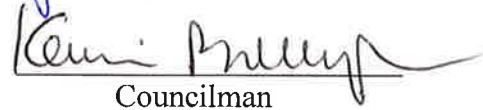
ADOPTED this 8th day April, 2008 at the meeting of the Lee Town Board.

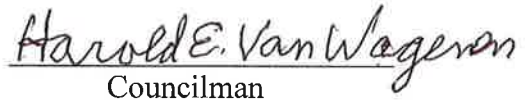

Supervisor


Clerk


Councilman


Councilman


Councilman


Councilman

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.

~~XCountyX~~

~~XCityX~~

of Lee

Town

~~XVillageX~~

Local Law No. 1 of the year 2008

A local law amending the zoning ordinance of the Town of Lee, Oneida County, New
(Insert Title)
York

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

~~XCountyX~~

~~XCityX~~

of

Town

~~XVillageX~~

Lee

as follows:

SEE ATTACHED

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

**A LOCAL LAW AMENDING THE ZONING ORDINANCE
OF THE TOWN OF LEE, ONEIDA COUNTY, NEW YORK**

Local Law No. 1 of 2008

Be it enacted by the Town Board of the Town of Lee, in the County of Oneida, as follows:

Section 1.

The Town of Lee Zoning Ordinance be and hereby is amended by this Local Law as follows:

Section 106, Schedule of Uses, shall be amended to replace the existing Zone District permitted uses and special uses to those specified below with the exception of Planned Unit Development (PUD), which shall remain unchanged:

COMMERCIAL:

Permitted Uses:

1. Accessory Structure
2. Agricultural Improvements
3. Auto/Recreation Vehicle Sales
4. Bakery
5. Banks/Credit Unions
6. Bar/Tavern
7. Beauty Parlor/Barber Shop
8. Day Care Facility
9. Car Wash
10. Community Center
11. Contracting Storage
12. Convenience Store
13. Drug Store
14. Fraternal Club/Social Club/Lodge
15. Funeral Home
16. Garage, Public
17. Garage, Repair
18. Hotel/Bed & Breakfast
19. Kennel/Veterinary Services
20. Laundromat

Special Uses:

1. Accessory Apartment
2. Accessory Use
3. Agricultural Operations
4. Antenna
5. Home Occupation
6. Manufacturing/Processing
7. Storage Units/Vehicle
8. Trucking Operation, Private
9. Trucking Operation, Commercial
PLANNING BOARD REVIEW:
1. Airport/landing strip
2. Campground
3. Cemetery
4. Cluster Development
5. Community Amusement
6. Mobile Home Park
7. Multiple Family Dwelling
8. Two Family Dwelling
TOWN BOARD REVIEW:
1. Essential Services

21. Light Manufacturing	2. Sanitary Landfill
22. Liquor Store	3. Nursing Home
23. Medical Facility	4. Shopping Center
24. Office	
25. One Family Dwelling	
26. Professional Offices	
27. Restaurant	
28. Retail Shop	
29. Service Station	
30. Signs, Business and Advertising	
31. Travel Trailer	

R – A:

Permitted Uses:

Special Uses:

1. Accessory Structure	1. Accessory Apartment
2. Agricultural Improvements	2. Accessory Use
3. Agricultural Operations	3. Airport/Landing Strip
4. Day Care Center/Home	4. Antenna/Cell Tower
5. Mobile Home, individual	5. Auto/Recreation Vehicle Sales
6. One or Two Family Dwellings	6. Bar/Tavern
7. Signs, Business	7. Car Wash
8. Travel Trailer	8. Contracting Storage
9. Beauty Parlor/Barber Shop	9. Excavation
10. Community Center	10. Fraternal Club/Social Club/Lodge
11. Convenience Store	11. Garage Public
12. Home Occupation	12. Garage Repair
13. Office	13. Hotel/Bed & Breakfast
14. Produce/Farm Stand	14. Kennel/Veterinary Services
15. Professional Offices	15. Laundromat
16. Religious Facility	16. Service Station
17. Restaurant	17. Trucking Operation, Private
18. Sawmill	PLANNING BOARD REVIEW:
	1. Campground
	2. Golf Course
	3. Mobile Home Park
	4. Multiple Family Dwelling

	5. Storage Vehicle
	TOWN BOARD REVIEW:
	1. Dormitory
	2. Essential Services
	3. Junk Yard
	4. Nursing Home
	5. Sanitary Landfill

HAMLETS:

Permitted Uses:

Special Uses:

1. Accessory Apartment	1. Antenna
2. Accessory Structure	2. Auto/Recreation Vehicle Sales
3. Accessory Use	3. Community Center
4. Agricultural Improvements	4. Contracting Storage
5. Beauty Parlor/Barber Shop	5. Convenience Store
6. Bed & Breakfast	6. Fraternal Club/Social Club/Lodge
7. Day Care Center/Home	7. Funeral Home
8. General Store	8. Home Occupation
9. One or Two Family Dwellings	9. Kennel/Veterinary Services
10. Professional Offices	10. Office
11. Retail Shop	11. Religious Facility
12. Signs, Business and Advertising	12. Restaurant
13. Travel Trailer	13. Service Station
	14. Trucking Operation, Private
	PLANNING BOARD REVIEW:
	1. Cemetery
	2. Cluster Development
	3. Multiple Family Dwelling
	TOWN BOARD REVIEW:
	1. Dormitory
	2. Essential Services/Facilities
	3. Nursing Home

R - 20:

Permitted Uses:

Special Uses:

1. Accessory Structure	1. Accessory Apartment
2. Day Care Center/Home	2. Accessory Use
3. One Family Dwelling	3. Antenna

4. Signs, Business	4. Community Center
5. Travel Trailer	5. Farm Stand
6. Home Occupation	6. Fraternal Club/Social Club/Lodge
7. Medical Facility	7. Hotel/Bed & Breakfast
	8. Professional Offices
	9. Religious Facility
	10. Agricultural Improvements
	11. Agricultural Operations
	PLANNING BOARD REVIEW:
	1. Campground
	2. Cluster Development
	3. Golf Course
	4. Multiple Family Dwelling
	TOWN BOARD REVIEW:
	1. Dormitory
	2. Essential Services/Facility
	3. Nursing Home

Section 307. Definitions shall be amended to read as follows:

Except where specifically defined herein all words used in this ordinance shall carry their customary meanings. Words used in the present tense include the future, and the plural includes the singular; the word “lot” includes the word “plot”; and the word “shall” is intended to be mandatory; “occupied” or “used” shall be considered as though followed by “or intended”, “arranged”, or “designed to be used or occupied”; “person” includes individual, partnership, association, corporation, company or organization. Doubt as to the precise meaning of any word used in this Ordinance shall be clarified by the Zoning Board of Appeals under its power of INTERPRETATION by appeal.

Accessory Apartment: A second dwelling unit located on the same lot as a principal single-family, owner occupied dwelling unit, located either within the principal dwelling unit or within and accessory building, which is subordinate to the principal dwelling unit in terms of size, location, and appearance. Such a dwelling is an accessory use to the principal dwelling.

Accessory Structure: A structure incidental and subordinate to the principal structure and located on the same lot. Where a structure is attached to the principal structure in a substantial manner, as by a wall or roof, such structure shall be considered part of the main structure.

Accessory Use: A use incidental and subordinate to the principal use and located on the same lot with such principal use.

Agricultural District: An area of land set aside under New York State Laws for agricultural use, and whose agricultural use cannot be unreasonably restricted by Town Zoning Ordinance. The intent of the Agricultural District is to allow agricultural operations to continue, providing public health and safety are not endangered.

Agricultural Equipment/Farm Implement/Supplies and Sales: A commercial enterprise for the purpose of sale and/or service of a wide range of farm implements and equipment and related goods.

Agricultural Improvements: The erection or addition of any structure or farming facility for those properties established as agricultural.

Agricultural Operations: The use of land for agricultural purposes, including farming, dairying, pasturage agricultural, horticulture, floriculture, viticulture, arboriculture, maple sugaring and animal and poultry husbandry and the necessary accessory uses including subsequent sales. See NYS Agricultural and Marketing Law.

Airport/Landing Strip: Any facility for the purpose of engaging aircraft to flight (including necessary facilities for the housing and maintenance of aircraft).

Alteration: As applied to a building or structure, any change which would change the number of dwelling units contained in the building or structure; or an enlargement, whether by extending a side or increasing in height; or the moving from one location to another; or any combination of the above.

Amusement: Commercial activities conducted indoors for the purpose of amusement including, but not limited to, amusement arcades, billiard parlors, theatres, dance halls, bowling alleys and indoor skating rinks. This term shall exclude outdoor facilities such as miniature golf courses, drive-in theatres and go-cart tracks.

Animal Feedlots: A lot or building or combination of lots and buildings intended for the confined feeding, breeding, raising, or holding of animals and specifically designed as a confinement area in which manure may accumulate, or where the concentration of animals is such that a vegetative cover cannot be maintained within the enclosure. Open lots used for feeding and rearing of poultry (poultry ranges) and barns, dairy farms, swine facilities, beef lots and barns, horse stalls, mink ranches and zoos, shall be considered to be animal feedlots. Pastures shall not be considered animal feedlots.

Antenna/Cell Tower: An arrangement of wires, metal, rods, etc. used in sending and/or receiving electromagnetic waves on a structure designed to support said antennas, including freestanding towers, guyed towers, monopoles, and similar structures which employ camouflage technology.

Automobile/Recreation/Sales/Display or Rentals: The use of any building, land area, or other premise for the display, retail sale, or rental of new or used automobiles, trucks, vans, motorcycles, recreational vehicles, in operable condition and where repair service is to be incidental and subordinate to the sale or rental use.

Bakery: A commercial enterprise for the purpose of baking and/or sales of breads, pastries and other baked goods.

Bank: An institution in which the primary business is the holding, lending, transfer and/or investment of money. The term includes credit unions and savings and loan institutions.

Bar/Tavern: Premises used primarily for the sale or dispensing of liquor by the drink for onsite consumption and where food may be available for consumption on the premises as an accessory to the principal use.

Basement: That space of a building that is partly below grade which has half, or more than half, of its height, measured from floor to ceiling, above the average finished grade of the ground adjoining the building.

Beauty Parlor/Barber Shop: Family hair care including perms, coloring, nails, tanning beds, waxing, pedicures, and hair cuts. Also including, but not limited to pedicures, nail salons and tanning beds.

Bed and Breakfast: See "Hotel".

Bowling Alley: Building established for housing bowling lanes, and ancillary related uses.

Buffer: A landscaped area intended to separate and partially obstruct the view of adjacent land uses or properties from one another. The buffer area can be a mixture of deciduous and/or evergreen trees, hedges or plantings, wood, stone or masonry fence in addition to vegetation planted along the perimeter of the fence.

Building: Structure having a roof supported by columns with walls or intended for the shelter or enclosure of persons or animals.

Building Area: The total of areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings, exclusive of uncovered porches, terraces and steps.

Campgrounds: An area or tract of land on which accommodations for temporary occupancy may be located or placed, including cabins, tents, and recreational vehicles, which is primarily used for recreational purposes including picnicking, swimming, hiking or similar activities.

Camp Site: Any area of land within a campground intended for the exclusive occupancy of a single camping unit.

Camping Unit: Any tent, lean-to, cabin or similar structure, houseboat, or recreational camping vehicle, excluding mobile homes, established or maintained and operated in a campground as temporary living quarters for recreation, education or vacation purposes.

Car Wash: An area of land and/or structure with machine or hand operated facilities used primarily for the cleaning, washing, or polishing and waxing of motor vehicles.

Cemetery: Property used for the interring of the dead and dedicated for cemetery purposes, including crematories, mausoleum, and mortuaries, if operated in connection with and within the boundaries of such cemetery.

Club, private: Fraternity, sorority, lodge, professional, religious and similar clubs which may have dormitory accommodation.

Clubhouse or Lodge: A building or premises used exclusively by members of an organization and their guests, which premises or buildings are devoted to recreational or athletic purposes, not primarily conducted for gain. It excludes commercial and merchandising activities for other than its own membership.

Cluster Development: A form of development for single family, residential subdivisions that permits a reduction in lot area requirements, provided there is no increase in the number of lots permitted under a conventional subdivision and the resultant land area is devoted to open space.

Community Center: Includes public or private meeting hall, place of assembly or recreation, museum, art gallery, library, place of further education, church, not operated for profit.

Contracting Storage: Any area and/or structure used for the storage of contracting equipment, supplies and building or construction materials.

Convenience Store: A retail sales operation offering prepackaged food products, household items, newspapers, magazines, sandwiches and other freshly prepared foods for on or off site consumption.

Day-care Center: A building designed to provide care and supervision for three (3) or more children operated on a fee basis together with definition as stated in Section 390 of the Social Services Law.

Day-care Home: A facility, home or other establishment at which day care is provided for hire for more than three hours per day per person for no more than two persons.

Dormitory: A building used as group living quarters as an accessory use for a college, university, boarding school, orphanage, convent, religious order or other similar institutional use and conforming to applicable local and state codes.

Dwelling, Multiple Family: A building or portion thereof used for occupancy by three or more families living independently of each other and containing three or more dwelling units.

Dwelling, One Family: A permanent detached building containing one dwelling unit and occupied by only one family.

Dwelling, Two Family: A permanent building containing two dwelling units and occupied by only two families.

Dwelling Unit: A dwelling, or portion thereof, or mobile home providing complete living and housekeeping facilities, to include bath or shower, sanitary facilities and kitchen for one family.

Essential Services/Facilities: The construction or maintenance by public utilities of municipal or other governmental agencies of underground, surface, or overhead gas, electrical, steam, or water transmissions systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, traffic signals, light stations, telephone lines, hydrants and other similar equipment.

Excavation: Any area of land used for the purpose of extracting stone, sand, gravel, or soil for sale.

Family: One or more persons occupying a dwelling unit and living as a single non-profit housekeeping unit.

Farm Stand: The use of any building, land or part thereof for the sale of produce, or other related farm wares grown, produced or created on the premises, or within the local vicinity thereto.

Flag Lots: An interior lot located to the rear of another lot, but with a narrow portion of the lot extending to the street. No part of the narrow portion of the lot can be less than 25 feet in width, except in cases where an existing structure(s) and its required side yard could not be accommodated, then the width shall not be less than 15 feet capable of being used for ingress and egress. The front line of a Flag Lot is the property line most parallel to the street from which access is gained.

Fraternal Club/Social Club/Lodge: A group of people organized for a common purpose to pursue common goals, interests, or activities and usually characterized by certain membership qualifications, payment of fees and dues, regular meetings and a constitution and by-laws.

Funeral Home: An establishment with facilities for the preparation of the deceased for burial or cremation, for viewing of the body, and for funerals.

Garage, Public: A municipal facility for servicing, repairing, storing, fueling municipal vehicles and equipment. Road salt, sanding and paving materials may be stored on site.

Garage, Repair: A building designed and used for the storage, care, repair, or refinishing of motor vehicles, including both minor and major overhauling, paint and body work.

General Store: Establishments for the display and retail sale of all manner of products or merchandise, including grocery, hardware and clothing.

Home Occupation: Any use customarily conducted entirely within a dwelling or structure accessory, carried on by a member of the residing family, which is clearly incidental and secondary to the use of the dwelling and does not change the character thereof, with the further restriction that adequate off street parking is provided.

Hotel: A building containing rooms other than dwelling units, used, intended to be used, rented or hired out for living purposes by guests for profit. A hotel shall include, motels, boarding houses, tourist homes and bed and breakfasts.

Junkyard: A lot, land or structure or any part thereof used for the collection, storage, or sale of wastepaper, rags, scrapping metal or discarded material or for the collection, dismantling, storage or salvaging of machinery, or vehicles not in running condition and for the sale of parts thereof.

Kennels: An establishment in which dogs, cats, or other domesticated animals are housed, groomed, bred, boarded, trained or sold.

Laundromat: Means of a self-serve, coin-operated clothes-washing establishment containing one or more washers, dryers, irons, or other incidental equipment.

Light Manufacturing and Processing: Manufacturing and processing activities confined to enclosed structures and not offensive to adjoining uses by sight, sound or odor, including, but not limited to, parts assembly and fabrication.

Lot: A parcel of land occupied or capable of being occupied by one building, and the accessory buildings and uses customarily incident to it, including such open spaces as herein required.

Lot Area: The total horizontal area included within lot lines.

Lot, Corner: A lot located at the intersection of and fronting on two or more intersecting roads. Street or road frontage shall be determined by the address of the property.

Lot, Coverage: That portion of the lot that is covered by buildings and structures.

Lot Depth: The average distance between the front and rear lot lines.

Lot Frontage: The portion of the lot abutting upon a public street or public road and measured along highway right-of-way.

Lot of Record: A lot which is part of a subdivision recorded in the Office of the Oneida County Clerk, or is a lot or parcel described by metes and bounds, the description of which has been so recorded.

Lot Width: The distance between side lot lines measured at right angles to the lot depth at a point from the front lot line equal to the front yard specified for the district.

Manufacturing/Processing: Any building principally used for the manufacture of finished goods from raw materials (i.e. to make a good with tools and/or machines by effecting chemical, mechanical or physical transformation of materials, substances or components, or by stimulating natural processes, usually on a large scale with a division of labor).

Medical Facility: A place where medical care is provided to persons on an in-patient or outpatient basis by one or more members of the medical profession, dentists, chiropractors, osteopaths, therapists, or other licensed professionals, including hospitals and medical clinics.

Mobile Home: A moveable or portable dwelling unit designed and constructed to be towed on its own chassis, comprised of frame and wheels, connected to utilities, and designed and constructed without a permanent foundation for year round living.

Mobile Home Park: A parcel of land owned by an individual, partnership, or corporation which has been planned and improved for the placement of mobile homes.

Modular/Manufactured Homes: A residential dwelling unit consisting of component parts manufactured off-site which must be transported to the building site separately for erection, construction or installation as a permanent structure. Modular Homes differ from mobile homes in that the former must be installed on a site-built permanent foundation, are not designed to be moved or transported once installed on the foundation and have been certified by the U.S. Department of Housing and Urban Development as modular housing units.

Non-conforming Lot: A parcel of land which does not conform to the width, depth or area requirements of the zone in which it is located.

Non-conforming Structure/Building: A structure or building, the size, dimensions or location of which was lawful prior to the adoption, revision, or amendment to the Zoning Ordinance, but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning district.

Non-conforming Use: Use or activity that was lawful prior to the adoption, revision, or amendment to the Zoning Ordinance, but that fails by reason of such adoption, revision or amendment to conform to the present requirements of the zoning district.

Nursing Home: A facility regulated by the State providing therein nursing care to the sick, invalid, infirm, disabled or convalescent persons, in addition to lodging and board.

Office: A building, or part thereof, used for conducting the affairs of a business, profession, service, industry, or government and may include accessory services for office workers and not including on-premise manufacturing, servicing, storage or distribution of goods or merchandise.

Parking Space: Off Street: A space adequate for parking an automobile together with properly related access to a public street and maneuvering room. For the purpose of rough computation, an off-street parking space and necessary access and maneuvering room may be estimated at 300 square feet.

Planned Unit Development: An area of a minimum contiguous size, as specified by ordinance, to be planned, developed, operated and maintained by a single entity and containing one or more residential clusters or planned unit residential and one or more public, quasi-public, commercial or industrial areas in such ranges or ratios of non-residential uses to residential uses as specified on the ordinance.

Produce Stand: Structures and/or areas no more than 600 square feet in size that are accessory to on-site agricultural operations and are used to sell only raw, unprocessed fruits, vegetables, nuts and other agricultural produce in its raw or natural state.

Professional Offices: Office used to conduct a professional occupation. A professional occupation is one which is engaged in professional services including, but not limited to, all members of the field of medicine, a lawyer, an architect, engineer, surveyor, real estate broker, accountant, stockbroker, corporate headquarters and beauty salons.

Professional Residence-Office: Residence in which the occupancy has a professional office of an architect, accountant, chiropractor, dentist, doctor of medicine, landscape architect, land surveyor, lawyer, optometrist, osteopath, physiotherapist, planning consultant, podiatrist, engineer, or psychologist, which is clearly secondary to the dwelling use for living purposes and does not change the residential character thereof, and where not more than one person outside the family is employed.

Recreational Vehicle: A vehicular type of portable structure without permanent foundation that can be towed, hauled, or driven and primarily designed as a temporary living accommodation for recreational, camping, and travel use and including, but not limited to, travel trailers, truck campers, camping trailers, and self-propelled motor homes.

Religious Facility: Institution that people regularly attend to participate in or hold religious services, meetings and other activities.

Restaurants: Establishments for the on-premises consumption of food and beverages at sit-down facilities, including, but not limited to, cafes, luncheonettes, taverns and bars.

Retail Shop: A commercial facility engaged in selling goods or merchandise to the general public for personal or household consumption; or providing retail services to the general public.

Sanitary Landfill: A disposal facility or part of one at which solid waster, or its residue after treatment, is intentionally placed in or on land, and at which solid waste will remain after closure and which is not a land spreading facility, a surface impoundment, or an injection well. Please refer to Town of Lee Local Law No. 1 of 1995.

Sawmill: A place with equipment to convert logs to lumber.

Service Station: Any area of land, including structures thereon, that is used for the sale of gasoline and other motor vehicle accessories, and which may include facilities for minor servicing, not to include painting, body or frame repair.

Shopping Center: A parcel of land developed in accordance with a common scheme or design containing 2 or more principal uses in either attached or detached buildings designed and advertised as a shopping area having a common or cooperative parking and driveway facilities, advertising device and other accessory accommodations.

Sign: Any devise for visual communication that is used for the purpose of bringing the subject thereof to the attention of the public, but not including any flag or insignia of any government or government agency.

Sign, Advertising: A sign which directs attention elsewhere than the property on which it is located.

Sign, Business: A sign which directs attention to the property on which it is located.

Sign, Temporary: A signor advertising display constructed of cloth, canvas, fabric, plywood, or other light material and designed and intended to be displayed for a short period of time.

Special Use: A use of land which requires review and approval of a board of the town as specified in Section 106.

Storage Vehicle: Any semi-trailer, truck trailer, or mobile trailer of any kind used for non-vehicular storage purposes.

Street/Road: A public or private way used or intended to be used for passage or travel by motor vehicles.

Trailer: A box vehicle, refrigerator vehicle or flat bed which is designed to be pulled by a truck or truck tractor, as defined herein, but supported by its own frame and stationary wheels, independent of any other support.

Travel Trailer: Any enclosed vehicle used or designated to be used for temporary living or sleeping quarters which is customarily towed from place to place by a conventional motor vehicle or which is a self-contained motor vehicle and trailer.

Truck: Any motor vehicle, other than emergency vehicles of the Town: (1) with a commercial license in excess of 6000 lbs.; or (2) which appear to be used primarily for commercial or business purposes (i.e. use of advertising for a trade, business or service, transportation or storage of materials, attachment of ladders, pipes or other equipment, etc.).

Truck Tractor: Any motor vehicle designed to pull and support the front end of a trailer.

Trucking operation, private: A business that owns and operates one or two commercial trucks, together with equipment associated with the trucks, i.e. accessory trailer and wood-chipper, and equipment necessary for maintenance of said truck(s).

Trucking operation, commercial: A business that has trucks for hire, hauling the property of others. There may be multiple trucks with multiple drivers. The presence of a maintenance facility is customary.

Use: The purpose or activity for which land or structures are designed, arranged, or intended or for which land or structures are occupied or maintained.

Variance: A relaxation of the terms of the ordinance after discovery by the Zoning Board of Appeals that a property owner suffers from practical difficulty or unnecessary hardship in meeting the strict letter of such terms.

1. **Variance, Area:** A relaxation of the terms of the ordinance which has no relation to a change of use. It is primarily a grant to erect, alter or use a structure for a permitted use in a manner other than prescribed by the restrictions of the ordinance.

2. **Variance, Use:** A relaxation of the terms of the ordinance which permits a use of land which is prohibited by the district regulations. Thus a variance which permits a commercial use in a residential district is a use variance.

Veterinarian Services: A place where animals are given medical care and the short-term boarding of animals is secondary to the medical care.

Yard: The minimum depth or width of the yard shall consist of the horizontal distance between the nearest point of the building/structure and the lot line.

Yard, Front: The yard between the street centerline and the front line of the principal building, exclusive of eaves which overhang by no more than four (4) feet, but including covered porches, extended to the side lines of the lot. The depth of the front yard shall be measured between the front line of the building and the highway right-of-way line.

Yard, Rear: The yard between the rear lot line and the rear line of the principal building, exclusive of overhanging eaves, extended to the side lines of the lot.

Yard, Side: A yard between a structure and a side lot line, extending from the front yard to the rear yard. In the case of having no street frontage or a lot of odd shape, any yard that is not a front yard or a rear yard shall be considered a "side yard".

Section 2. Separability

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any Court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Lee hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 3. Repeal

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 4. Effective Date

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

(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. 1 of 20 08 of the ~~(County)(City)~~ (Town)(Village) of Lee was duly passed by the Town Board on June 17 20 08, in accordance with the applicable provisions of law.
(Name of Legislative body)

~~2.XXX(Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer)XXX~~

~~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.~~

~~3.XXX(Promulgation by referendum)XXX~~

~~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 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.XXX(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.

~~XXXXXX Local Law XXXXXXXX~~

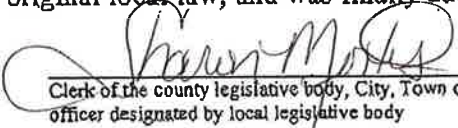
~~I hereby certify that the local law annexed hereto, designating local law No. _____ of _____, State of New York, has been submitted to referendum pursuant to the provisions of section (36)(7) of the General Municipal Law, and that the same has been adopted by a majority of the qualified electors of the _____ (county) (city) (town) (village) (special district) (other) _____, and that the same has become operative.~~

~~XXXXXX Local Law XXXXXXXX~~

~~I hereby certify that the local law annexed hereto, designating local law No. _____ of _____, State of New York, has been submitted to referendum pursuant to the provisions of section (36)(7) of the General Municipal Law, and that the same has been adopted by a majority of the qualified electors of the _____ (county) (city) (town) (village) (special district) (other) _____, and that the same has become operative.~~

~~I hereby certify that the local law annexed hereto, designating local law No. _____ of _____, State of New York, has been submitted to referendum pursuant to the provisions of section (36)(7) of the General Municipal Law, and that the same has been adopted by a majority of the qualified electors of the _____ (county) (city) (town) (village) (special district) (other) _____, and that the same has become operative.~~

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)

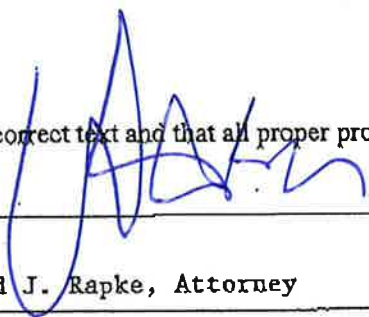
Date: June 17, 2008

(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 ONEIDA

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


David J. Rapke, Attorney

Title

~~County~~

~~City~~ of Lee

Town

~~Village~~

Date: June 17, 2008