

MAYOR

Richard J. Donovan

TRUSTEES

William F. Brazill

John H. Champagne

Ronald L. Cronk

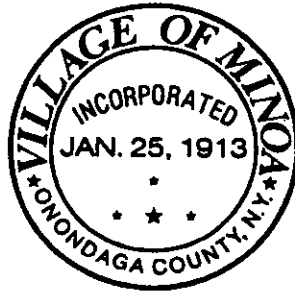
Edmond J. Theobald

CLERK-TREASURER

Suzanne M. Snider

LEGAL COUNSEL

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November 9, 2007

Secretary of State
Miscellaneous Records Unit
Department of State
41 State Street
Albany, NY 12231

Dear Secretary of State:

Enclosed is one (1) original copy of Local Law #8 for 2007 for the Village of Minoa.

If there are any questions on this law, please do not hesitate to contact me at (315) 656-3100.

Sincerely,

Suzanne M. Snider
Village Clerk/Treasurer

Enclosure

CC: Attorney Steven J. Primo w/attachment

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Village of Minoa

Local Law No. Eight (8) of the year 2007.

A Local Law establishing Chapter 66 of the Village of Minoa of Code entitled "Fences."

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

Section One (1). PURPOSE AND INTENT

It is the purpose and intent of this local law to amend the Village of Minoa Code so as to establish regulations for the installation and construction of fencing on real property located within the Village of Minoa.

Section Two (2). Chapter 66, entitled "Fencing" is hereby added, reading in its entirety as follows:

CHAPTER 66 Fences

§66-1. Title

This Chapter 66 shall be known as "Fences."

§66-2. Regulations

- A. In any residential or mixed residential district, fencing shall be installed at the outside perimeter of the property line and except as provided at §66-2(B), shall be installed at a minimum of twelve inches therefrom (inside such property line) and may be no more than four feet high (above grade) in the front yard (as defined in the Zoning Code of the Village of Minoa) nor more than six feet high (above grade) at the rear and side property lines. Fencing shall be uniform in design, of natural or natural appearing material or chain link, with the finished, or more aesthetically pleasing finished side facing adjoining properties.
- B. The foregoing provisions of §66-2(A) notwithstanding, contiguous property owners sharing common or attached fence posts and/or common or attached fencing by written agreement may have such fencing or posts installed nearer to the common property line than twelve inches therefrom. Such written agreement shall include which property the finished or more aesthetically pleasing finished side would be facing. Such written agreement shall be recorded at the Office of the Onondaga County Clerk and be binding on successors in title only if the agreement has been prior to such transfer of title recorded in the chain of title to both contiguous properties. Otherwise same may be terminated by any subsequent transferee of either property.

- C. At all street intersections there shall not be constructed any obstructions to sight lines of vehicular traffic.
- D. In other than residential districts, the placement thereof together with the restrictions imposed thereby for a proposed fence shall be determined by the Planning Board pursuant to Chapter 127 of the Village of Minoa Code.
- E. Fencing or screening along both front lot lines of a corner lot shall not exceed a height of 36 inches from grade for a distance of 20 feet from the point of intersection of such lot lines nearest the street corner.
- F. No fence or screening device shall be installed or maintained in any drainage easement, public street or sidewalk right of way.
- G. In the event of any interpretation, issue or dispute regarding the foregoing, the Codes Enforcement Officer shall make the determination subject in any event to the owner's right to apply for a variance or interpretation to the Zoning Board of Appeals.

Section Three (3). ILLEGALITY/SEVERABILITY.

If any part of this local law or the application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation or 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. Further, in adjudging such invalid provision, the court shall attempt to modify same to a provision which is not invalid and which best achieves the intent of the invalid provision.

Section Four (4). EFFECTIVE DATE.

This Local Law shall take effect immediately upon its filing in the office of the Secretary of State.

(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. 8 of 2007 of the ~~(County)~~(City)(Town)(Village) of Minoa was duly passed by the Village Board of Trustees of the Village of Minoa on November 5, 2007 in accordance with the applicable provisions of law.

~~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 19__ of the ~~(County)~~(City)(Town)(Village) of _____ was duly passed by the _____ on _____, 19__, and was (approved)(not approved)(repassed

(Name of Legislative Body)
 disapproval) by the _____ and was deemed duly adopted on _____, 199__
(Elective Chief Executive Officer)*

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 199__ of the (County)(City)(Town)(Village) of _____ was duly passed by the on _____, 19__, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19__. Such local law was _____ (Elective Chief Executive Officer*) 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 _____ 19__, 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 19__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19__, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19__. Such local law was subject to _____ (Elective Chief Executive Officer*) permissive referendum and no valid petition requesting such referendum was filed as of _____ 19__, in accordance with the applicable provisions of law.

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 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 _____ 19__, 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 19__ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 19__, 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 one (1) above.



Suzanne Snider, Village Clerk

Date: November 9, 2007

(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 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.



Signature
Steven J. Primo

Attorney for the Village

Title

County

City of Minoa

Town Village

Date: 11/8 _____, 2007

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a countywide 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.