

Local Law Filing

**Town of LeRay
Local Law No. 5 of the year 2022**

**A Local Law to Amend Sections 158-6, 158-91, 158-94, 158-101 and 158-102 of the Code
of the Town of LeRay**

Be it enacted by the Town Board of the Town of LeRay as follows:

Section 1. Authority.

**This Local Law is adopted pursuant to the authority of the Municipal Home Rule Law of
New York State, and the Town Law of New York State.**

Section 2. Amendment to Section 158-94.

**Section 158-94 of the Code of the Town of LeRay shall be amended by removing therefrom
subsections P, Q, R, and S.**

Section 3. Amendment to Section 158-102.

**Section 158-102(B) of the Code of the Town of LeRay shall be amended and replaced with
the following:**

**B. Temporary freestanding signs that meet the requirements of this section are exempt
from permitting. The application and permit process for freestanding temporary signs
that do not meet the requirements and all other categories of temporary signs shall be the
same as for permanent signs pursuant to §§ 158-92 and 158-93, respectively.**

Section 4. Amendment to Section 158-102.

**Section 158-102(G) of the Code of the Town of LeRay shall be amended and replaced with
the following:**

G. Temporary freestanding or portable signs.

- (1) In nonresidential districts, one temporary freestanding sign is allowed per property and is
not counted in the total square footage of permanent signage allowed on the site.**
- (2) In nonresidential districts, temporary freestanding signs may be up to 32 square feet in area.**
- (3) In nonresidential districts, a temporary freestanding sign may be displayed no longer than
90 days per calendar year.**
- (4) In residential districts, any number of temporary signs may be displayed if the total square
footage of all signs does not exceed 8 square feet per frontage.**
- (5) In residential districts, any combination of temporary freestanding signs may be displayed
on properties no longer than 90 days per calendar year in aggregate.**

(6) Extensions into rights-of-way are prohibited.

Section 5. Amendment to Section 158-101.

Section 158-101(H) of the Code of the Town of LeRay shall be amended and replaced with the following:

H. Menu board. Menu board sign areas do not count against overall permitted signage area.

- (1) Drive-through businesses Two changeable-copy menu board signs are permitted for each drive-through restaurant, in addition to those signs listed in the sign schedule. Menu board signs may be freestanding, or wall mounted, one sign shall be no more than 30 square feet in area, while the second menu board sign shall be no greater than 16 square feet in area. All menu boards shall have a maximum height of seven feet above grade and shall be readable only to traffic on the adjacent drive-through lane.
- (2) Non-drive-through businesses One changeable-copy menu board wall sign indicating daily menu changes is permitted for each non-drive-through restaurant. Menu board signs shall be no greater than three square feet in area and placed no more than 10 feet from the principal building entrance utilized by patrons.

Section 6. Amendment to Section 158-91.

Section 158-91 of the Code of the Town of LeRay shall be amended by changing the definition of Menu Board to read as follows:

MENU BOARD - A sign erected in conjunction with a use that incorporates a drive-through or drive-in and generally is used to provide service and/or product options and pricing for patrons who remain in a vehicle.

POLITICAL SIGN shall be removed from this section

Section 7. Amendment to Section 158-6.

Section 158-6 of the Code of the Town of LeRay shall be amended by adding the following definitions:

BUSINESS – A business is defined as an organization or enterprise engaged in commercial, industrial, or professional activities.

NONRESIDENTIAL USE – a building or structure of any kind whatsoever used, designed, or intended to be used for other than a residential use and includes all commercial, industrial and institutional uses.

Section 8. Effective Date. This Local Law shall be effective upon filing with the Department of State as required by the provisions of the New York State 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. 5 of 2022 of the Town of LeRay was duly passed by the Town Board on Aug 11, 2022, 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 2022 of the (County)(City)(Town/Village)(Village) of _____ was duly passed by the _____ on _____ 2022. and was (approved) (not approved) (repassed after disapproval) by the _____ and was deemed duly adopted on _____, 2022 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 2022 of the (County) (City) (Town/Village) (Village) of _____ was duly passed by the _____ on _____ 2022, and was (approved) (not approved)

(Name of Legislative Body)
(repassed after disapproval) by the _____ on _____, 2022.
(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 _____, 2022, 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 2022 of the (County) (City) (Town) (Village) of _____ was duly passed by the _____ on _____ 2022, and was (Name of Legislative Body) (approved)(not approved) (repassed after disapproval) by the _____ on _____ 2022. (Elective Chief Executive Officer *)

Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 2022, 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/Village 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 _____, 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 Town/Village 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 1 above.

Melina S. Keene
Clerk, of the Town of LeRay

Date: Aug. 11, 2022

(seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town/Village Attorney, Village Attorney or other authorized attorney of locality.)

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

Joseph W. Russell
Title Joseph W. Russell, Attorney
Town of LeRay

Date: 8/11/2022
