

DRAFT LOCAL LAW NO. \_\_\_\_ OF 2019

CITY COUNCIL  
CITY OF BEACON

PROPOSED LOCAL LAW TO  
AMEND CHAPTER 223, SECTIONS 41.4, 41.18 AND 41.21 OF THE  
CODE OF THE CITY OF BEACON

A LOCAL LAW to amend Chapter 223, Sections 41.4, 41.18 and 41.21 of the Code of the City of Beacon, concerning balconies in the Waterfront Development Zone, Central Main Street District and Linkage District.

BE IT ENACTED by the City Council of the City of Beacon as follows:

**Section 1.** Subsection J(4)[I] of Section 223-41.4 of the Code of the City of Beacon entitled “Waterfront Development (WD) Zone” is hereby amended as follows:

§ 223-41.4 Waterfront Development (WD) Zone.

...

J. Development standards for Waterfront Development District. It is essential that development in this district meet the following development standards.

...

(4) Architectural design standards.

...

(I) Building elements that provide additional architectural interest, such as ~~balconies~~, bay windows, ~~open porches~~, and cornices, but not including balconies or open porches, may encroach up to four feet beyond the front line if the bottom of the encroaching building elements is at least 12 feet above grade.

...

**Section 2.** Subsection J(6) of Section 223-41.18 of the Code of the City of Beacon entitled “Regulations” (Central Main Street District) is hereby amended as follows:

§ 223-41.18 Regulations.

...

J. Design standards.

...

(6) Building elements that provide additional architectural interest, such as ~~balconies~~, bay windows,

~~open porches~~, and cornices, but not including balconies or open porches, may encroach up to four feet above the sidewalk, if the bottom of the encroaching building elements is at least 12 feet above grade.

...

**Section 3.** Subsection K(4) of Section 223-41.21 of the Code of the City of Beacon entitled “Regulations” (Linkage District) is hereby amended as follows:

**§ 223-41.21 Regulations.**

...

K. Design standards.

...

- (5) Building elements that provide additional architectural interest, such as ~~balconies~~, bay windows, ~~open porches~~, and cornices, but not including balconies or open porches, may encroach up to four feet beyond the front line if the bottom of the encroaching building elements is at least 12 feet above grade.

...

**Section 4.** Ratification, Readoption and Confirmation

Except as specifically modified by the amendments contained herein, Chapter 223, Section 41.18 of the Code of the City of Beacon are otherwise to remain in full force and effect and are otherwise ratified, readopted and confirmed.

**Section 5.** Numbering for Codification

It is the intention of the City of Beacon and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the City of Beacon; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word “Local Law” shall be changed to “Chapter,” “Section” or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

**Section 6.** Severability

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt there from.

**Section 7.** Effective Date

This local law shall take effect immediately upon filing with the Office of the Secretary of State.