

DRAFT LOCAL LAW NO. ____ OF 2020

**CITY COUNCIL
CITY OF BEACON**

**PROPOSED LOCAL LAW TO AMEND
CHAPTER 223, SECTION 61.3C OF THE CODE OF THE CITY OF
BEACON**

A LOCAL LAW to amend Chapter 223, Section 61.3C of the Code of the City of Beacon concerning the posting requirements for public notice signs.

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

Section 1. Chapter 223, Section 61.3, Subsection C of the Code of the City of Beacon entitled “Public notice signs” is hereby amended as follows:

§ 223-61.3 Hearing notice requirements.

....

C. Public notice signs.

- (1) The applicant shall post one notification sign on the subject property, or in the case of a corner lot post a notification sign on all abutting streets, no later than 14 days prior to the initial public hearing and any continued public hearing thereafter. The applicant shall update said sign at least 14 days prior to every public hearing at which the applicant's matter will be heard. For matters before the City Council, the applicant shall post the required sign(s) no later than 10 days prior to the public hearing and shall update said sign at least 10 prior to every public hearing before the City Council in which the applicant's matter will be heard. The Building Inspector may require, in his or her discretion, the applicant to post an additional public notice sign, based on topography of the surrounding land, parcel size and shape, or any other factors the Building Inspector, in his or her discretion, feels may impact effective public notice.

- (2) Such sign shall be at least two feet by three feet in size, consist of sturdy and serviceable material containing a white background with black letters and be placed in a location visible from the most commonly traveled street or highway upon which the property fronts, or in the case of a corner lot on all streets, but in no case more than 20 feet back from the front lot line. Such sign shall read as follows, in legible lettering with the heading at least five inches in height and the content at least two inches in height:

PUBLIC NOTICE A PUBLIC HEARING FOR A [application type]
APPLICATION WILL BE HELD BY THE CITY OF BEACON [City Council,
Planning Board, or Zoning Board of Appeals] ON [insert date] AT [insert time] P.M.
AT THE CITY OF BEACON CITY HALL, 1 MUNICIPAL PLAZA, BEACON,
NY ADDITIONAL INFORMATION IS AVAILABLE AT THE BEACON
BUILDING DEPARTMENT (845) 838-5020

- (3) In the event that the applicant shall appear before more than one board, the sign shall be appropriately revised to reflect the time and place of each board's meeting. At least two working days before the public hearing, the applicant shall also submit to the secretary of the applicable board a signed affidavit certifying to the fact and date of said posting.
- (4) The applicant shall, in good faith, maintain the public notice sign in good condition throughout the posting period.
- (5) The applicant shall remove the notification sign within five days of the adoption of any resolution concerning the application.

Section 2. Ratification, Readoption and Confirmation

Except as specifically modified by the amendments contained herein, Chapter 223 Section 61.3 of the City of Beacon are otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

Section 3. 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 4. 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 5. Effective Date

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