

Local Law Filing

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(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.

☐ County ☐ City ☐ Town ☒ Village
(select one)

of Floral Park

Local Law No. 5 of the year 2021

A local law adopting Chapter 66-B of the Village Code entitled "Vacant Storefronts."

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

☐ County ☐ City ☐ Town ☒ Village
(Select One:)

of Floral Park as follows:

Section 1. Legislative Intent

This Local Law adopts Chapter 66-B of the Village Code entitled "Vacant Storefronts."

This Local Law seeks to regulate the appearance of storefronts that are temporarily unoccupied.

Section 2. Chapter 66-B as Adopted:

CHAPTER 66-B

VACANT STOREFRONTS

§ 66-B-1. Definitions

STOREFRONT WINDOW — Any window located in the Village Business Districts that permits an unobstructed public view into the interior of the building from an adjacent street, sidewalk or right-of-way. This term includes doors.

VACANT STOREFRONT WINDOW — A storefront window shall be deemed vacant if no person or persons conducts a lawfully licensed business there for a period of one month or more.

WINDOW DISPLAY — A visual representation of information or graphics for viewing by the public in a storefront window. The display may consist of, for example, the Village of Floral Park preapproved graphics, fine art, sculpture, or photography.

§ 66-B-2. Vacant Storefronts

- A. It is the finding of the Board of Trustees that window displays contribute to the vitality and economic health of the Village's business districts by visually connecting interior activities with public space and pedestrians on the street. It has been found that storefront windows that are vacant or boarded over have a negative impact on the aesthetic character of the Village's business districts. It is the intent and purpose of this section to promote the success of the businesses and the overall health of the Village's business districts, encourage an active and lively streetscape and maintain the historic aesthetic character of the Village's business districts by establishing regulations requiring the owner or tenant of a nonresidential building to place a window display in all storefront windows in accordance with certain standards.
- B. Window displays required. A window display shall be required in a vacant storefront window, subject to the following standards:
- (1) Adhesive materials used to affix the window display shall not be visible from the outside of the storefront window. The window display shall be maintained in a clean and neat appearance.
 - (2) The window display shall face the exterior of the storefront window and shall not be further than three feet from the interior of the storefront
 - (3) Window screening, including, but not limited to, blinds, drapes, curtains or shades, or a covering which is constructed of durable material such as cardstock or paper, which covers a portion of or the entire storefront window shall not be considered a window display for purposes of this chapter and is hereby prohibited.
 - (4) All proposed window displays to be installed pursuant to this chapter shall be approved prior to installation, by the Superintendent of Buildings; except that if such window display consists of one of the preapproved graphic images located in the Department of Buildings, no such additional approval shall be required.
- C. Construal of provisions. The provisions of this chapter shall be in addition to all building, zoning, historic, fire, health or environmental laws that have been or may hereafter be imposed. Nothing herein shall be construed to repeal, modify, or constitute an alternative to any lawful regulation that is more restrictive than this chapter.
- D. Penalties for offenses; enforcement. Any person committing an offense against any provision of this chapter shall, upon conviction thereof, be guilty of a violation punishable by a fine in an amount not less than \$250 for each offense. The continuation of an offense against the provisions of this chapter shall constitute, for each day the offense is continued, a separate and distinct offense hereunder.

Section 3. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 4. Effective Date

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

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

(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 2021 of the (County)(City)(Town)(Village) of Floral Park was duly passed by the Board of Trustees on September 21, 2021, 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 20__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)

(Name of Legislative Body) (repassed after disapproval) by the _____ (Elective Chief Executive Officer*) and was deemed duly adopted on _____ 20____, 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 20__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)

(Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20____. (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 _____ 20____, 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 20__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20____. Such local

(Elective Chief Executive Officer*)

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.

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 as the General Election of November _____ 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 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 1 above.



Clerk of the county legislature body, City, Town or Village Clerk or officer designated by local legislative body

Date: September 21, 2021

(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 NASSAU

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


John E. Ryan

Village Attorney

Title

County

City

Town of

Floral Park

Village

Date: September 21, 2021