

Local Law Filing

(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.

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED
JUL 02 2007

- County
- City of Caroga
- Town
- Village

MISCELLANEOUS
& STATE RECORDS

Local Law No. Two of the year 20 07

A local law "911 Road Naming and Addressing Ordinance."
(Insert Title)

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

- County
- City of Caroga as follows:
- Town
- Village

Section 1. Title "911 Road Naming and Addressing Ordinance."
Local Law #2-2007

Section 2: Purpose: The Town of Caroga is a very rural and sometimes remote community; appropriate house numbers are not always affixed to a residence or clearly visible from the nearby roadway. Critical lifesaving minutes are wasted in an attempt to locate a specific address by the Fire Department, Ambulance Service, and local Law enforcement agencies. In addition, local mail and parcel delivery service are also unable to correctly deliver packages due to inadequate address identification.

Due to the facts stated above a uniform program of address identification and enforcement of same would assist in the preservation of life and protection of property is required for the Town of Caroga. This ordinance will minimally impact residential and business property owners while improving the quality of service by all Emergency Response agencies.

During Emergencies, minutes sometimes make the difference between life and death. Additionally, minutes can also preserve property and protect individuals from an intruder posing a threat.

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

Section 3: Number and Letter Specifications and Displaying.

It shall be the duty of the owners of every habitable structure in the Town of Caroga to have placed immediately above, on, or at the side of the proper door of each building, house, business or commercial structure *plainly visible from street* numerals of at least three inches high and not less than ½" in width. Showing the number of the house.

3a: Assignment of Address. Each house, building, structure, or multiple unit development shall be assigned an address by the County 911 service or his designee. A number or alphabetical letter shall also be assigned for each building or structure within a multiple unit development and each unit within each building or structure (examples include, but are not limited to, apartment and office complexes and shopping centers). Only the address numbers or letter assigned by the 911 director or his designee will be used, and all other numbers and letters shall be removed.

3b: Installation and Cost. The cost and installation of address numbers shall be the responsibility of the property owner and shall be posted within twenty-one (21) days after receiving notification of the proper address assignment by the 911 director or his designee.

4a: Street Names; 911 Director to Maintain Director of Street Names.

For the purpose of clarifying and systematizing the street names in The Town of Caroga, the 911 Director will maintain a directory of all streets within the county. And shall examine all street names within the county, and when he shall find duplication of street names which might cause confusion, or when he shall find street names that will cause difficulty in the assigning of numbers, he shall then recommend appropriate name changes to the local planning board.

4b: Subdivision-Plats to Show Street Names; Certification by 911 Director.

Prior to submitting a preliminary subdivision plat to the Planning Commission, the developer of the subdivision must submit to the Fulton County 911 director a preliminary plat showing the proposed street names and the location of community water supplies, if applicable, within the subdivision. Within thirty -days (30) of receipt of the plat, the 911 Director or his designee shall assign each lot a 911 address and make recommendations on street names. The 911 Director or his designee will notify the Planning Board in writing his recommendations on street names and will certify that all lots are assigned appropriate 911 addresses. The Planning Board will not approve any preliminary plat prior to receiving written notification from the 911 Director that all requirements of the section have been met.

4c: New Buildings; Numbers Required, Prerequisite to Issuance of Building Permit and Final Approval of Structure.

Prior to the issuance of any building permit, the owner, builder or other responsible person for the proposed building shall procure from the 911 Director or his designee a 911 address for the property. The 911 Director or his designee will provide to the owner, builder, or other responsible person a letter certifying that he has procured a 911 address for the specified property. Within ten (10) days of the issuance of a building permit, the owner, builder or other responsible person

of the issuance of a building permit, the owner, builder or other responsible person will cause to be located on the property in a conspicuous place visible to the road, the 911 address issued for the property. Final approval of any structure erected, repaired or altered or modified shall be withheld by the building inspector until permanent and proper numbers as specified in this ordinance have been affixed to the structure

5: ADDRESS NUMBER PLACEMENT

5a: It shall be the property owner's responsibility to place address numbers on the structure.

5b: Address numbers must be conspicuously placed on the structure so that the number is clearly visible from the road from any direction of travel. In cases where the structure is more than fifty (50) feet from the road or not visible from the road the number must be placed near the walk, driveway, or common entrance to the structure, or upon the mailbox, gatepost, fence, address placard or other appropriate place so as to clearly be visible from the road to guide emergency vehicles to the structure.

5c: If primary address numbers are to be placed on a mailbox or mailbox post on the road then the mailbox must be immediately adjacent to or opposite the entrance to the driveway.

5d: Address numbers shall be no less than **3" (inches)** in height and should be placed on a contrasting color background for high visibility. Address numbers for businesses shall be no less than **4" (inches) in height. In all cases numbers should be reflective with a contrasting background.**

5e: Structure address numbers for apartments or similar complexes shall be placed on the building, and in addition the unit number shall be placed on or near the door to each individual unit.

5f: Manufactured home parks should have similar styles of address numbers placed in similar locations on the individual homes. Example: If all homes are set perpendicular to the street or parking lot then all address numbers should be placed on the end (or front) of the home at a uniform height above the ground.

5g: Trees and brush should be cleared from obstructing address numbers.

5h: Owners of existing structures are required to post their assigned numbers using these guidelines.

5i: Residents with concerns about proper address number placement are encouraged to contact the Town of Caroga Code Enforcement Officer.

5j: Residents have a duty to remove any different number, which may be mistaken for (or) confused with the number assigned in conformance with this ordinance.

5k: Residents shall have six months from the date of adoption of this ordinance to comply with the address number placement requirements.

6: Where multiple structures are present on a residence or commercial property, the Fulton County 911 director or his designee will determine which structure requires an address. Numbers shall be made of a durable reflective material and must contrast the color of the house, building, structure or background.

6a: Whenever any building or house is situated more than fifty (50) feet from the street line or when such building or house is not visible from the street, such number shall be placed near the walk, driveway, or common entrance to such building or house, or upon a gate post or fencepost or other appropriate place so as to easily identify the property from the street. The address will also be displayed on the building or house as specified herein, as well as any mailbox associated with the property.

6b: Where required by the 911 director or his designee, a directory sign shall be posted at each drive entrance, and at appropriate internal intersections to indicate the location of buildings or structures in multiple unit developments. Each building or structure shall be assigned a separate number or letter and such number or letter shall be posted as specified above.

6c: The number or letter assigned to each unit, along with the building identification number where appropriate (for example, unit 122 in building C may be posted C-122 or 122C), shall be placed immediately above, on, or at the side of the appropriate door(s) so that the number is visible or legible. Individual unit address numbers and letters shall not be duplicated within multiple unit complexes. For units which are accessible only from an exterior hall or access way, letters and numbers shall be affixed to the door and shall be a minimum of one and one-half inches in height and one-quarter inch in width.

7: Enforcement; Penalties. Any person, firm, or corporation failing to so number any house, building or other structure occupied by him shall be in violation of this ordinance and shall be penalized as specified herein.

7a: This ordinance shall be enforced by any office of the building inspector (code enforcement officer) of The Town of Caroga. Citations for violations may be issued by the building inspector or any other person designated or authorized to issue citations (Code Enforcement Officer).

7b: Any person violating this ordinance will be tried before the Town Court of the Town of Caroga. Upon conviction, any person found guilty of a violation of this ordinance may be punished by fine; first offense - \$25.00, second offense - \$50.00, and for a third offense - \$75.00. Each day any violation of any provision of this ordinance shall constitute a separate offense.

7c: It shall be unlawful for any person to remove, damage, alter, or deface any posted address number or public or private road. Upon conviction, any person found guilty of a violation of this ordinance may be punished by a fine of \$50.00.

8: Repeal of Conflicting Provisions. If any clause, sentence, paragraph, subdivision, section, or part of this Local Law shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not effect, impair, or invalidate the remainder thereof.

9: Exemptions: Law enforcement officers shall be exempt from the requirement to place street addresses on their residence.

10: Effective Date: This Local Law shall become effective immediately upon it's filing with the New York State Department 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. Two of 20 07 of the ~~(County)(City)~~(Town)(Village) of Caroga was duly passed by the Town Board on June 13th 20 07, in accordance with the applicable provisions of law.
(Name of Legislative Body)

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 _____ and was deemed duly adopted (Elective Chief Executive Officer*) 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 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.)

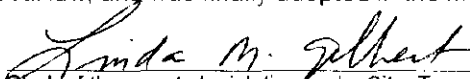
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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 at 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 _____, above.


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

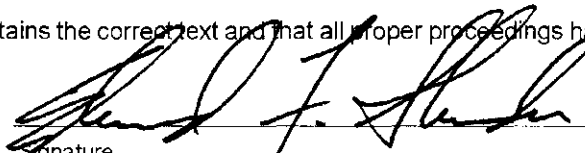
(Seal)

Date: June 25, 2007

(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 Fulton

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
Town Attorney

Title

~~XXXXXX~~
City of Caroga
Town
~~XXXXXX~~

Date: June 25, 2007