

This version of the Local Law indicates language being deleted

CITY OF CORTLAND, NEW YORK

LOCAL LAW NO. 9 OF THE YEAR 2022

“AMENDMENT OF ARTICLE §300 - REVISIONS AND CLARIFICATIONS RELATING TO ZONING REGULATIONS AND ENFORCEMENT”

Be it enacted by the Common Council of the City of Cortland as follows:

Section 1. Enactment and Title.

§300-4 Definitions. A. When used in this Chapter, unless otherwise expressly stated, the following words and phrases shall have the meanings herein after set forth.

ANCILLARY PARKING AREA – A parking area which is either across the street from or contiguous to the lot served by the parking area.

POLE SIGN – A Sign that is mounted on a freestanding pole or other support so that the bottom edge of the sign face is 7 feet or more above the grade and the top edge of the sign face is no greater than 20 feet above the grade.

HIGH-RISE SIGN – A pole sign with a ground height greater than 20 feet.

§300-6 Designation of Districts. A. The zoning districts will be referred to herein after in this chapter and on the Zoning Map as follows:

Type of District	Designation
Low Density Residential	R-1
Medium Density Residential	R-2
Mixed Density Residential	R-3
Multifamily Residential	R-4
Professional Office	PO
Neighborhood Business	NB
General Business Regional	GB-1
General Business Local	GB-2
Central Business	CB
General Industrial	GI
Historic Overlay	HO
Flood Hazard	FH
Floodway Zone	FW

§300-10 Prohibited Uses. B. The following uses are specifically prohibited as a principle use, however: they may be permitted as an accessory use:

- (1) The storage of crude oil or any of its volatile products or other highly flammable liquids in aboveground tanks.
- (2) The sale of used motor vehicles or equipment, which are regulated herein as an outdoor sales use.

§300-10 Prohibited Uses. C. The following uses are specifically prohibited as a principle or accessory use under this chapter; however they may be permitted pursuant to another chapter of the Code of the City of Cortland:

- (1) Adult entertainment businesses: see Chapter 60.
- (2) Animal harboring: see Chapter 74.
- (3) Junkyards and scrapyards: see Chapter 164
- (4) Sidewalk Cafés: see Chapter 234

§300-22 Residential Permitted and Specially Permitted Uses. Uses are allowed in residential or "R" zoning districts in accordance with Tale 300-13 below.

- A. Uses identified with a "P" in the table are permitted as of right in the subject zoning district, subject to compliance with all other applicable standards of this chapter.
- B. Uses identified with a "SP" in the table may be allowed if reviewed and approved in accordance with the special permit procedures contained in Article XVI.
- C. Uses not listed and those identified with a " – " are expressly prohibited.

Table 300-13: Residential Permitted and Specially Permitted Uses

Land Use	Zoning District			
	R-1	R-2	R-3	R-4
Single-family Dwellings, detached	P	P	P	P
Single-family Dwellings, attached	SP	P	P	P
Two-family Dwellings	-	P	P	P
Multifamily Dwellings	-	-	P	P
Bed and Breakfasts	-	SP	SP	SP
Home Occupations	SP	SP	SP	SP
Fraternity or Sorority Dwellings	-	SP	SP	SP
Rooming Houses and Boarding Houses	-	-	SP	SP
Accessory Dwelling Units	SP	SP	-	-
Accessory Uses or Structures	P	P	P	SP
Solar Photovoltaic Systems (accessory only)	P	P	P	SP
Ground-mounted Solar Photovoltaic	-	-	-	-
Places of Worship	SP	SP	SP	SP
Schools	SP	SP	SP	SP
Public Service Utilities	SP	SP	SP	SP
Clubs (lodges, fraternal organizations, etc.)	-	-	-	SP
Ancillary Parking Areas	-	-	-	SP
Parks, Playgrounds	SP	SP	SP	SP
Indoor Lodging	-	-	SP	SP
Extended-Care Medical Facilities	-	-	SP	SP
Personal or Professional Offices	-	-	SP	P
Medical Offices	-	-	SP	P

Day Care Centers	-	-	-	P
Cemeteries	SP	SP	SP	SP

§300-23 Residential Lot, Area and Yard Requirements. The lot, area and yard requirements listed in Table 300-14 below shall apply to the residential districts within the City.

Table 300-14: Residential Lot, Area, and Yard Requirements

D. Minimum Side Yard

Land Use	Zoning District			
	R-1	R-2	R-3	R-4
Single Family / Two Family	7 feet	7 feet	7 feet	7 feet
Multifamily	--	--	15 feet	15 feet
Nonresidential Uses	10 feet	10 feet	15 feet	15 feet

§300-32 Business Permitted and Specially Permitted Uses. Uses are allowed in business zoning districts in accordance with Table 300-22 below.

- A. Uses identified with a "P" in the table are permitted as of right in the subject zoning district, subject to compliance with all other applicable standards of this chapter.
- B. Uses identified with a "SP" in the table may be allowed if reviewed and approved in accordance with the special permit procedures contained in Article XVI.
- C. Uses not listed and those identified with a " – " are expressly prohibited.

Table 300-22: Business Permitted and Specially Permitted Uses

Land Use	Zoning District			
	CB	NB	PO	GB-2, GB-1
Single-family Dwellings	-	P	P	- (1)
Two-family Dwellings	-	P	P	- (1)
Multifamily Dwellings	P	P	P	P
Bed and Breakfasts	SP	P	P	-
Home Occupations	-	SP	SP	SP
Fraternity or Sorority Dwellings	-	-	SP	SP
Rooming Houses and Boarding Houses	-	SP	-	-
Upper Floor Residential Units	P	P	P	P
Accessory Uses or Structures	SP	SP	SP	SP
Solar Photovoltaic Systems (accessory only)	SP	SP	SP	SP

NOTES:

(1) Single and two-family dwellings occupied as of the effective date of this chapter are considered a permitted use. The development of new single or two-family dwellings are prohibited.

Land use	CB	NB	PO	GB-2, GB-1
Ambulance Service	-	-	-	P
Ancillary Parking Areas	-	-	SP	SP
Art Galleries and Studios	P	P	P	P
Cemeteries	-	-	SP	-
Clubs (lodges, fraternal organizations, etc.)	P	-	SP	P
Day Care Centers	SP	P	P	-
Dry Cleaner Outlets and Laundromats	P	P	-	P
Extended-Care Medical Facilities	-	-	SP	P
Financial Institutions and Services	P	P	SP	P
Fuel Stations	-	SP	SP	P
Funeral Parlors	-	P	P	-
Indoor Entertainment and Recreations	P	SP	-	P
Indoor Lodging	P	-	SP	P
Medical Offices	P	P	P	P
Motor Vehicle Sales	-	-	-	P
Motor Vehicle Service Shops	-	SP	-	P
Outdoor Entertainment and Recreation	-	-	-	SP
Outdoor Sales	SP	-	-	SP
Parks, Playgrounds	SP	SP	SP	SP
Personal or Professional Offices	P	P	P	P
Personal Service Shops	P	P	SP	P
Places of Worship	SP	SP	SP	SP
Public Service Utilities	SP	SP	SP	P
Restaurants and Taverns	P	SP	SP	P
Retail Stores	P	P	SP	P
Schools	-	P	SP	P
Upper Floor Offices	P	P	P	P

§300-42 Industrial Permitted and Specially Permitted Uses. Uses are allowed in industrial zoning districts in accordance with Table 300-30 below.

- A. Uses identified with a "P" in the table are permitted as of right in the subject zoning district, subject to compliance with all other applicable standards of this chapter.
- B. Uses identified with a "SP" in the table may be allowed if reviewed and approved in accordance with the special permit procedures contained in Article XVI.
- C. Uses not listed and those identified with a " – " are expressly prohibited.

Table 300-30: Industrial Permitted and Specially Permitted Uses

	Zoning District
Land Use	GI
Accessory Uses or Structures	P
Ambulance Service	P
Ancillary Parking Areas	P
Art Galleries and Studios	P
Cemeteries	P
Clubs (lodges, fraternal organizations, etc.)	P
Concrete and Paving Plants	P
Contractor's Services	P
Crematoriums	SP
Day Care Centers	P
Dry Cleaner Outlets and Laundromats	P
Dry Cleaning and Laundering Facilities	P
Enclosed Assembly of Manufactured Goods and Services	P
Enclosed Fabric and Clothing Production Facilities	P
Enclosed Processing of Raw Materials	P
Enclosed Research, Development, Experimental or Testing Lab	P
Extended-Care Medical Facilities	P
Extractive and Mining Operations	-
Financial Institutions and Services	P
Food Processing, Baking, and Packaging Plants	P
Fraternity or Sorority Dwellings	P
Fuel Stations	P
Funeral Parlors	P
Ground mounted solar photovoltaic	SP

§300-53 Approval of Historic Commission Required.

- A. Applicability. No person shall carry out any exterior modification, alteration, restoration, reconstruction, new construction, or moving of a landmark or property within a historic district; nor shall any person make any material change in the appearance of such property, its landscaping, signage, lighting, sidewalks, fences, paving or other exterior elements which affect the appearance and cohesiveness of the landmark or historic district, without first obtaining approval from the Historic Commission. However, this shall not be construed to prevent normal maintenance as provided for in Section 300-55 of this Article.
- B. Application Requirement. Prior to the commencement of any work requiring Historic

Commission approval, the owner and/or their designee shall file an application for Historic District Modification with the Historic Commission. Each applicant shall submit to the City Clerk an application in such form as the Commission shall determine, including the following:

§300-83 Off-Street Parking Requirements.

F. Maximum Parking.

(1) The maximum number of parking spaces allowable is not to exceed 200% of the requirement as outlined in Table 300-83: Required Parking, unless approved by the planning commission.

a. Maximum parking shall not apply to GB-1 District.

G. Bicycle Parking.

(1) Bicycle Parking shall be provided with all multifamily and nonresidential developments at 10% of the vehicle parking requirements as outlined in Table 300-83: Required Parking, but not less than two bicycle spaces and not more than 20 bicycle spaces for any single use.

H. Recreational Vehicles.

(1) No boat, camper travel trailer, camping trailer, utility trailer, motor home, motorcycle, or any other recreational vehicle may be parked or stored in any area of a front or side yard. The foregoing shall not apply in the General Business Districts (GB-1, GB-2), or the Industrial District where such vehicles are temporarily displayed for sale.

Table 300-83: Required Parking

Use Types	Number of Spaces
Single-family dwellings	Two per dwelling unit
Two-family dwellings	Two per dwelling unit
Multifamily dwellings	One and one half spaces per dwelling unit
Townhouses	Two per dwelling unit
Upper-story residential	One per dwelling unit
Auditoriums, church convention halls, gymnasiums, stadiums, studios or other place of public assembly not otherwise classified	One per four permanent seats or one per each 40 square feet of seating area where fixed seating is not provided
Banks, savings and loan associations	One space per 250 square feet of gross floor area
Bars or nightclubs	One space per 100 square feet of gross floor area
Bed-and-breakfast establishments	One per guest bedroom
Bowling alleys	Six spaces per lane
Day-care center	One per employee + one per eight children capacity
Filling stations	One for every 100 square feet of store and business office space. Each pump station may be considered as a parking space.
Fraternal organizations	One and one-half for every person
Funeral homes	One space per three seats in the parlors and chapels
Furniture store	One per 500 square feet of gross floor area
Heavy industrial	One per 1,000 square feet of gross floor area
Hospitals	Two spaces per sleeping room, and one and one-half spaces per sleeping room for psychiatric hospitals
Hotels, motels	One per guest bedroom, plus one per 200 gross floor area or restaurant area
Light manufacturing or light industrial	One per 250 square feet of gross floor area

Nursing homes	One per each five beds, plus one per each two employees on the premises at one time
Offices, business or professional	One per 400 square feet of gross floor area
Offices, medical	One per 250 square feet of gross floor area
Public or semipublic art gallery, library or museum	The same as auditorium, etc.
Repair garages	Three per service bay or repair station
Research institutions or laboratories	Determined by the Planning Commission upon site plan review
Restaurants, fast food and general eating establishments	One space per 100 square feet of gross floor area
Retail stores, sales and service	One per 300 square feet of gross floor area
Rooming and boarding house	One per bedroom
Veterinary hospital	One per 200 square feet of gross floor area
Wholesale establishment, warehouse	One per 1,000 square feet of gross floor area

§300-84 Parking Area Location, Layout and Design.

A. Location in Residential (R-1, R-2, R-3, R-4) Districts

(1) Off-street parking may be located in the rear yard, side yard or underground.

B. (7) Except for single-family dwellings, parking spaces shall be designed to permit entry and exit without moving any other vehicle.

§300-94 Fences and Walls.

B. Use and Design Regulations

(2) Within residential districts, no fence or wall over four feet in height shall be constructed in the front yard of any lot and it must maintain a maximum open to closed ratio of 1:1, other than a necessary retaining wall.

§300-103 Building Placement, Orientation, and Frontage.

~~C. Frontage Width (this provision does not apply to the GB-1 District)~~

~~(1) A minimum of 50 percent of the building shall be located within the build to zone.~~

~~(2) Prohibited design elements between building and front property line:~~

~~a. Motor vehicle parking;~~

~~b. Motor vehicle access drives, drive lanes or aisles, except those necessary to provide direct access to a public street.~~

~~The Build To Zone is a flexible area where the facade of a building must be located, measured as both a minimum and maximum setback distance from the property line / public right-of-way. The amount of façade that must be placed inside this zone is the Frontage Width percentage.~~

§300-112 General Sign Standards

C. Sign Height.

(1) Sign ground height shall be measured between grade and the highest point of the highest element of the sign.

(2) Sign height shall be measured between the lowest and highest points of the sign.

§300-113 Signs Permitted and Prohibited

A. Permitted Signs

(2) No lot, structure or use shall have more than one type of sign per façade or lot line with street frontage, unless otherwise approved by the Zoning Board of Appeals by area variance.

B. Signs that Do Not Require a Permit. Except as provided in this article, the following signs may be erected and maintained per zoning lot without obtaining a sign permit. Each such sign must adhere to the requirements of the sign type and zoning district in which it is located.

(1) Banners. Up to two banners may be permitted per lot or use provided the following conditions are met:

(a) It shall be displayed for no more than 30 days total, per year;

(b) It shall not extend above the first floor façade of the building or project beyond property lines;

(c) It shall not be illuminated; and

(d) It shall not be placed in such a manner as to impede pedestrian traffic.

~~(2) Construction Signs. Provided it is removed 30 days following the conclusion of the construction project.~~

~~(3) Community Signs. Local religious organizations, governmental agencies, or other not-for-profit organizations may erect up to two signs advertising an upcoming event, sale, contest, or promotion, provided the following conditions are met:~~

~~(a) Such sign shall be removed within 30 days of the conclusion of the activity it advertises.~~

~~(b) Such sign is placed on the property owned or rented by the organization for which it is intended, or with the written permission of the property owner of the site in which it is proposed to be erected.~~

~~(9) Political and Campaign Signs. Any lot may have up to two signs provided they are removed within 30 days of the conclusion of the ballot for which they are intended to advertise.~~

~~(10) Real Estate Signs. Any lot may have up to two real estate signs provided they are located on the lot in which they are intended to advertise, and they are removed within 30 days of a completed sale.~~

(9) Temporary Signs.

(10) Residential Rental Signs. Must be building mounted with a ground height of no greater than 6 feet, no greater than 2 feet in depth, unlit, and no greater than 3 square feet in total surface area. A uniform shape and size template will be provided by the City of Cortland. Compliance is required within one year of enactment of this chapter.

§300-114 Sign Type Standards in Residential (R-1, R-2, R-3, R-4) Districts

B. Up to two grounds signs may be permitted per lot provided that the following conditions are met:

(1) Maximum Ground Height: 4 feet.

§300-117 Sign Type Regulations in General Business Local (GB-2) and General Business Regional (GB-1) Districts.

C. Pole Signs.

(7) Lots located within 800 feet of the exits of a limited-access highway may be permitted a high-rise sign per the extended area and height requirements listed below, provided that the supports and foundations are designed by a licensed, professional engineer, and that the drawings bear such seal and signature.

§300-152 Access Ramp Variances.

C. The variance granted pursuant to this section shall not run with the land and shall terminate with the need for it.

Section 2. Separability.

If any part of provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Common Council of the City of Cortland hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 3. Findings.

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 4 Effective Date.

This Local Law shall take effect immediately upon filing in the Office of the New York Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

I hereby certify that the Local Law annexed hereto, designated as Local Law No. 9 of 2022 of the City of Cortland was duly passed by the City Common Council on October 4th, 2022, in accordance with the applicable provisions of law.

I further certify that I have compared the preceding Local Law with the original on file in this office and that the same is correct transcript therefrom and of the whole of such original Local Law, and was finally adopted in the manner indicated in the above paragraph.

DATE: _____

STATE OF NEW YORK
COUNTY OF CORTLAND

I, the undersigned, hereby certify that the forgoing 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.

Arthur J. Meldrim, City Attorney

CITY OF CORTLAND, NEW YORK

LOCAL LAW NO. 10 OF THE YEAR 2022

“AMENDMENT OF ARTICLE §74 RELATING TO NUMBER OF ANIMALS PERMITTED”

Be it enacted by the Common Council of the City of Cortland as follows:

Section 1. Enactment and Title.

§74-1 Permit Required for Keeping or Raising of Certain Animals.

It shall be unlawful for any person, firm or corporation to own, harbor, keep, raise or maintain any pigeons, fowl, horses, cattle, sheep, goats, swine, chickens or other domestic or wild animals, as well as cats and dogs, within the limits of the City of Cortland without first obtaining a permit therefor from the Common Council of the City of Cortland. The harboring of dogs or cats shall be allowed with such a permit.

§74-2 Application for Permit.

- A. Any person, firm or corporation desiring to own, harbor, keep, raise or maintain any pigeons, fowl, horses, cattle, sheep, goats, swine or other domestic or wild animals, as well as cats and dogs, shall make an applications in writing to the Common Council of the City of Cortland for a permit. Such application shall state and name the address of the applicant or applicants, a description in metes and bounds of the premises to be used, and shall illustrate by diagram the land and buildings or corral to be used for the keeping and harboring of the animal or animals, with respect to the boundary lines of the applicant’s property and other buildings within said plot or lot, and the relative positions of all other buildings or land immediately adjacent on all sides of the land of the applicant.
- B. Conditions for a Permit.
 - (1) In addition to any other requirements listed under this chapter, an applicant must pass an inspection by the Cortland County S.P.C.A. or other City of Cortland designee. Said inspection shall include a review of the following:
 - a. Whether there is sufficient outdoor area and indoor area, that is deemed both appropriate and adequate for the use at the proposed site; and
 - b. Whether the conditions – which shall include shelter, cleanliness, and availability of food and water – at the proposed site are acceptable for the use.
 - (2) The animals shall not disturb the orderly and reasonable use of adjacent properties;
 - (3) The site shall be particularly suitable for the location of the proposed in the community;
 - (4) An adult (18+) shall be regularly present on the premises and/or site, and in any event when more than three dogs are outside.
 - (5) The Common Council retains the authority, consistent with the authority described in §74-11 infra, to revoke any permit issued herein upon a determination of the S.P.C.A. or City of Cortland designee of a failure to

comply with any of the above listed conditions.

§74-9 Lofts and Coops

- A. No permit shall be issued to any applicant to own, harbor, keep, raise or maintain pigeons, fowl, or similar domestic or wild animals unless such applicant has a completely enclosed building which is deemed suitable to be used as a loft or coop to keep or harbor such animals. Any such loft or coop shall be at least 50 feet from the doors and windows of any neighboring residential or business dwelling, and at least 3 feet from any adjacent property line.
- B. All lofts and coops shall be constructed in such a manner and of such material to prevent pigeons, fowl, or similar domestic or wild animals from running at large. Accordingly, at no time shall such pigeons, fowl, or similar domestic or wild animals be permitted to run at large.

Section 2. Separability.

If any part of provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Common Council of the City of Cortland hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 3. Findings.

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 4 Effective Date.

This Local Law shall take effect immediately upon filing in the Office of the New York Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

I hereby certify that the Local Law annexed hereto, designated as Local Law No. 10 of 2022 of the City of Cortland was duly passed by the City Common Council on October 4th, 2022, in accordance with the applicable provisions of law.

I further certify that I have compared the preceding Local Law with the original on file in this office and that the same is correct transcript therefrom and of the whole of such original Local Law, and was finally adopted in the manner indicated in the above paragraph.

DATE: _____

STATE OF NEW YORK
COUNTY OF CORTLAND

I, the undersigned, hereby certify that the forgoing 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.

Arthur J. Meldrim, City Attorney

CITY OF CORTLAND, NEW YORK
LOCAL LAW NO. 11 OF THE YEAR 2022
“AMENDMENT OF ARTICLE §234 RELATING TO SIDEWALK CAFES”

Be it enacted by the Common Council of the City of Cortland as follows:

Section 1. Enactment and Title.

§234-2 Regulations. All sidewalk cafes must comply with the following general regulations:

E. The tables and chairs must be “outdoor” style furniture.

Section 2. Separability.

If any part of provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Common Council of the City of Cortland hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 3. Findings.

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 4 Effective Date.

This Local Law shall take effect immediately upon filing in the Office of the New York Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

I hereby certify that the Local Law annexed hereto, designated as Local Law No. 11 of 2022 of the City of Cortland was duly passed by the City Board on October 4th, 2022, in accordance with the applicable provisions of law.

I further certify that I have compared the preceding Local Law with the original on file in this office and that the same is correct transcript therefrom and of the whole of such original Local Law, and was finally adopted in the manner indicated in the above paragraph.

DATE: _____

STATE OF NEW YORK
COUNTY OF CORTLAND

I, the undersigned, hereby certify that the forgoing 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.

Arthur J. Meldrim, City Attorney

CITY OF CORTLAND, NEW YORK

LOCAL LAW NO. 12 OF THE YEAR 2022

“AMENDMENT OF ARTICLE §11 RELATIVE TO TOWING FEES, STORAGE FEES, AND TOWING SERVICE INSURANCE COVERAGE”

Be it enacted by the Common Council of the City of Cortland as follows:

Section 1. Enactment and Title.

§11-82 Storage and Charges; Requirement of Insurance.

A. After removal of any vehicle as provided in this article, the Police Department may store such vehicle in a suitable place at the expense of the owner. Such owner, or person in charge of the vehicle, may redeem the same upon payment to the owner or person in charge of the suitable place of storage the amount of all expenses actually and necessarily incurred in effecting such removal, such removal charges not to exceed the charges as set by the Common Council, together with any charge for storage as set by the Common Council.

- (1) Towing fee for work performed from 7:00 A.M. to 6:59 P.M., Monday through Friday: \$120.00.
- (2) Towing fee for work performed from 7:00 P.M. to 6:59 A.M., Monday through Friday: \$150.00.
- (3) Towing fee for work performed all day on Saturday and Sunday: \$170.00.
- (4) Towing fee for work performed at any time in which the towing company is faced with extenuating circumstances, such as a vehicle which has crashed into a building or a vehicle which has crashed into a waterway: time rate as outlined in subsections A(1), A(2), or A(3) supra, plus an additional \$100.00.
- (5) Storage fee: \$60.00 per day.

C. Proof of Insurance, City as Additional Insured for Towing Companies Willing to Remove Vehicles by Order of the City.

(1) Any towing company which is interested in participating in the program as outlined in §11-82 must name the City of Cortland as an additional insured under its business liability insurance coverage, with coverage in an amount which meets the City’s standard insurance requirements, and provide proof of such coverage to the City on an annual basis.

D. Impoundment on City Property; Storage Fee. The City of Cortland Police Department is authorized to impound vehicles on City-owned property and assess a daily storage fee of \$60.00 directly to the car owner as provided for in §11-82.

Section 2. Separability.

If any part of provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application

directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Common Council of the City of Cortland hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 3. Findings.

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 4 Effective Date.

This Local Law shall take effect immediately upon filing in the Office of the New York Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

I hereby certify that the Local Law annexed hereto, designated as Local Law No. 12 of 2022 of the City of Cortland was duly passed by the City Board on October ____, 2022, in accordance with the applicable provisions of law.

I further certify that I have compared the preceding Local Law with the original on file in this office and that the same is correct transcript therefrom and of the whole of such original Local Law, and was finally adopted in the manner indicated in the above paragraph.

DATE: _____

STATE OF NEW YORK

COUNTY OF CORTLAND

I, the undersigned, hereby certify that the forgoing 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.

Arthur J. Meldrim, City Attorney

CITY OF CORTLAND, NEW YORK
LOCAL LAW NO. 13 OF THE YEAR 2022
**“AMENDMENT OF ARTICLE §238 RELATING TO SMOKING ON PUBLIC
PROPERTY”**

Be it enacted by the Common Council of the City of Cortland as follows:

Section 1. Enactment and Title.

§238-1 Title. This article shall be entitled “Smoking, Use On City Property.

§238-2 Authorization, Purpose, and Intent.

- A. The primary purpose of this article is to reduce the proximate exposure of the public, especially children, to the hazards and annoyance of second-hand smoke, in all forms. Furthermore, this legislation is intended to reduce the litter and possible contamination from smoking-related refuse, including discarded cigarette butts in public places and to reduce the likelihood that young persons will initiate smoking, vaping, nicotine, tobacco, or cannabis use (by reducing the incidence of public smoking in places where young persons are likely to be present).

§238-3 Definitions.

SMOKE

The emission produced by the burning of a lighted cigar, cigarette, pipe, or any other matter or substance meant for inhalation into the lungs, including but not limited to vaping, or any other mechanism which produces emission, and which may contain tobacco, nicotine, and/or cannabis, as that term is defined by the New York State Penal Law.

SMOKING

The burning of a lighted cigar, cigarette, pipe, or any other matter or substance meant for inhalation into the lungs, including but not limited to vaping and which may contain tobacco and/or cannabis, as that term is defined by the New York State Penal Law.

VAPING

The use or operation of any electronic aerosol delivery system.

§238-4 Rules. Smoking shall not be permitted and no person shall smoke in the following outdoor areas, subject to the limited exception for streets open to regular traffic:

C. In certain other areas as follows:

- (1) Main Street Area, as follows: At all times, within 25 feet of any entrance or exit of any building located on Main Street that provides access to or from Main Street and

any public sidewalk that run along it, or other adjacent public sidewalk (i.e. corner buildings on Main Street with multiple entrances and/or exits).

(2) Outside City-Owned Entrances, as follows: At all times, on any City-owned property within 25 feet of any entrance or exit or ventilation intake for any building owned by the City of Cortland.

Section 2. Separability.

If any part of provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Common Council of the City of Cortland hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 3. Findings.

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 4 Effective Date.

This Local Law shall take effect immediately upon filing in the Office of the New York Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

I hereby certify that the Local Law annexed hereto, designated as Local Law No. 13 of 2022 of the City of Cortland was duly passed by the City Board on October ____, 2022, in accordance with the applicable provisions of law.

I further certify that I have compared the preceding Local Law with the original on file in this office and that the same is correct transcript therefrom and of the whole of

such original Local Law, and was finally adopted in the manner indicated in the above paragraph.

DATE: _____

STATE OF NEW YORK

COUNTY OF CORTLAND

I, the undersigned, hereby certify that the forgoing 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.

Arthur J. Meldrim, City Attorney