

(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~~

of Starkey

Local Law No. 2 of the year 1999.

A local law to provide for the display of the property address  
(Insert Title)  
number on all buildings fronting Town roads, both  
private and public, within the Town of Starkey outside  
the Village of Dundee.

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

~~County~~

~~City~~

~~Town~~

~~Village~~

of Starkey as follows:

See Attached.

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

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 1999 of the (County)(City)(Town)(Village) of Starkey was duly passed by the Town Board on Nov. 4 1999, 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 19\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 19\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)~~

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_. 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 \_\_\_\_\_ 19\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

**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 19\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 19\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

\* 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 19\_\_\_\_, 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 \_\_\_\_\_ 19\_\_\_\_, 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 19\_\_\_\_, State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 19\_\_\_\_, 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.

Robert S. Murphy  
Clerk of the County legislative body, City, Town or Village Clerk  
or officer designated by local legislative body

Date: November 5, 1999

(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 Jules

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper procedure have been had or taken for the enactment of the local law annexed hereto.

Shaine J. Egerschall  
Signature

Town Attorney  
Title

County  
City of Starkey  
Town  
Village

Date: 11/9/99

## SCHEDULE A

### Section 1. LEGISLATIVE FINDING

The Town Board of the Town of Starkey finds that the lack of a townwide requirement for the assigning and display of assigned numbers to the buildings within the Town has resulted in a general inability to quickly and conveniently locate an address and thus poses a problem of increasing severity in the delivery of mail, packages and most importantly, the delivery of police, fire and medical emergency services.

For these reasons, the Town Board finds that enactment of a law to require the numbering of buildings is both reasonable and appropriate; and that such law is authorized by the Town in the exercise of its police power and the Town Board therefore hereby elects to do so.

### Section 2. PURPOSE AND INTENT

The purpose of this Local Law is to require the clear display of authorized and assigned numbers for certain buildings fronting on any street in the Town of Starkey outside the Village of Dundee. This is in order to assist the general public and providers of emergency services, delivery services and school bus services, public and private, to more easily identify any building within the Town in case of emergency or otherwise.

### Section 3. DEFINITIONS

**BUILDING:** Any enclosed structure having a roof and walls and built specifically for human use or occupancy either as a residence or in one or more commercial endeavors.

**FRONT OR FRONTAGE:** That side of a lot or parcel of land which abuts or faces the street; or, in the case of corner lot or lots having streets on more than one side, the side or boundary of the lot which the main doorway of the building faces; or, in the case of lots served by an access strip or common driveway, frontage shall be where the access or driveway enters the public street.

**OWNER:** Any person or persons, firm or corporation, who are vested with fee simple title or a life estate to a building (or portion thereof), or who are responsible for the care, maintenance and payment of charges or levies of a building.

**STREET:** Any public or private right-of-way or thoroughfare utilized for vehicular traffic within the Town.



#### Section 4. ASSIGNMENT OF NUMBERS

The Starkey Town Board has given the responsibility of assigning house and buildings a number to the Code Enforcement Officer. The numbers that the Code Enforcement Officer has already assigned will remain in effect. As new homes are built, the Code Enforcement Officer will make the necessary number assignments, in conformity with a uniform numbering system. The display of any house or building number other than the number assigned by the Town Code Enforcement Officer is expressly prohibited.

#### Section 5. DISPLAY OF NUMBERS

Numbers, letters or script indicating a number shall be required on all buildings to which this Local Law applies both those now in existence and/or hereafter erected which front on any street in the Town of Starkey outside the Village of Dundee, and that such numbers shall meet the standards hereinafter described, and that such shall be conspicuously placed and displayed thereon as provided hereinafter by this Local Law.

#### Section 6. RESPONSIBILITY OF PROPERTY OWNERS

Whenever any buildings shall be erected or located in the Town of Starkey outside the Village of Dundee after the passage of this Local Law and in order to preserve the continuity and uniformity of numbers of the buildings, it shall be the duty of the owner of the property to ascertain the correct number or numbers as designated, authorized and assigned by the Town of Starkey or its designated agent for said building and to fasten on the building the proper marker clearly setting forth the correct number or numbers so assigned upon said building as required by this Local Law.

#### Section 7. NUMBERING SPECIFICATIONS

A. The owner of the property on which a building now fronts or which may hereafter front upon any public or private street shall, in accordance with this Local Law cause the designated, authorized and assigned number of such building to be permanently and conspicuously placed and displayed thereon in accordance with the specifications set forth herein. Numbers shall be placed at the time of construction or on any existing building within thirty (30) days of the adoption of this Local Law in accordance with the specifications set forth herein. Any building presently numbered shall display the existing number.

B. Building numbers shall be:

- 1) In Arabic or Script numerals.
- 2) A minimum height of three and one-half (3 ½) inches.



- 3) Mounted in secure fashion to the front wall or porch of the building or fixed to an appurtenance on the front of the buildings so as to be clearly visible from the street.
- 4) Sufficiently legible as to contrasting background, arrangement, spacing and uniformity so as to be clearly visible from the street.
- 5) At least thirty (30) inches above ground level and so placed that trees, shrubs and other obstructions do not block the line of sight of the numbers from the street upon which the building fronts.
- 6) If possible, the numbers shall be placed alongside any existing outside lighting so as to be illuminated.
- 7) All buildings having glass fronts or glass doors may use decal-type or hand-lettered numerals placed on the glass of the main doorway or on the glass adjacent to or above the main doorway.

C. Placement of numbers on post, rod or mailbox:

- 1) If the numbers affixed to the front of the building would not be visible from the street as required herein, as an alternative, thereto, requirements of this Local Law are satisfied if the owner shall provide the numbers, as required hereinabove, upon a post, rod or other type of fixture of substantial nature adjacent to a driveway leading to said building so that the number may be conspicuous and visible from either direction when traveling on the road. The location shall not be greater than thirty (30) feet from the edge of the roadway. A mailbox, post, sign or rod on the opposite side of the street that the building fronts on will not satisfy the requirements of the Local Law unless such mailbox, sign, post or rod clearly indicate by the use of arrow or other appropriate symbol that the building so numbered is located on the opposite side of the street or highway.
- 2) In the case of apartment, condominium and/or townhouse complexes, the number posted shall be the official mailing address number. Numbers shall be placed on each building. The numbers shall be at least three (3) inches in height and shall be adequately visible from the roadways within any apartment, condominium and/or townhouse complex. Each main entranceway shall display numbers at least three (3) inches in height of the apartment within the entranceway. Each apartment door shall display numbers at least two (2) inches in height. A storm door or screen door shall not obscure required numbers.



## Section 8. RESPONSIBILITY FOR POSTING NUMBERS

The posting of the numbers as required hereinabove shall be the responsibility of the owner of the property on which the building is located. In the case of any apartment complex, the responsibility shall be that of the owner of the property upon which the apartment complex is located. In the case of a condominium or townhouse complex, the responsibility shall be that of the owner of the condominium or townhouse.

## Section 9. NOTICE TO PLACE NUMBERS

If the owner of the property on such a building is located shall fail, refuse or neglect to place the designated authorized and assigned number on the building, replace it when necessary, or replace any unauthorized number, the Code Enforcement Officer may cause a notice to be personally served on such owner or mailed by certified mail to his last known address ordering him to place, replace or remove the number. Such owner shall comply with such notice within thirty (30) days from the date of service.

## Section 10. MAINTENANCE OF NUMBERS

Each owner of property responsible as outlined in this Local Law shall be also responsible for the continued maintenance and legibility of the required numbers.

## Section 11. VIOLATIONS AND PENALTIES

A. If the owner of the property upon which a building is located shall fail or refuse to display or cause to be displayed, the number designated, authorized and assigned thereto, or to remove any unauthorized number in conformity with the provisions of this Local Law within thirty (30) days after notice to do so, the owner shall be subject to a conviction of a "violation" as defined in the Penal Law of the State of New York and shall be subject to a fine of not more than Two Hundred Fifty and 00/100's Dollars (\$250.00) for each offense, and each week after the giving of such notice shall constitute a separate offense.

B. The Town Board of the Town of Starkey may also maintain an action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with or to restrain by injunction the violation of this Local Law, notwithstanding that this Local Law provides a penalty or other punishment for such violation.

## Section 12. ENFORCEMENT

The enforcing officer shall be the Code Enforcement Officer.

### Section 13. SEVERABILITY

If any clause, sentence, paragraph, section or a part of this Local Law shall be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder, but shall be confined to its operation to the clause, sentence, paragraph, section or a part directly involved in a controversy in which such judgment shall have been rendered.

### Section 14. INTERPRETATION

This Law shall be interpreted in such a way wherever possible so that the meaning of the words and phrases and sections herein shall make them valid and legal in their effect. Whenever the requirements of this Law are at variance with the requirements of other lawfully adopted rules, regulations or laws, the law with the most restrictive provisions or those imposing the higher standards shall govern.

### Section 15. EFFECTIVE DATE

This Local Law shall be operative immediately and effective upon being filed with the New York State Secretary of State pursuant to Section 27 of the Municipal Home Rule Law of the State of New York.



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