

**TOWN OF LENOX
PROPOSED LOCAL LAW A-2021**

**A LOCAL LAW TO AMEND CHAPTER 134 (ZONING) OF THE CODE
OF THE TOWN OF LENOX TO ADD A NEW SECTION PROVIDING AN
EXCEPTION FROM THE REQUIREMENT TO OBTAIN AN AREA VARIANCE FOR
CERTAIN PRE-EXISTING NON-CONFORMING LOTS OF RECORD**

Be it enacted by the Town Board of the Town of Lenox as follows:

SECTION 1. LEGISLATIVE PURPOSE AND INTENT.

The purpose of this Local Law is to establish an exception from the requirement to obtain an area variance for certain pre-existing non-conforming lots of record.

SECTION 2. AUTHORITY.

This local law is enacted pursuant to the New York State Constitution and New York Municipal Home Rule Law §10.

SECTION 3. SUPERSESSION.

To the extent that any provisions of this Local Law are inconsistent with the Town Law of the State of New York, Chapter 62 of the Consolidated Laws, Article 16, §§ 261 through 285, the Town Board of the Town of Lenox hereby declares its intent to supersede those sections of the Town Law, including but not limited to, in particular, §267, §267-A, §267-B, §268, pursuant to its home rule powers under Municipal Home Rule Law, Article 2, §10 et seq., of the Consolidated Laws of the State of New York.

SECTION 4. AMENDMENT TO CHAPTER 134 (ZONING) TO ADD A NEW §134-69A TITLED “PRE-EXISTING NON-CONFORMING LOT OF RECORD.”

Chapter 134 of the Code of the Town of Lenox is hereby amended to add a new §134-69A, titled “Pre-Existing Non-Conforming Lot of Record” which shall read in its entirety as follows:

“§ 134-69A. Pre-Existing Non-Conforming Lot of Record.

- A. Pre-Existing Non-Conforming Lot of Record. There exists in the Town of Lenox a significant number of undeveloped parcels that were created lawfully prior to the adopting of zoning regulations in the Town, or at a time when their dimensions complied with the then applicable zoning regulations, which parcels do not now comply with the geometric requirements of the zoning district in which they are located. These parcels are known as pre-existing non-conforming lots of record.
- B. No Variances Required. Subject to limitations set forth in Subparagraph C below, no pre-existing non-conforming lot of record will be required to obtain an area variance to address the minimum lot area, minimum lot front/width or minimum lot depth in order to

obtain the right to be developed with a conforming use in the zoning district wherein it is located.

- C. Current Compliance Required. Notwithstanding the exceptions outlined in Subparagraph B above, any proposed building or structure on such a pre-existing non-conforming lot of record shall still be required to comply with all current setback or other geometric or numerical requirements applicable to said proposed building's or structure's location on said lot."

SECTION 5. SEVERABILITY.

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this Local Law shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this Local Law.

SECTION 6. EFFECTIVE DATE.

This Local Law shall be effective upon filing with the office of the Secretary of State.

**TOWN OF LENOX
PROPOSED LOCAL LAW B-2021**

**A LOCAL LAW AMENDING CHAPTER 124 OF
THE CODE OF THE TOWN OF LENOX TITLED
“VEHICLES AND TRAFFIC” TO ADD A NEW ARTICLE II
REGULATING PARKING ON CERTAIN TOWN ROADS**

Be it enacted by the Town Board of the Town of Lenox as follows:

SECTION 1. LEGISLATIVE PURPOSE AND INTENT.

The Town Board of the Town of Lenox adopts this Local Law to regulate parking on certain town roads in order to ensure the provision of efficient highway department services, prevent obstacles motorists, and to protect the health, safety and welfare of the general public.

SECTION 2. AUTHORITY.

This local law is enacted pursuant to the authority granted to the Town in accordance with Section 10 of the Municipal Home Rule Law and the New York State Vehicle and Traffic Law, Section 1660.

**SECTION 3. AMENDMENT TO CHAPTER 124 TO ADD A NEW ARTICLE
II TITLED “PARKING, STANDING AND STOPPING”**

Chapter 124 of the Code of the Town of Lenox is hereby amended to add a new Article II titled “Parking, Standing and Stopping” which shall read in its entirety as follows:

“Article II. Parking, Standing and Stopping.

§124-4. Seasonal Parking Prohibited – December 1st through April 30th.

- A. Parking shall be prohibited on certain Town roads/highways between December 1st through April 30th as specified below:
 - 1. There shall be no parking on either side of North Main Street Extension for the entire length of said road.
 - 2. There shall be no parking on either side of Lewis Point Road from the intersection of Jaquin Road running North to Oneida Lake.

3. There shall be no parking on either side of Old Orchard Road from address 9205 Old Orchard Road running North to Oneida Lake.

§124-5. Posting of No Parking Signs.

- A. The Town Highway Superintendent, Fire Marshall or other designee of the Town is hereby authorized to post "No Parking" signs on the roads/streets where parking is prohibited by this Article.

§124-6. Penalties for offenses.

- A. Any person found guilty of a violation of this Article shall be punishable as follows: for a first conviction by a fine of not more than \$100 or imprisonment for not more than 15 days, or both; for a conviction of a second violation, both of which were committed within a period of 18 months, by a fine of not more than \$200 or imprisonment for not more than 45 days, or both; and upon a conviction of a third or subsequent violation, all of which were committed within a period of 18 months, by a fine of not more than \$300 or imprisonment for not more than 90 days, or both.

SECTION 4. SEVERABILITY.

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this Local Law shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this Local Law.

SECTION 5. EFFECTIVE DATE.

This Local Law shall be effective upon filing with the office of the Secretary of State.