

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Carmel will conduct a Public Hearing at Town Hall, 60 McAlpin Avenue, Mahopac, New York 10541 on Wednesday, March 20, 2024 at 7:00 p.m. or as soon thereafter that evening as possible on a proposed Local Law Amending Chapter 156 of the Code of the Town of Carmel, entitled "Zoning"; specifically §156-41 thereof entitled "Signs." Copies of the full text of the proposed Local Law are available at the Town Clerk's Office in Town Hall during normal business hours as well as posted on the Town of Carmel's website at www.ci.carmel.ny.us. At said Public Hearing, all interested persons shall be heard on the subject thereof. The Town Board will make every effort to assure that the Public Hearing is accessible to persons with disabilities. Anyone requiring special assistance and/or reasonable accommodations should contact the Town Clerk.

By Order of the Town Board
of the Town of Carmel
Alice Daly, Town Clerk

FULL TEXT OF PROPOSED LOCAL LAW

**TOWN OF CARMEL
PROPOSED LOCAL LAW # OF 2024
A LOCAL LAW AMENDING CHAPTER 156 OF
THE TOWN CODE OF THE TOWN OF CARMEL ENTITLED "ZONING"**

Be it enacted by the Town Board of the Town of Carmel, Putnam County, State of New York as follows:

SECTION 1: PURPOSE

The purpose of this local law is to amend Chapter 156 of the Town Code of the Town of Carmel entitled "Zoning" and specifically §156-41 thereof entitled "Signs."

SECTION 2: AUTHORITY

This chapter is adopted pursuant to the authority, of Article 2, §10 of the New York State Municipal Home Rule Law.

SECTION 3: AMENDMENT OF CHAPTER 156

§156-41 of the Town of Carmel Town Code entitled "Signs" is hereby amended as follows:

§156-41(A)(4)(d) is hereby amended/revised to read as follows:

(d) All Unshielded and bare incandescent light sources or any LED string lights where the bulb or diode is visible from any public space or right-of-way unless placed in a window in conformity with § 156-41(A)(5)(h)(1), (2), and (3) herein.

(§156-41(A)(4)(e) unchanged).

§156-41(A)(4) is hereby amended by the addition of the following subsections (f), (g) & (h):

(f) Signs that revolve or otherwise move or which utilize flashing or blinking lights or multiple illuminating units which operate alternately.

(g) Signs that cause direct glare into or upon a dwelling or other structure where persons live, are employed or conduct other activity where such glare would constitute a sustained nuisance.

(h) All Unshielded and bare incandescent light sources or any LED string lights where the bulb is visible from any public space or right-of-way.

§156-41(A)(5) is amended by the addition of the subsection (h):

(h) Window signs provided:

(1) One window sign is permitted per building or per tenant.

(2) In addition to a window sign, up to two (2) neon or LED signs may be permitted in the C and CBP districts only. The total sign area of the two neon/LED signs shall not exceed 5% OF THE GLAZING AREA OR FIVE (5) square feet, WHICHEVER IS SMALLER, and no individual neon/LED sign shall exceed FOUR (4) square feet. Neon, string and/or LED signs shall not outline the shape or form of any window to which it is attached.

(3) All signs within a window – permanent, neon, LED, and/or temporary – COMBINED AREA shall not exceed TWENTY FIVE PERCENT (25%) of the total area of the window in which the signs are located.

SECTION 4: HOME RULE

Nothing in this Local Law is intended, or shall be construed (a) to limit the home rule authority of the Town under State Law to limit the Town=s discretion in setting fees and charges in connection with any applications requiring Town approval.

SECTION 5: SEVERABILITY

If any part or 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 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 Town Board of the Town of Carmel hereby declares that it would have passed this Local Law or

the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 6: EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law and the provisions hereof which incorporate amendments to §156-41 shall be deemed enforceable as of May 15, 2024.