



VILLAGE OF JOHNSON CITY

MUNICIPAL BUILDING

243 MAIN STREET • JOHNSON CITY, NY 13790

www.villageofjc.com

Village Board

Martin Meaney, Mayor

Trustee John Walker

Trustee Clark Giblin

Trustee Adam Brown

Trustee Mary Jacyna

AGENDA—REGULAR MEETING OF THE VILLAGE BOARD

Tuesday, August 2, 2022 @ 7:30pm

Village Hall, 243 Main Street, 1st Floor Training Room, Johnson City, NY

ORDER OF BUSINESS

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. MAYOR'S ANNOUNCEMENTS

- [3.1] The Village Zoning Board Meeting will be held Monday, August 8, 2022 at 7:30pm with a work session at 7:00pm.
- [3.2] The next regular Village Board Meeting will be Tuesday, August 16, 2022 at 7:30pm with a work session at 5:30pm.
- [3.3] The Village Planning Board Meeting will be held Tuesday, August 23, 2022 at 7:30pm with a work session at 7:00pm.

4. APPROVAL OF BOARD MINUTES

- [4.1] July 19, 2022 Village Board Regular Meeting Minutes.

5. BIDS

- [5.1] Bids were opened and read Tuesday, July 26, 2022 at 10:00am at Village Hall for the General Construction Contract for the Johnson City Village Hall and DPW Facility Building Project Phase 1 as follows:

Specification Holder	Bid Amount
A. Mancini	\$5,197,000.00
Edger Enterprises	\$5,107,000.00
Streeter Associates	\$4,712,000.00
Fahs Construction	\$4,556,000.00
Upstate Companies	\$4,294,000.00
LeChase Construction	\$4,106,000.00

- [5.2] Bids were opened and read Tuesday, July 26, 2022 at 10:00am at Village Hall for the Mechanical Contract for the Johnson City Village Hall and DPW Facility Building Project Phase 1 as follows:

Specification Holder	Bid Amount
Picciano	\$105,500.00
Slavik & Company	\$96,000.00
Piccirilli Mechanical	\$72,000.00
AFT Mechanical	\$60,000.00

- [5.3] Bids were opened and read Tuesday, July 26, 2022 at 10:00am at Village Hall for the Electrical Contract for the Johnson City Village Hall and DPW Facility Building Project Phase 1 as follows:

Specification Holder	Bid Amount
Upstate Companies	\$319,000.00
Blanding Electric	\$279,000.00
Diekow Electric	\$233,000.00
Matco Electric	\$203,300.00
Nelcorp	\$199,949.00

- [5.4] Bids were opened and read Tuesday, July 26, 2022 at 10:00am at Village Hall for the Plumbing Contract for the Johnson City Village Hall and DPW Facility Building Project Phase 1 as follows:

Specification Holder	Bid Amount
Evans Mechanical	\$399,200.00
Slavik & Company	\$368,000.00
Picciano	\$364,575.00
Piccirilli Mechanical	\$363,000.00

6. PUBLIC HEARINGS

- [6.1] A Local Law Amending Sections of Chapter 300 of the Village Code regarding sign

7. PETITIONS RECEIVED – None

8. PRIVILEGE OF THE FLOOR – VISITORS

9. COMMUNICATIONS

- [9.1] Email correspondence from Adam Peltó regarding waiver of garbage disposal fine plus late fees for 91 Thomas St.
- [9.2] Correspondence from Columbia Dental Group regarding refund of late penalty payment for 515 Columbia Drive.
- [9.3] Correspondence from Ramon Dunlop regarding water bill for 31 St. Charles Street.
- [9.4] Correspondence from Tarmaine Hall, 322 Oakdale Road regarding forgiveness of fine for trash collection and code violation.
- [9.5] Correspondence from Daniel Mullock, 225 Burbank Avenue regarding forgiveness of fine for trash collection.

10. COMMITTEE/BOARD REPORTS - None

11. DEPARTMENT REPORTS

[11.1] Johnson City Fire Department Overtime Report dated July 7 – July 20, 2022

12. PAYROLL AND BILLS PRESENTED

Abstract #3 of the 2022 - 2023 Fiscal bills as stated and or amended and attached to the work session minutes.

GENERAL FUND	\$885,170.53
WATER FUND	\$99,695.62
SEWER FUND	\$43,739.57
REFUSE FUND	\$84,129.41
JSTP	\$1,480.75
VARPUR	\$0
CAPITAL	\$0
DEBT SERVICE	\$0

13. UNFINISHED BUSINESS – None

14. NEW BUSINESS

FINANCE & RULES (All Board Members)

Resolution 218 of 2022

RESOLUTION INTRODUCING A PROPOSED LOCAL LAW

WHEREAS, a local law entitled “A LOCAL LAW AMENDING CHAPTER 264 OF THE VILLAGE CODE ENTITLED ‘VEHICLES AND TRAFFIC’” was introduced at this meeting; and

WHEREAS, the Village Board desires to hold a public hearing with respect to the adoption of said Local Law.

NOW, THEREFORE, BE IT RESOLVED that a public hearing will be held by the Village Board of the Village of Johnson City with respect to the adoption of the aforesaid Local Law at 7:30 p.m. on August 16, 2022; and it is further

RESOLVED, that the Village Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

Resolution 219 of 2022

RESOLUTION INTRODUCING A PROPOSED LOCAL LAW

WHEREAS, a local law entitled “A LOCAL LAW ADDING ‘OVERDOSE PREVENTION CENTERS, HEROIN SAFE ZONES, SUPERVISED CONSUMPTION FACILITIES OR SUPERVISED INJECTION SITES’ TO THE VILLAGE CODE” was introduced at this meeting; and

WHEREAS, the Village Code requires referral to the Planning Board for recommendation. The Village Board hereby refers it; and

WHEREAS, the Village Code requires referral of the proposed Local Law to the Broome County Planning Department for review. The Village Board hereby refers it; and

WHEREAS, the Village Board desires to hold a public hearing with respect to the adoption of said Local Law.

NOW, THEREFORE, BE IT RESOLVED that a public hearing will be held by the Village Board of the Village of Johnson City with respect to the adoption of the aforesaid Local Law at 7:30 p.m. on September 6, 2022; and it is further

RESOLVED, that the Village Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

Resolution 220 of 2022

A RESOLUTION APPROVING THE ADOPTION OF LOCAL LAW NO. 13-2022

At a regular meeting of the Village Board of the Village of Johnson City, held at Village Hall, 243 Main Street, Johnson City, New York on the 2nd day of August, 2022, the following resolution was offered and seconded:

WHEREAS, notice was given that the Village Board scheduled a public hearing for August 2, 2022 at 7:30 p.m. for Local Law No. 13 of the year 2022 entitled “A LOCAL LAW AMENDING SECTIONS OF CHAPTER 300 OF THE VILLAGE CODE REGARDING SIGNS”; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Village and posted on the Village Clerk’s sign board; and

WHEREAS, the Local Law was referred to the Village Planning Board and it recommended approval of the law; and

WHEREAS, the Broome County Planning Department reviewed the Local Law pursuant to GML § 239-m, and found no significant county-wide impacts; and

WHEREAS, said public hearing was duly held on the 2nd day of August, 2022 at 7:30 p.m. and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, pursuant to Part 617 of the implementing regulations of the State Environmental Quality Review Act, it has been determined by the Village Board that adoption of said Local Law constitutes a Type I Action as defined under said regulations. The Village Board has considered the possible environmental impacts of the action, concluded that it will not have a significant adverse impact on the environment, and adopts a negative declaration with respect to the same; and

WHEREAS, the Village Board, after due deliberation, finds it in the best interest of the Village to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED that the Village Board hereby adopts said Local Law as Local Law No. 13 of 2022 entitled “A LOCAL LAW AMENDING SECTIONS OF CHAPTER 300 OF THE VILLAGE CODE REGARDING SIGNS”, a copy of which is attached hereto and made a part hereof; and

BE IT FURTHER RESOLVED the Village Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and to give due notice of the adoption of said Local Law to the Secretary of State; and

BE IT FURTHER RESOLVED that this resolution will take effect immediately upon filing with the Department of State.

Resolution 221 of 2022

Waiver of garbage disposal fine in the amount of \$250.00 plus late fees for Adam Pelto at 91 Thomas Street.

Resolution 222 of 2022

Refund of late penalty payment in the amount of \$438.91 for Columbia Dental Group, 515 Columbia Drive.

Resolution 223 of 2022

Forgiveness of late fees together with any assistance the Board can give for a water bill in the amount of \$5,200 for Ramon Dunlop at 31 St. Charles Street due to a pipe bursting.

Resolution 224 of 2022

Forgiveness of fine for trash collection and code violation in the amount of \$500.00 for Tarmaine Hall, 322 Oakdale Road.

Resolution 225 of 2022

Forgiveness of fine for trash collection in the amount of \$250.00 for Daniel Mullock, 225 Burbank Avenue.

PUBLIC SAFETY

FIRE – No new business

POLICE – No new business

PUBLIC WORKS

Resolution 226 of 2022

Authorizing the implementation, and funding in the first instance 100% of the federal-aid and State “Marchiselli” Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefore.

WHEREAS, a Project for the BIN 2225810, Lester Avenue over Norfolk Southern Railroad, P.O.N. 9754.92 (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the Village of Johnson City desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Preliminary Engineering/Design.

NOW, THEREFORE, the Village of Johnson City Board, duly convened does hereby

RESOLVE, that the Village of Johnson City Board hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Village of Johnson City Board hereby authorizes the Village of Johnson City to pay in the first instance 100% of the federal and non-federal share of the cost of Preliminary Engineering/Design work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$155,000 is hereby appropriated from Village Budget Line A5112.2 and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the even the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Village of Johnson City Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the Mayor of the Village of Johnson City be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Village of Johnson City with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project and it is further

RESOLVED, this Resolution shall take effect immediately.

Resolution 227 of 2022

Authorize the Director of Public Services to sign a proposal from Delta Engineers, Architects, & Surveyors for an amount not to exceed \$18,755 for the Development of a Parking Lot at 219 Main St.

Resolution 228 of 2022

Appoint Michael Sherba to part-time Clerk at pre-retirement hourly rate.

Resolution 229 of 2022

Award the bid for Village of Johnson City Village Hall and DPW Facility Phase 1 for the General Construction Contract in the amount of \$4,106,000 to LeChase Construction Services, LLC as the lowest responsible bidder and authorize the Director of Public Services to execute the contract.

Resolution 230 of 2022

Award the bid for Village of Johnson City Village Hall and DPW Facility Phase 1 for the Mechanical Contract in the amount of \$60,000 to AFT Mechanical, LLC as the lowest responsible bidder and authorize the Director of Public Services to execute the contract.

Resolution 231 of 2022

Award the bid for Village of Johnson City Village Hall and DPW Facility Phase 1 for the Electrical Contract in the amount of \$199,949 to NELCORP Electrical Contracting Corp. as the lowest responsible bidder and authorize the Director of Public Services to execute the contract.

Resolution 232 of 2022

Award the bid for Village of Johnson City Village Hall and DPW Facility Phase 1 for the Plumbing Contract in the amount of \$363,000 to Piccirilli Mechanical Inc. as the lowest responsible bidder and authorize the Director of Public Services to execute the contract.

RECREATION – No new business

PLANNING, ZONING & CODE ENFORCEMENT – No new business

JOINT SEWAGE TREATMENT BOARD – No new business

15. ADJOURNMENT

To contact Village Board members via e-mail please use the following addresses:

Mayor Martin Meaney - jcmayor@villageofjc.com

Trustee John Walker - jwalker@villageofjc.com

Trustee Clark Giblin – cgiblin@villageofjc.com

Trustee Adam Brown – abrown@villageofjc.com

Trustee Mary Jacyna – mjacyna@villageofjc.com

**VILLAGE OF JOHNSON CITY
LOCAL LAW NO. ____ FOR THE YEAR 2022**

**A LOCAL LAW AMENDING CHAPTER 264 OF THE VILLAGE CODE
ENTITLED “VEHICLES AND TRAFFIC”**

Be it enacted by the Village Board of the Village of Johnson City as follows:

Section 1. Section 264-78 of the Village Code shall hereby be amended as follows:

§ 264-78 Schedule III: One-Way Streets.

In accordance with the provisions of § 264-8, the following described streets or parts thereof are hereby designated as one-way streets in the direction indicated:

Delete:

Name of Street	Direction of Travel	Limits
Harry L. Drive	East	From east of House No. 84 to Almond Street

Add (in alphabetical order):

Name of Street	Direction of Travel	Limits
Lewis Street	East	From Willow Street to Jennison Avenue
Ozalid Road	North	From Corliss Avenue to Main Street

Section 2. Section 264-80 of the Village Code shall hereby be amended as follows:

§ 264-80 Schedule V: Prohibited Turns at Intersections.

In accordance with the provisions of § 264-10, no person shall make a turn of the kind designated below at any of the following intersections:

Delete:

Name of Street	Direction of Travel	Prohibited Turn	Hours	At Intersection of
East Thomas Street	West	Left	All	House No. 27
Floral Avenue	East	Left	All	72.9 feet east of Utility Pole No. 56-126
Floral Avenue	West	Left	All	Utility Pole No. 59-1
Floral Avenue	South	Left	All	Exiting Lusk Street
Floral Avenue	East	Left	All	East of Utility Pole No. 56-1
Lusk Street	South	Left	All	Floral Avenue
Theron Street	East	Left	All	Entering Route 201

Add (in alphabetical order):

Name of Street	Direction of Travel	Prohibited Turn	Hours	At Intersection of
Floral Avenue	East	Left	All	Farr Avenue
Floral Avenue	West	Right	All	Farr Avenue
Isabelle Place Lot	West	Left	All	Arch Street

Jennison Avenue	North	Left	All	Lewis Street
Jennison Avenue	South	Right	All	Lewis Street
Main Street	East	Right	All	Ozalid Road
Main Street	West	Left	All	Ozalid Road
Mildred Avenue	West	Right	All	Farr Avenue

Section 3. Section 264-89 of the Village Code shall hereby be amended as follows:

§ 264-89 Schedule XIV: No Standing.

A. No standing here to corner. In accordance with the provisions of § 264-23, no person shall stand a vehicle upon any of the following described streets or parts thereof:

Add (in alphabetical order):

Name of Street	Side	Location
Martin Avenue	East	35 feet to Riverside Drive
Martin Avenue	West	35 feet to Riverside Drive

Section 4. Section 264-94 of the Village Code shall hereby be amended as follows:

§ 264-94 Schedule XIX: Angle Parking.

In accordance with the provisions of § 264-28, no person shall park a vehicle upon any of the streets or parts thereof described below, except at the angle designated:

Add:

Name of Street	Side	Angle (degrees)	Location
Lewis Street	South	45	From Willow Street to Jennison Avenue

Section 5. Remainder

Except as hereinabove amended, the remainder of the Code of the Village of Johnson City shall remain in full force and effect.

Section 6. Separability

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

Section 7. Effective Date

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

**VILLAGE OF JOHNSON CITY
LOCAL LAW NO. ____ FOR THE YEAR 2022**

**A LOCAL LAW ADDING “OVERDOSE PREVENTION CENTERS,
HEROIN SAFE ZONES, SUPERVISED CONSUMPTION FACILITIES
OR SUPERVISED INJECTION SITES” TO THE VILLAGE CODE**

Be it enacted by the Village Board of the Village of Johnson City as follows:

Section 1. A new Section 300-40.22 shall be added to the Village Code as follows:

300-40.22 Overdose Prevention Centers, Heroin Safe Zones, Supervised Consumption Facilities or Supervised Injection Sites.

- A. Definition: Overdose Prevention Centers, Heroin Safe Zones, Supervised Consumption Facilities or Supervised Injection Sites (hereinafter OPC) are medically supervised facilities designed to provide an environment in which people are able to consume, ingest, inject or otherwise use illicit recreational drugs; intravenously or otherwise. OPC does not include facilities with harm reduction programs (e.g. syringe exchange programs) unless the programs include the supervised consumption, ingestion, injection or use of an illicit recreation drug.
- B. Prohibition: No person shall cause or permit the establishment of any type of OPC within the I-District overlay or within 250 feet of any building containing residential dwelling or rooming units or within 500 feet of any church, school, park, playground, amusement arcade or existing OPC.
- C. Where allowed, an OPC will only be allowed by special use permit, provided the following:
 - (1) Compliance with applicable Articles of the Code, including but not limited to: Special Use Permit obligations (Article 66), Landscaping (Article 54), signage (Article 53), and lighting (Article 55).
 - (2) Such OPC shall in all cases comply fully with any licensing requirements of New York State (and any State Department), the County (and any County Department), all other applicable designated authorities; and comply with all local, state and federal rules, laws and regulations.
 - (3) In order to prevent concentration of OPCs and to lessen the impact on a neighborhood, the Planning Board shall exercise discretion in considering such special permit application in order that the facilities have a minimal and reasonable impact. This impact will consider amongst other factors, hours of operation, storage of controlled substances, traffic, parking, and safety for both the proposed served population and the neighborhood.
 - (4) The Planning Board may require as a condition of approval any safeguards necessary to protect the character and value of lands in the area, including requirements for reservation of lands or funds to increase public recreational facilities supportive of such facilities. Additionally, where such facilities are eligible for tax exemption, the Planning Board is encouraged to request an equitable payment of fees in lieu of taxes or Host Community Agreement to offset the costs of public services to such facilities.
 - (5) No offensive, noise, vibration, smoke, dust, odors, heat, light, or glare shall be produced.

Section 2. Section 300-70.2 shall be amended as follows:

Add alphabetically under “Definitions”:

OVERDOSE PREVENTION CENTERS, HEROIN SAFE ZONES, SUPERVISED CONSUMPTION FACILITIES OR SUPERVISED INJECTION SITES (OPC)

Medically supervised facilities designed to provide an environment in which people are able to consume, ingest, inject or otherwise use illicit recreational drugs; intravenously or otherwise. OPC does not include facilities with harm reduction programs (e.g. syringe exchange programs) unless the programs include the supervised consumption, ingestion, injection or use of an illicit recreation drug.

Section 3. 300-21.3 Uses

Add the following line

Table 21-2 Permitted and specially permitted uses

Land use	CB	NC	GC	CO
Overdose Prevention Centers	-	SP	SP	SP

Section 4. 300-22.3 Uses

Add the following line

Table 22-2 Permitted and specially permitted uses

Land use	I
Overdose Prevention Centers	SP

Section 5. Remainder

Except as hereinabove amended, the remainder of the Code of the Village of Johnson City shall remain in full force and effect.

Section 6. Separability

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

Section 7. Effective Date

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

**VILLAGE OF JOHNSON CITY
LOCAL LAW NO. 13 FOR THE YEAR 2022**

**A LOCAL LAW AMENDING SECTIONS OF CHAPTER 300
OF THE VILLAGE CODE REGARDING SIGNS**

Be it enacted by the Village Board of the Village of Johnson City as follows:

Section 1. Section 300-52 of the Village Code entitled “Sign Regulations” is amended as follows:

§ 300-52.2. General requirements.

Repeal and Replace as follows, all other subsections are unchanged:

- B. Signs cannot be located on a public right-of-way or public property. Signs maybe placed on public property subject to a license or lease with a governmental entity. Except for off premises signs, signs must be located on the property on which the business is located;
- D. No sign shall impair or cause confusion of vehicular or pedestrian traffic in its design or color. Placement of signs shall not be permitted within sight triangle as defined by Section §300-53.14 (Visibility at Intersections) of the Village of Johnson City Zoning Code. No sign shall be located on a property or public right-of-way that advertises or promotes a business not located on the subject property; unless otherwise herein specifically allowed.
- M. Any on-premise sign that no longer advertises the use of the property must be removed within sixty (60) days after written notification from the Code Enforcement Officer

§ 300-52.3. Signs authorized without permit.

Repeal and Replace as follows, all other subsections are unchanged:

T. Political Signs

- i. d. The number of signs on any one parcel of land is not restricted, but the total combined size of the signs shall not exceed thirty-two (32) square feet in area and shall not exceed five feet in height from the surrounding grade. In addition, in residential zoning districts, no individual sign shall exceed sixteen (16) square feet in size. Signs shall not be erected in such a manner as to constitute a roof sign. Notwithstanding the provisions of this chapter, a sign may be placed upon any legally existing off-premises sign structure, but not so as to add another face to the already existing sign.

§ 300-52.4. Permitted Permanent signs.

Repeal and Replace as follows, all other subsections are unchanged; unless indicated otherwise:

- A. [1] All signs must be located on private property except for off premise signs and comply with the dimension and setback requirements contained in this Section
- [5] Digital Messaging is allowed on Monument Signs and Freestanding Pylon Signs only as outlined herein and must comply with additional regulations provided in this Article per zoning district.

Add:

H. Freestanding Pylon Sign.

- [4] Digital messages or graphics are only permitted on Freestanding Pylon style signs in the General Commercial Zoning District and Industrial Zoning District. Digital messages are prohibited on all other sign types and in all other zoning districts, and in the i-District Overlay. Digital Messages signs are allowed on all Village owned property in all zoning and overlay districts.
- a. The message shall change no more than once per day and shall consist of a single color.
 - b. Digital message signs shall not be located within five hundred (500) feet of a residentially zoned property as measured along the street line on which the sign is located.
 - c. The illumination from a digital message sign shall be controlled not to be visible from or cast light or shadows onto adjacent properties or cause unwanted glare in accordance with Article 55.
 - d. The use of any digital messages on a site shall result in an overall reduction in the allotted sign area of 25%.

Repeal and Replace as follows, all other subsections are unchanged.

I. Monument Sign.

- [4] Digital messages or graphics are only permitted on monument style signs in the General Commercial Zoning District and Industrial Zoning District. Digital messages are prohibited on all other sign types and in all other zoning districts and in the i-District Overlay. Digital Messages are allowed on all Village owned property in all zoning and overlay districts.

I [4] a, b, c, d and I [5] remain unchanged.

Add:

M. Off-premises signs.

- [1] Off-premises signs (nondigital and digital) shall only be permitted within the General Commercial and Industrial Zoning Districts in the Village of Johnson City and within a distance of not greater than 500 feet of the right-of-way of NYS Route 17/Interstate 86 and NYS Rte 201. Off-premises signs are allowed on all Village owned property in all zoning and overlay districts. Off-premises signs (nondigital and digital) are not allow in the i-District Overlay
- [2] There will be a one-time fee payable to the Village of Johnson City of \$20,000 for each new digital sign and a one-time fee payable to the Village of Johnson City of \$10,000 for each new nondigital sign. In the event the applicant for the proposed new off-premises sign (nondigital and digital) desires as part of the permit application to permanently remove existing off-premises signs at a ratio of two existing nonconforming off-premises signs to the installation of one new off-premises sign in the Village of Johnson City and on the condition that the minimum square feet of said two existing nonconforming off-premises signs are a combined total square feet of at least 75% of the square footage of the proposed new off-premises sign, then the payment of a

one-time fee to the Village of Johnson City of \$10,000 for each new digital sign and a one-time fee payable to the Village of Johnson City of \$5,000 for each new nondigital sign.

- [3] Yearly license fees for off-premises digital signs shall be \$1,000, payable by the owner to the Village of Johnson City on a calendar basis. Yearly license fees for off-premises nondigital signs that are not already licensed by a Village or other government entity shall be \$500 for a nondigital sign larger than 55 square feet and \$250 for a nondigital sign that is 55 square feet or smaller. Failure to submit payment within 45 days of December 31 will result in an additional administrative fee of 10% of said overdue payment.
- [4] No more than one off-premises sign structure is permitted on a lot or parcel. The structure cannot have more than one digital sign face facing the same direction (e.g. stacked sign.)
- [5] Except for those signs on Village Property, no off-premises sign shall be located within 500 feet from another off-premises sign facing the same direction, nor, as measured along the street line on which the sign is located, within 100 feet of any residential zoning district boundary, nor within 500 feet of the property line of a public or parochial school, library, church, hospital or similar institutional use fronting on the same street.
- [6] The size of the off-premises nondigital Freestanding Pylon sign shall not exceed 300 square feet, shall not exceed 30 feet in height above the elevation of the nearest highway shoulder, and shall have a minimum setback of eight feet from any property line. The size of the off-premises nondigital monument sign shall not exceed 150 square feet, shall not exceed 12 feet in height above the elevation of the nearest highway shoulder, and shall have a minimum setback of eight feet from any property line.
- [7] The size of the off-premises digital Freestanding Pylon sign shall not exceed 450 square feet, shall not exceed 30 feet in height above the elevation of the nearest highway shoulder, and shall have a minimum setback of eight feet from any property line. The size of the off-premises digital monument sign shall not exceed 150 square feet, shall not exceed 12 feet in height above the elevation of the nearest highway shoulder, and shall have a minimum setback of eight feet from any property line.
- [8] The digital sign must be located in accordance with the federal and state regulations from the nearest off-premises sign. Distance between digital signs shall be in accordance with the New York State Department of Transportation (NYSDOT) and federal regulations and requirements.
- [9] The digital messaging shall remain static for at least eight seconds prior to changing to the next message, which messaging change shall be performed as quickly as possible (e.g., no fade-out or fade-in) or otherwise in accordance with federal and state regulations.
- [10] The illumination and all other aspects of a digital sign shall otherwise conform to all requirements of the NYSDOT and federal regulations.

Add:

N. Digital message centers for governmental uses, including schools, fire districts and fire companies.

- [1] Signs are permitted in any zoning district on property owned by the entity.

[2] Signs are permitted to be monument type signs.

[3] Maximum height is 10 feet.

[4] Maximum size is 60 square feet in area.

[5] Emergency messages such as weather/amber/emergency alerts can change every 10 seconds.
Signs cannot flash.

[6] Nonemergency messages cannot change more than once a day and shall consist of no more than two colors.

Section 2. Section 300-70.2 of the Village Code entitled “Definitions” under subsection “Sign” is amended as follows:

The following definition is repealed and replaced with:

D. DIGITAL MESSAGE SIGN

Signs whose alphabetic, pictographic, or symbolic informational content can be changed or altered on a fixed display screen composed of illuminated segments. A sign that only displays time and/or temperature or fuel prices shall not be considered a digital message board/center.

The following definitions are added in alphabetical order into the existing list of definitions:

BACK TO BACK

Signs which are physically contiguous, and which share a common structure, in whole or in part, and are located not more than 15 feet apart a reference point.

ON-PREMISE SIGN

Signs which advertises the primary goods or services sold or taking place upon the premises on which the sign is located. A sign advertising the sale or lease of property upon which it is located.

V SHAPED SIGN

Signs which are physically contiguous and share a common structure and placed on a horizontal plain in a V shape containing no more than three support posts and two signs. V Shaped signs shall have the angle at the vertex of the sign to not exceed thirty degrees (30°).

Section 3. Remainder

Except as hereinabove amended, the remainder of the Code of the Village of Johnson City shall remain in full force and effect.

Section 4. Separability

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

Section 5. Effective Date

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