

Article 1. - Statement of Authority. The Town Board of the Town of Theresa, pursuant to the authority granted it under Article 4 of the Town Law and Sections 10 and 20 of the Municipal Home Rule Law hereby enacts as follows:

Article 2. - Statement of Findings and Purpose. The Town Board of the Town of Theresa hereby finds 911 addresses have been issued throughout Jefferson County since 1995 to all parcels of land containing a driveway to facilitate rapid response to emergencies including fire and medical emergencies among other things. There are currently no requirements that these numbers be posted anywhere on or near the parcel. Since much of the Town of Theresa, especially waterfront properties, are accessed by local roads or rights of way, absence of adequate 911 signage inhibits rapid access to such properties. It is the purpose of this chapter to provide for the safety, health, protection and general welfare of persons and property in the Town of Theresa by requiring that all properties to which 911 addresses have been assigned by Jefferson County must post those 911 addresses in such fashion that a stranger can proceed directly to the lot referenced by the 911 number.

Article 3. - Enactment. The Town Board of the Town of Theresa hereby enacts a local law known as 911 Number Local Law as follows:

Article 4. Severability. If any part of this Chapter shall be found to be void, voidable, or unenforceable for any reason whatsoever, it shall not affect the validity or enforceability of any remaining section or provision of this Chapter.

Article 5. Effective Date. This local law shall take effect immediately upon filing with the Secretary of State.

§ 1. Definitions

a) 911 Address - A unique address, consisting of a number and street name, issued by the County of Jefferson, State of New York to aid in locating a given property.

b) 911 Address Sign - A group of numbers corresponding to the numerical portion of the 911 address, attached to a building or to a separate block of material, and meeting the following physical requirements:

1) The numbers shall be in such position as to be plainly visible and legible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of four (4) inches (102mm) high with a minimum stroke width of 0.5 inch (12.7mm).

2) The numbers shall be made of weather resistant material and shall be maintained so as to be visible at all times during daylight hours according to paragraph (1) above.

c) Enforcement Officer - The Zoning Enforcement Officer of the Town of Theresa and his duly appointed assistants or deputies or such other person appointed by the Town of Theresa to enforce the provisions of this chapter,

d) Street Name - The name assigned to a particular road or right of way, whether public or private, by the Town of Theresa, Jefferson County, or the State of New York, and shown on the official map of the Town of Theresa.

e) Street Sign - A sign containing the street name of a particular road or right of way usually placed at least at intersections of roads in order to direct traffic.

§ 2. Placement or Posting Requirements.

a) Each lot to which a 911 address has been issued shall post at least one 911 address sign on or close to the principal structure on the lot so as to be clearly visible at a minimum distance of 50 feet.

b) Whenever the principal structure on the lot is not clearly visible from the road or right of way bearing the street name of the 911 address, a 911 address sign shall also be posted at the intersection of that road or right of way and the named road or right way providing access to it. This may be placed on a mail box or posted separately.

c) If the principal structure on the lot is only accessible by means of an unnamed right of way, one or more 911 address signs, along with directional arrows, must be posted at the last named road, and at intervals along the unnamed road or right of way providing access to the building sufficient to allow unambiguous travel to the principal structure. Finally a 911 address sign must be posted at or close to the principal structure.

§3. Penalties for offenses

a) Whenever a town official or another person complains of a 911 violation, or the Zoning Enforcement Officer notices a violation, the Zoning Enforcement Officer shall make an inspection. If a violation exists, the Zoning Enforcement Officer shall issue a notice to correct violation, which shall inform the landowner of the nature of the violation and require that the landowner comply with this chapter within 14 days.

b) If the violation continues, it is an offense punishable by fine not exceeding \$250 or imprisonment for a period not to exceed two weeks or both for conviction of a first offense; for conviction of a second offense both of which were committed within a period of five years; punishable by a fine not less than \$250. nor more than \$500 or imprisonment for a period not to exceed two weeks, or both; and upon conviction for a third or subsequent offense all of which were committed within a period of five years, punishable by a fine not less than \$500 nor more than \$1,000 or imprisonment for a period not to exceed six weeks, or both. However, for the purpose of conferring jurisdiction upon courts and judicial officers, violation of this chapter shall be deemed misdemeanors, and for such purpose only all provisions of law relating to misdemeanors shall apply to such violations. Each week's continued violation shall constitute a separate additional violation. The town may appear in Justice Court and prosecute by the Zoning Enforcement Officer or Attorney retained by the town, with the consent of the District Attorney. In addition to any other enforcement method, the Code Enforcement Officer, at his choosing, may use an appearance ticket.

c) In addition to the penalties provided above, the Town Board may also maintain an action or proceeding in the name of the town in a court of competent jurisdiction to compel compliance with or restrain by injunction the violation of the law.