



Department of State
Corporations, State Records & UCC

New York State
Department of State
DIVISION OF CORPORATIONS,
STATE RECORDS AND
UNIFORM COMMERCIAL CODE
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Albany, NY 12231-0001
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Local Law Filing

Pursuant to Municipal Home Rule Law §27

Local Law Number ascribed by the legislative body of the local government listed below:

4 of the year 20 25

Local Law Title: Amendments to Village of Holley Code Chapters §265-43- Gasoline and automobile service and/or repair stations, § 183-3 Maintenance standards, and § 175-2 Prohibited acts.

Be it enacted by the Board of Trustees, Orleans County, New York **of the**
(Name of Legislative Body)

☐ **County** ☐ **City** ☐ **Town** ☒ **Village**
(Select one)

of Holley **as follows on the attached pages:**
(Name of Local Government)

For Office Use Only

Department of State Local Law Index Number: _____ **of the year 20** _____

(The local law number assigned by the Department of State for indexing purposes may be different from the local law number ascribed by the legislative body of the local government.)

§ 265-43 Gasoline and automobile service and/or repair stations.

A. Location of exits and entrances. No gasoline service station or automobile service and/or repair station shall have an entrance or exit for vehicles within 300 feet as measured along the closest edge of the nearest entrance or exit to a public playground, church, chapel, convent, hospital, public library or any residential district. Such access shall not be closer to any intersection than 30 feet.

B. Location of oil drainage pits and hydraulic lifts. All oil drainage pits and hydraulic lifts shall be located within an enclosed structure and shall be located no closer than 50 feet to any property line.

C. Gasoline pumps. Gasoline service stations shall have their gasoline pumps, including other service facilities, set back at least 30 feet from any street line.

D. Automobile repair facility parking shall be determined by the Planning Board during the Special Use Permit process.

Exception: Additional vehicles may be stored within a storage building in full compliance with the New York Uniform Building Code or in an area enclosed by opaque fencing fully obscured from the public view as approved by the Planning Board during the Special Use Permit process.

E. No vehicle in the public view shall be in an observable state of disassembly or severely damaged. All vehicles in public view shall appear to be fully functional. Screening for disassembled vehicles must be provided with a wall or an opaque fence as approved by the Planning Board during the Special Use Permit process. Fences and walls must have a finished face toward adjacent streets and properties. A live vegetative barrier or a combination of a finished fence/wall and a vegetative barrier is also acceptable, subject to Planning Board approval.

F. Vehicle components in any condition shall not be stored or staged in public view.

G. No vehicle may be stored for a period that exceeds 90 days in any calendar year. No vehicle may be stored for any duration unless the vehicle is demonstrably on the premises for repair.

Exception: Vehicles such as tow trucks, shuttle cars, or other vehicles essential to the business operation may be stored on the premises.

§ 175-2 Prohibited acts.

It shall be prohibited for any person owning or having control of a motor vehicle, watercraft, nonmotorized camper or any trailer designed to either be pulled by a motor vehicle or to carry a watercraft, camper or motor vehicle to park it or allow it to be parked at any time in the front yard (between a line drawn parallel to the street from the point of the front line of the structure that is closest to the street and the improved road surface) other than on an approved driveway or approved parking pad that is a minimum of 10 feet in width. Improved parking and driveway areas shall be maintained in a safe and sanitary condition and shall not contribute to soil erosion or tree damage. Improved parking and driveway area shall be installed so as to avoid creating standing water conditions, diverting runoff onto neighboring property or adversely impacting stormwater quality.

A. Parking areas and driveways shall be surfaced with asphalt, concrete, or other hard surfaces approved by the authority having jurisdiction.

A.1 Parking and driveway surfaces shall be maintained in good condition and shall shed water to provide puddle-free conditions.

B. Grass and dirt areas will not be acceptable for parking spaces and driveways.

C. Commercial parking and driveways shall be painted or otherwise marked with weatherproof markings, as approved by the Planning Board during the Special Use Permit application process, to indicate parking locations, each with an area of not less than 200 square feet and a width of not less than ten feet.

C.1 Parking lots and parking areas shall conform to the accessibility standards established in the NYS Building Code to provide accessible parking and routes for individuals with disabilities.

§ 183-3 Maintenance standards. A. Open areas; parking spaces. (1) Surface and subsurface water shall be appropriately

drained to protect buildings and structures and to prevent the development of ponding. Gutters, culverts, catch basins, drain inlets, stormwater sewers or other satisfactory drainage systems shall be utilized where necessary. No roof, surface or sanitary drainage shall create a structural safety or health hazard by reason of construction, maintenance or manner of discharge. (2) Fences and other accessory structures shall be maintained in a safe and nondeteriorated condition. (3) Steps, walks, driveways, parking spaces and similar paved areas shall be maintained so as to afford safe passage under normal use and weather conditions. Any holes or other hazards that may exist shall be filled, and necessary repairs or replacement shall be made. Moreover, sidewalks, curbs, aprons, ramps and driveway approaches shall be constructed in accordance with the specifications set forth in the Village Code and New York State Fire Prevention and Building Code.

(4) Yards, courts and vacant lots shall be kept clean and free of physical hazards, rodent harborage and infestation and debris. They shall be maintained in a manner that will prevent dust or other particles from being blown about the neighborhood. Open wells, cesspools or cisterns shall be securely closed or barricaded from access to the public.

(4).1 It is prohibited to store any items outside in plain view that are typically stored under cover or indoors, such as tires, tools, toys, building materials, car parts, appliances, indoor furniture, bicycles, off-road vehicles, skids, and similar items as determined by the authority having jurisdiction.

(5) Heavy undergrowth and accumulations of plant growth which are noxious or detrimental to health shall be eliminated. Any trees or portions thereof located on private property and constituting a hazard to person or property shall be removed. (6) A junked vehicle may not be parked, stored or left in the open. (7) All fences and plantings areas installed on the premises shall be maintained by the owner of the property. Such maintenance shall include but not be limited to the replacement of trees and shrubs which may die and/or otherwise be destroyed, the maintenance and cutting of lawns and the replacement and/or repair of fences which may be in disrepair. (8) Restaurants and other eating facilities shall have garbage containers sufficient in number for all of their solid waste and shall maintain them in satisfactory condition. (9) All areas used for off-street parking, storage of trucks and of other motor vehicles and access driveways, including any right-of-way or easement over the subject property, shall be surfaced in accordance with the following specifications: not less than two inches of broken stone after compaction and one inch of premixed bituminous material after compaction; or concrete not less than four inches thick.

Local Law Filing

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

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

I hereby certify that the local law annexed hereto ascribed as local law number 04 of 2025 of the (County)(City)(Town)(Village) of Holley was duly passed by the Board of Trustees on 11/13 2025 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, ascribed as local law number _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____ and was (approved)(not approved)(repassed after disapproval) by the _____ (Elective Chief Executive Officer*) on _____ 20____ in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____ and was (approved)(not approved)(repassed after disapproval) by the _____ (Elective Chief Executive Officer*) on _____ 20____.

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 _____ 20____ in accordance with the applicable provisions of law.

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, ascribed as local law number _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____ and was

(Name of Legislative Body)

Local Law Filing

(approved)(not approved)(repassed after disapproval) by the _____ on

_____. Such local law was subject to permissive referendum and no valid petition
requesting such referendum was filed as of _____ 20_____ in accordance with the
applicable provisions of law.

* 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.

Local Law Filing

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20 ____ of the City of _____ having 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 _____ 20 ____ became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed thereto, ascribed as local law number _____ of 20 ____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20 ____ 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 the paragraph ¹ _____ above.

(Seal)

Rainey Losee

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

11/13/2025

(Date)