

**ENVIRONMENTAL COMMITTEE & ORDINANCE COMMITTEE**  
**TUESDAY, JULY 18, 2023, 7:00 PM**  
**HURLEY BUILDING, 205 SALTONSTALL STREET**  
**VIRTUALLY: <https://us06web.zoom.us/j/84936309067>**  
**LIVE STREAM: <https://fingerlakestv.org/live/>**

**Environmental Committee:** Karen White, Chair  
Sim Covington, Jr.  
Erich Dittmar  
Renée Sutton

**1. Canandaigua Lady**

John Brennan, on behalf of the owners of the Canandaigua Lady, presented a two phased dock modification request at May 2nd Planning and Finance Committee meeting. Phase 1 would add a slip on the east side of the dock to allow for a 10-person excursion boat. At the meeting, Council encouraged Mr. Brennan to explore an electric boat and to also look into “educational” elements/programming during small boat excursions. As this is an amendment to the easement for the dock, City Council approval is necessary. John Brennan, Captain of the Canandaigua Lady, has been invited to continue discussing this request.

**2. CLWA Presentation**

The Canandaigua Lake Watershed Association (CLWA) will be presenting on their role in keeping the lake healthy. CLWA representatives will be attending the meeting and delivering a brief presentation.

**3. Painted Pinky Special Event**

The Painted Pinky has requested a Special Event Permit but will be changing their traditional route to one that mirrors the recent Stache Dash, along Lakeshore Drive and into Lagoon Park.

**Ordinance Committee:** Erich Dittmar, Chair  
Sim Covington, Jr.  
Renée Sutton  
Karen White

**1. Natural Gas Ban**

The New York State Budget includes the elimination of fossil-fuel equipment and building systems (natural gas hookups) in new residential buildings of seven stories or less and commercial buildings under 100,000 square feet on or after December 31, 2025 and prohibits the installation in all new buildings after December 31, 2028. At the May 9<sup>th</sup> Ordinance Committee meeting, Councilmember Dittmar requested a discussion of adopting a similar local measure moving these dates up for the City of Canandaigua. As a follow-up to that discussion, Councilmember Dittmar asked for a legal perspective as to whether such an initiative would be subjected and withstand legal challenges.

**2. Senior Citizen Exemption**

The City provides a property tax exemption in accordance with Real Property Tax Law section 467, to senior citizens with limited income. The senior citizens exemption was raised for the City in 2008 to

\$28,899. Prior to that, the last revision was in 1995 raising the maximum to \$22,500. A presentation was made at the July 11<sup>th</sup> Finance Committee meeting and it was requested that discussion continue at the Ordinance Committee.

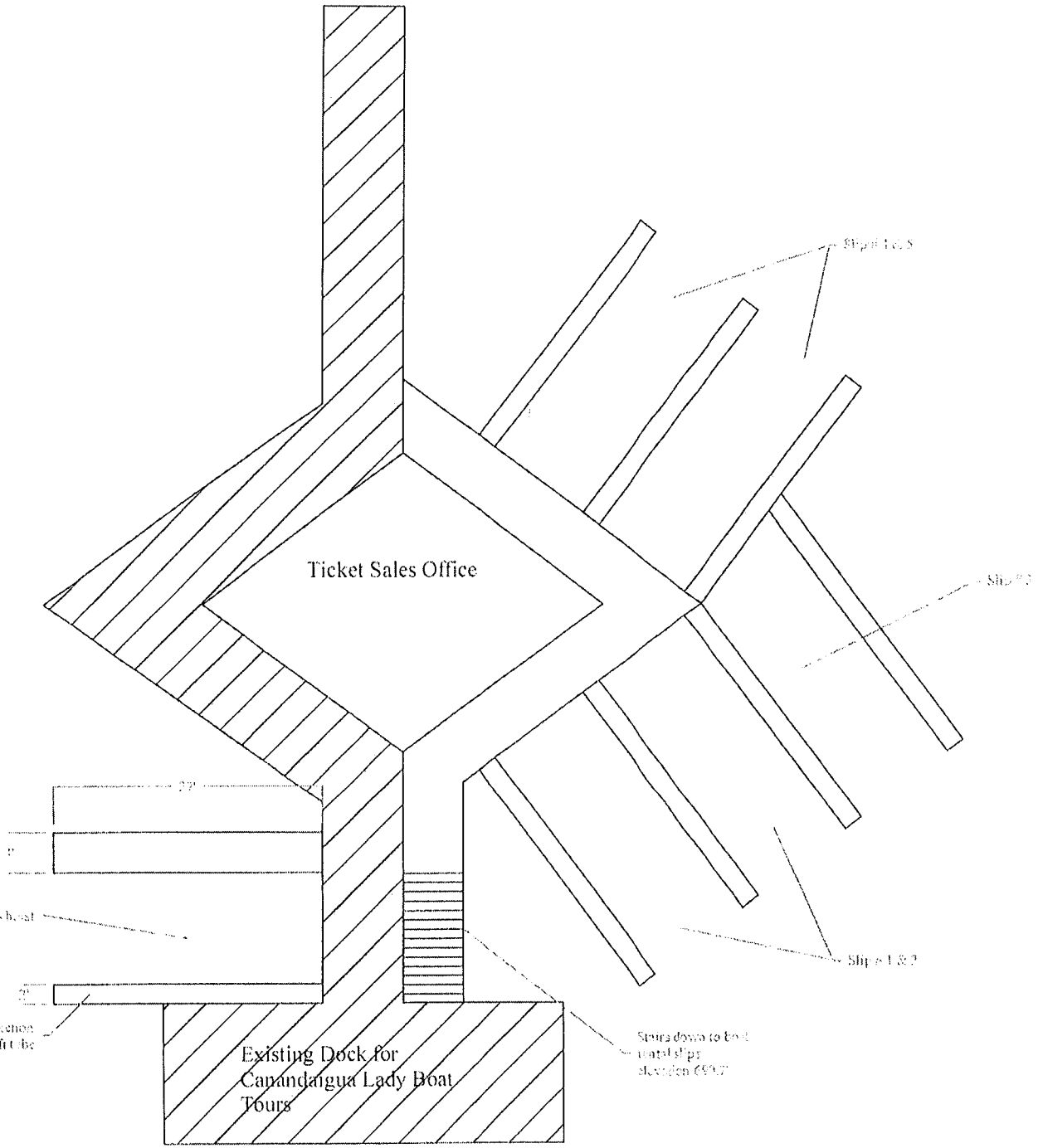
### **3. Amendments to City Code Chapters 300 “Unsafe Buildings” and 748 “Housing Standards”**

A proposed ordinance amending Chapters 300 and 748 to allow for additional due process for recipients of orders to vacate unsafe structures. This amendment would allow occupants of structures that have been determined to be unsafe/dangerous, the right, upon written request, to have a hearing within three business days on the issue of whether the structure is unsafe. This right would be in addition to the existing right of occupants to have a hearing when the initial notice of unsafe structure is served under Chapter 300.

### **4. Parking on Howell Street near Sonnenberg**

Parking is currently restricted along the north side of Howell from Park Street to Charlotte Street. Due to parking complaints from Howell Street residents, City Staff recommends changing the current parking restriction. Chapter 648-21 Parking, standing and stopping restrictions would be amended for Howell Street to read; *no parking on the south side from Park Street to Charlotte Street.*

*Next Meeting: August 15th*



Worden Hill Marine  
 P.O. Box 659  
 Canandaigua, NY 14424  
 585-509-0675

Project Name/Location	Date
Canandaigua Lady - Plan View	3-14-23
Hilton Inn	Scale
	N.T.S.
	KLD

# APPLICATION FOR A SPECIAL EVENT



CITY OF CANANDAIGUA  
City Manager's Office  
2 North Main Street  
Canandaigua, NY 14424  
(585) 396-5000 x 5000 Fax (585) 396-5016



Processing Fee of \$75.00 must accompany this application for the review process to begin.  
All processing fees are non-refundable. Applications must be submitted a minimum of 45 days prior to the event. Applications submitted without the fee or less than 45 days before an event will not be processed.

**PLEASE READ ALL RULES, REGULATIONS, POLICIES AND PROCEDURES**

## SPONSOR INFORMATION

Name: CONSTANCE WHITE

Phone Number: 585.259.5612

EMAIL Address: CONSTANCE-WHITE@URMC.ROCHESTER.EDU

Organization: THE PAINTED PINKY 5K COMMITTEE

Address: 4012 FURMAN RD. CANANDAIGUA, NY 14424

## EVENT INFORMATION

Name of Event: THE PAINTED PINKY 5K

Date(s) of Event: SUNDAY OCTOBER 29TH, 2023

Purpose: CHARITABLE/FUND RAISER

Location: SAME ROUTE AS 'STACHE DASH'

Time: 9:00AM START

Attendance Estimate: 300-400

## TYPE OF EVENT (SELECT ONE) - See Definitions on pg 4

FESTIVAL

Set up Time/Time of Assembly: 7AM

SUNDAY 10.29

BLOCK PARTY

Date of Set up:

SUNDAY 10.29.23

PARADE

Take-Down Time/Time of Disbandment:

IMMEDIATELY FOLLOWING RACE

RACE WALK

Date of Take down:

SUNDAY 10.29.23

~ 11AM

OTHER EVENT  (Please Specify)





## POLICIES AND PROCEDURES

### GENERAL POLICY STATEMENT

The City of Canandaigua ("City") establishes a policy for a uniform method of processing applications and regulations of Special Events held within the City. This policy shall apply to all special events that take place on property owned or controlled by the City. Any person or organization wishing to sponsor or hold a Special Event in the City will be required to complete a Special Event Application and obtain proper Permits.

### GENERAL INFORMATION

#### 1. Vendor License Requirements

- All food/beverage vendors must have valid New York State Health Department licenses. Additionally the City must inspect all food vendors' cooking devices. This inspection requires an Operating Permit. A vendor acting through a Special Event Permit shall not be required to obtain a Vendor License under Chapter 538 of the Municipal Code. The inspection for such permit is \$60 per inspector per hour. Food/Beverage Vendors are responsible for any and all fees related to obtaining a food license.
- Food/Beverage Vendors are required to comply with all Ontario County Health Department or all New York State Health Department rules and regulations for Temporary Food License Facilities.
- Food/beverage vendors should contact the Health Department well in advance of the event date.

#### 2. Signs.

If signs and banners are going to be displayed throughout the City, the sponsor must provide detail of the signs in the application with respect to sizes, numbers, and locations where signs will be displayed. The permit holder is not authorized to place signs in City right of ways or in the Main Street median, unless the Permit provides otherwise. Should this occur, the Code Enforcement Department is authorized to remove such signs. Continued placement could lead to revocation and cancellation of the Special Events Permit. Signage can be placed on private property with the consent of the owner and in accordance with the City's sign ordinance. All signs must be removed the day after the Special Event. If the City removes the signs after that period the event sponsor will be responsible for a fee of \$50 per sign removed.

#### 3. Tents.

Tents and membrane structures larger than 200 square feet and canopies larger than 400 square feet, whether on public or private property, require an inspection by the City and an Operating Permit. The inspection for such permit is \$100 per inspector per hour. For information regarding the installation of tents the applicant must contact the Fire Department at 585-396-5050.

#### 4. Block Parties.

As a condition of Permit Approval, for first-time events at least 60% of the residents must agree to have the street closed and 100% of the residents on streets to be closed must be notified in writing at least 3 weeks prior to the event. A signed petition and Street Closing Permit must be attached to the application. Permittees must ensure that attendees comply with the City's Noise Ordinance and Alcohol Policy. Street Closures shall be limited to one block and street barricades must be placed only at street intersections. Insurance is not required for a Block Party.

#### 5. Refuse.

At the conclusion of the Special Event all refuse must be disposed of properly and the site returned to its condition prior to the Special Event

#### 6. Prohibited Activities.

No games of chance, amusement rides, or bounce houses are permitted on public property.

## FEES FOR SPECIAL EVENTS

Excepting the Downtown Business Improvement District, fees shall be charged for City services provided to Special Events as follows:

**Application Fee.** At the time of the submission of an application for a special event, the applicant shall pay a non-refundable processing fee of fifty (\$75.00) dollars.

**Hourly Rate** shall be the hourly rate, as established by the City Administration, for any employee working on a special event outside of standard work hours. Hourly Rate shall include expenses related to the employee including fringe benefits, or as established by the City.

**Equipment Rental:** City equipment required for an event shall be charged to the event if used during other than normal work hours. The rate for equipment shall be a reasonable rate as determined by the Director of the Public Works Department.

**Replacement Fee:** There is a replacement fee for any equipment that is not returned in the same condition in which it was delivered. Following are some replacement costs for equipment: plastic litter barrels @ \$20 each, barricades @ \$100 each, snow fencing @ \$25 per 50-foot roll, cones @ \$15 per cone.

**Other Out of Pocket Expenses:** Actual cost of other expenses such as electrical supplies, solid waste removal, cost of mailings, and equipment rental charges will be charged back to the event.

**Inspection Fees.** Use of a tent that is larger than 400 square feet, regardless of whether on public or private property and/or the commercial outdoor cooking of food require separate inspections and permits by the City of Canandaigua. The applicant is responsible for obtaining these permits at the current inspection rate of \$100.00 per inspector per hour, with a minimum of 1 hour. **It is the responsibility of the event coordinator to contact the fire department to schedule inspections at 396-5050.**

**Park and Facility Rental Fee:** An additional fee is to be made for the rental of any parks or pavilions. The fee will be assessed and paid upon the fees listed on the Park and Facility Use Form. The fee is billed with the final Special Event invoice. Please note: the rate for the full-day Gazebo rental is \$200/day.



**ORDINANCE #2023-\_\_**

**AN ORDINANCE AMENDING CHAPTERS 300-11 AND  
748-31 PERTAINING TO ORDERS TO VACATE UNSAFE  
STRUCTURES.**

**WHEREAS**, Chapters 300-11 and 748-31 of the City Code authorize the issuance of orders to vacate unsafe structures; and

**WHEREAS**, City Council has determined that Chapters 300-11 and 748-31 should be amended to provide for additional due process rights to tenants and/or occupants of such unsafe structures after receipt of an order to vacate;

**NOW, THEREFORE, BE IT ENACTED** by the City Council of the City of Canandaigua, that:

**Sec. 1** Chapter 300-11, entitled “Vacating structures and closing streets” is hereby amended as follows (*new language shown in italics, omitted language shown with strikethrough*):

**Chapter 300  
Buildings, Unsafe**

**Section 300-11: Vacating structures and closing streets.**

When a structure is in an unsafe or dangerous condition so that life or public safety is endangered thereby, the Director of Public Safety, his designee or the Code Enforcement Officer may order and require the tenants or occupants to vacate the same forthwith. *The order to vacate shall include reference to the tenant/occupant’s right to a hearing upon written demand as provided herein. The Director of Public Safety, his designee or the Code Enforcement Officer* He may, when necessary for public safety, temporarily close sidewalks, streets, structures and places adjacent to such structures and prohibit the same from being used. The Director of Public Works, the Director of Public Safety, the Chief of Police and the Fire Chief, when called upon by the Enforcement Officer to cooperate, shall assist in the enforcement of such orders or requirements. *Whenever an order to vacate has been issued pursuant to this section, the tenant and/or occupant may request a hearing before the Code Enforcement Officer or his or her designee. The hearing shall be held within three business days of the Code Enforcement Officer’s receipt of a written demand for such hearing. At such hearing the hearing officer may affirm or vacate the order to vacate, and/or impose additional reasonable conditions to the order to vacate. The unsafe structure shall remain vacated pending the outcome of any such hearing.*

**Sec. 2** Chapter 748-31, entitled “Order to Vacate” is hereby amended as follows (*new language shown in italics, omitted language shown with strikethrough*):

**Chapter 748  
Housing Standards**

**Section 748-31: Order to Vacate**

Whenever an order with the notice of intent to vacate as provided in § 748-30 of this chapter has not been complied with or where procedures under § 748-20 this chapter have not been invoked, or if the Code Enforcement Officer, with the concurrence of either the Health Officer or Fire Chief determines that an immediate and serious threat to health and safety exists, the Code Enforcement Officer may order the dwelling, dwelling unit, lodging house, lodging unit, rooming house or rooming unit to be vacated. A copy of such order to vacate shall be served on the owner agent, operator and the occupant as provided in § 748-14 of this chapter. *The order to vacate shall include reference to the tenant/occupant’s right to a hearing upon written demand as provided herein. Whenever an order to vacate has been issued pursuant to this section, the tenant and/or occupant may request a hearing before the Code Enforcement Officer or his or her designee. The hearing shall be held within three business days of the Code Enforcement Officer’s receipt of a written demand for such hearing. At such hearing the hearing officer may affirm or vacate the order to vacate, and/or impose additional reasonable conditions to the order to vacate. The unsafe structure shall remain vacated pending the outcome of any such hearing.*

**Sec. 3** This ordinance shall be effective thirty (30) days following its enactment.

ADOPTED this \_\_\_ day of \_\_\_\_\_, 2023

ATTEST:

\_\_\_\_\_  
Erin VanDamme  
City Clerk

