

**VILLAGE OF RED HOOK
PUBLIC HEARING
PUBLIC VIEWED INSTALLATION PERMIT
MAY 16, 2013
7:00 PM**

Present: Mayor Blundell, Deputy Mayor Kovalchik, Trustee Norris, Clerk Cole, Kim Gomez and Rita Gentile. Absent: Trustee Zacharzuk.

Mayor Blundell opened the meeting with a discussion on Art Sculpture show. Currently there is no law in our current code addressing art shows. A template can be put into the Village Code. Counsel has reviewed law. DM Kovalchik stated there is a community based organization Red Hook Arts heading up the first exhibit. SEQRA analysis is required. DM Kovalchik consulted with the City of Kingston Planner for guidance. Mayor Blundell read the following legislative intent: It has come to the attention of the Village Board of Trustees that local community groups have sought permission from the Village and local land owners for the public display of publicly viewed installations. In order to assist local community organizations it is the purpose of this ordinance to support local community based organizations while prohibiting commercial enterprises from obtaining free commercial display areas within the Village.

DEFINITIONS

As used in this Chapter, the following terms shall have the meaning indicated: **COMMUNITY BASED ORGANIZATION:** A Red Hook based, tax exempt organization, or affiliation with a tax exempt organization, which must provide proof of such status whose mission is to promote service, civic pride and community involvement.

PROHIBITIONS

- A. No display or exhibit permitted under this Chapter shall allow the sale or conduct of any business operation at the installation site.

STANDARDS

- A. Any Red Hook Community Based Organization wishing to place or utilize a public or private display area within the incorporated Village of Red Hook in a place that is open to the public or visible to the public must first obtain a permit from the Board of Trustees of the Village of Red Hook.
- B. Only entities or organizations that are recognized as a Community Based Organization may apply for and obtain a permit.
- C. If private land is being utilized for the display written permission from the property owner must be presented with the application.
- D. Any structure erected for any display must be safe and structurally sound and shall be placed or erected to not interfere with sight lines or motorists or other traffic or to interfere with the use of any public thoroughfare.
- E. Any permit issued shall be valid for a period of 180 days at the end of which the organization shall have removed and restored the display area to its original condition.
- F. There shall be no fee for a permit application under this Chapter.

ENFORCEMENT

The Code Enforcement Officer of the Village of Red Hook is hereby authorized to issue summonses or appearance tickets, returnable in the Village Court for any violations of this Chapter. Any such violations

shall be categorized as a petty offense punishable by a fine of up to \$250.00 per violation, per day, each day that the offense continues shall be considered a separate violation.

NO LIABILITY

The Village, its boards, agents, employees or anyone working on the approval or installation of the exhibition shall not be liable for loss or damage to the installation/display items or the display site. Insurance is the responsibility of the organization, the participant(s) and/or property owner of the site.

EXEMPTION

Seasonal/Holiday exterior displays of not more than 60 days on private property are exempt from this Chapter.

SEVERABILITY

In the event any provision of this Chapter shall be deemed illegal or otherwise unenforceable by a court of competent jurisdiction, then only that specific provision shall not be enforced, and all other sections and provisions shall remain in full force and effect.

Mayor Blundell stated that insurance would fall on the artist. Rita Gentile asked if on Village property would the Village hold liability. Mayor Blundell answered yes. There would also be no fee for this permit.

Mayor Blundell scheduled a workshop meeting on May 30th at 7:00 PM at the Village Hall to discuss the above.

A motion was made by DM Kovalchik to adjourn the meeting at 7:15 PM. Trustee Norris seconded the motion. All were in favor.

Submitted by,

Cynthia Cole
Clerk/Treasurer