

VILLAGE OF WARWICK
LOCAL LAW NO. __ OF THE YEAR 2025

A local law amending Village of Warwick Village Code Chapter 34 – “Amusements and Exhibitions.”

SECTION 1. PURPOSE

The purpose of this Local Law is to promote the public health, safety and welfare by amending Village of Warwick Village Code Chapter 34 – “Amusements and Exhibitions” to delete and revise certain obsolete provisions.

SECTION 2. MUNICIPAL HOME RULE LAW:

This law is adopted pursuant to the provisions of the Municipal Home Rule Law § 10(1)(ii)(a)(1) which grants local governments the authority to enact local laws regarding the public health, safety and welfare. To the extent the provisions of this Local Law are in conflict with State law, the Village Board hereby asserts its intention to supersede same pursuant to the Municipal Home Rule.

SECTION 3. AMENDMENT OF VILLAGE CODE:

The following amendments are hereby made to Village of Warwick Village Code Chapter 34 – “Amusements and Exhibitions”:

1. The title of Chapter 34 is hereby changed to “AMUSEMENTS AND EXHIBITIONS ON PRIVATE PROPERTY”.
2. Section 34-2, entitled “License required for operation of certain amusement devices”, is hereby repealed. Provided, however, Section 34-2 shall remain in the Village Code as a blank placeholder reserved for potential future legislation.
3. Section 34-3(A)(3) is hereby repealed and re-enacted to read “Phone number, email, or other direct contact information for applicant.”
4. Section 34-3(C) is repealed.
5. Section 34-5(A) is hereby repealed. Provided, however, Section 34-5(A) shall remain in the Village Code as a blank placeholder reserved for potential future legislation.
6. Section 34-8, entitled “Rules of conduct for licensees” is hereby repealed and re-enacted to read as follows:

“§34-8 Criteria for grant of license.

In considering an application for a license under this Chapter, the Village Board may require of such additional information as it deems necessary or appropriated. In determining whether or not to grant a license under this Chapter, the Village Board shall consider the following criteria:

- A. Whether the public exhibition and the traffic generated by it will substantially interrupt the safe and orderly movement of other traffic in the Village.
- B. Whether provision has been made for adequate parking for the public exhibition.
- C. Whether the public exhibition will result in additional demands on public services, such as police, firefighters, and Emergency Medical Services.
- D. Whether the concentration of persons, animals and vehicles involved in the public exhibition have an adverse impact on neighboring properties and the community in which the public exhibition is proposed to be held.
- E. Whether the public exhibition may result in injury to persons or property, or provoke or result in disorderly conduct or create a disturbance.
- F. Whether adequate provision has been made for any sanitary facilities and for collection and disposal of any garbage, refuse or waste at the public exhibition.
- G. Whether the public exhibition is proposed to be held on dates when other public exhibitions or events are being held in the Village and, if so, whether the cumulative impact of holding multiple public exhibitions or events would be harmful to the public health, safety and welfare.

7. Section 34-8.1, entitled “Hours of operation” is hereby repealed and re-enacted to read as follows:

“§38.1 Conditions on license.

In granting a license under this Chapter, the Village Board may impose reasonable conditions including, without limitation, setting hours of operation.”

8. Section 34-10(C) is repealed.

SECTION 4. SEVERABILITY

If any clause, sentence, paragraph, word, section or part of this local law shall be judged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section or part thereof directly involved in the controversy in which judgment shall have been rendered.

SECTION 5. EFFECTIVE DATE

This local law will take effect immediately upon filing in the Office of the Secretary of State in Albany.