

CHAPTER 1300

GENERAL PROVISIONS

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CROSS REFERENCE

State Provisions - Consolidated Laws, General Municipal Law S20 (24,25)

1300.01 PURPOSES

There is hereby established a Zoning Ordinance for the City, which is set forth in the text, map, and schedule contained herein. This Zoning Ordinance is adopted for the purposes set forth in paragraphs 24 and 25 of Section 20, Article 3 of Chapter 21, of the Consolidated Laws of the State of New York, and more particularly for the protection and promotion of the public health, safety and welfare in the following manner:

1. Guiding the future development of the City in accordance with the Comprehensive Plan which includes land use and population density that represents the most beneficial and convenient relationships among the residential, commercial, industrial and recreational areas within the City, having regard to their potentiality for such uses, as indicated by existing conditions and trends in population in the direction and manner of the use of land, in building development and in economic activity, considering such conditions and trends both within the City and with respect to the relation of the City to areas outside thereof, having in mind, among other things, the industrial position of the City, its service as a trading center both for its own inhabitants and for extensive adjacent areas, and its wide attraction as a resort and recreational center.
2. Protecting the character and the social and economic stability of each of such areas and encouraging their orderly and beneficial development.
3. Protecting and conserving the value of land throughout the City and the value of buildings appropriate to the various districts established by this Zoning Ordinance.
4. Bringing about the gradual conformity of the uses of land and buildings throughout the City as set forth in this Zoning Ordinance, and minimizing conflicts among the uses of land and buildings.
5. Aiding in bringing about the most beneficial relation between the uses of land and buildings and the circulation of traffic throughout the City, having particular regard to the avoidance of congestion in the streets and the provision of safe and convenient traffic access appropriate to the various uses of land and buildings throughout the City.

6. Aiding in providing a guide for public policy and action in the efficient provision of public facilities and services, and for private enterprise in building development, investment and other economic activity relating to the uses of land and buildings throughout the City.

1300.02 INTERPRETATION

In interpreting and applying the provisions of this Zoning Ordinance, they shall be held to be the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience and general welfare, and more particularly for the purposes set forth in Section 1300.01. Except as specifically herein provided, it is not intended by this Zoning Ordinance to repeal, abrogate, annul, or in any way to impair or interfere with any existing provision of law or ordinance or any rule or regulation previously adopted, or any permit, license, certificate or other authorization previously issued, granted or approved, or which shall be adopted, issued, granted or approved pursuant to the law and not in conflict with the provisions hereof relating to the use of buildings or land or to the erection, construction, establishment, moving, alteration, or enlargement of any building or improvement; nor is it intended by this Zoning Ordinance to interfere with or abrogate or annul any easement, covenant, or other agreement between parties; provided, however, that whenever any provision of this Zoning Ordinance imposes greater restrictions on the erection, construction, establishment, moving, alternation or enlargement of buildings or on the use of any building or of land in any of the districts established by this Zoning Ordinance than are imposed by such existing provisions of law or ordinances or by such rules, regulations, permits, licenses, certificates, or other authorizations, or by such easements, covenants, or agreements, then the provisions of this Zoning Ordinance shall control.

1300.03 SEPARABILITY

If any section, subsection, sentence, clause, phrase, or other part of this Zoning Ordinance is for any reason held by court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this Zoning Ordinance. Council hereby declares that it would have passed this Zoning Ordinance and each section, subsection, sentence, clause, phrase, and other part thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses, phrases, or other parts be declared invalid.

1300.04 SHORT TITLE

This local law shall be known and may be cited as the "Niagara Falls Zoning Ordinance", and hereinafter referred to as zoning ordinance or ordinance.

1300.05 EFFECTIVE DATE

This Zoning Ordinance shall take effect on July 27, 1994.

1300.06 EFFECT ON EXISTING LAWS

Any provisions of the City Charter or the Codified Ordinances not specifically modified by this Zoning Ordinance shall remain in full force and effect..