



THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK

Date: March 1, 2023

Sponsored by Council Members: Resciniti, Burns, Strawn, Scanlon, Scaringi

Introduced by Committee: Planning

**ORDINANCE***entitled*

AN ORDINANCE TO AMEND THE CODE OF  
THE CITY OF BINGHAMTON, CHAPTER 410,  
ZONING, TO ADD ADDITIONAL LANGUAGE

WHEREAS, the Council of the City of Binghamton wishes to amend the Code of the City of Binghamton, Chapter 410, *Zoning*, §410-19, *Accessory Buildings and Uses*, to add additional language.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That the Code of the City of Binghamton, Chapter 410, *Zoning*, §410-19, *Accessory Buildings and Uses*, to add additional language as follows:

§ 410-19. Accessory buildings and uses. [Amended 8-7-2013 by Ord. No 13-49; Amended 12-18-19 by Ord. No 19-157; Amended 3-1-23 by Ord. No. 23-37]

**M. Residential Amenity and Assembly Spaces.**

When located in residential or mixed-use building as accessories to a residential use, amenity spaces including fitness centers, common kitchens, and computer rooms, and assembly spaces including lounges, theaters, and billiard rooms, shall be regulated as follows:

1. Congregate living facilities, multiple-unit dwellings, and properties containing more than 12 total bedrooms shall not contain any assembly spaces or other amenity spaces that are accessory to the residential use below grade, with the exception of structured parking, laundry facilities, and/or storage facilities. Any below-grade laundry or storage facilities shall be proportioned and constructed such that they do not allow an occupancy limit above 10 persons per partitioned space.
2. In congregate living facilities, multiple-unit dwellings, and properties containing more than 12 total bedrooms, the occupancy limit of any above-grade residential amenity or assembly space shall not exceed 25 persons.
3. The actual occupancy limit shall be determined by the Fire Marshal based on square footage, intended use and furnishings/equipment, not to exceed the limits above.

Section 2. That this Ordinance shall take effect immediately.

Introductory No. 023-37

Permanent No. 023-37

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The within Ordinance was adopted by the Council of  
the City of Binghamton.

Date 3/1/23

Christina G. Johnson  
City Clerk

Date Presented to Mayor 3/2/23

Date Approved 3/2/23

John M. R.  
Mayor

	Ayes	Nays	Abstain	Absent
Councilwoman Resciniti	✓			
Councilwoman Riley		✓		
Councilwoman Friedman			✓	
Councilman Burns	✓			
Councilman Strawn	✓			
Councilman Scanlon	✓			
Councilman Scaringi	✓			
<b>Total</b>	<b>5</b>	<b>2</b>	<b>0</b>	<b>0</b>

Code of the City of Binghamton

Adopted  Defeated

5 Ayes 2 Nays 0 Abstain 0 Absent

I hereby certify the above to be a true  
copy of the legislation adopted by the  
Council of the City of Binghamton at a  
meeting held on 3/1/23. Approved  
by the Mayor on 3/2/23.

John M. R.