

## *Local Law Filing*

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of Oyster Bay

Local Law No. 7 of the year 2023

A local law entitled "A LOCAL LAW CREATING A BUILDING PERMIT AMNESTY PROGRAM FOR RESIDENTIAL AND NON-RESIDENTIAL PROPERTY OWNERS WITHIN THE TOWN OF OYSTER BAY."

Be it enacted by the Town Board of the

Town of Oyster Bay as follows:

**Section 1. Legislative Findings.** The Town Board of the Town of Oyster Bay finds and declares that:

- a. A building permit and other permits are required in order to erect, enlarge or structurally alter any building or other structure in the Town of Oyster Bay. A Certificate of Occupancy, or a Certificate of Approval, or a Certificate of Completion is required, depending on the type of work and type of permit required, once all work allowed by the building permit and other permits is completed;
- b. There currently is a maintenance fee assessed against persons engaged in or caused to be engaged in erecting, enlarging or structurally altering, or who have erected, enlarged or structurally altered, any building or other structure in the Town of Oyster Bay without a building permit or other required permit;
- c. The Town Board has knowledge that property owners have failed to secure the required permit(s) for such activities and wishes to encourage compliance with the permit requirements in the interests of safety, by adoption of this Local Law, creating a Permit Amnesty Program.

**Section 2. Scope.** The Permit Amnesty Program shall only apply to owners of residential and non-residential properties situated in the Town of Oyster Bay.

**Section 3. Amnesty Period.** The Permit Amnesty Program shall begin upon the effective date of this Local Law and continue through December 31, 2023. This shall be known as the Amnesty Program.

- a. The Town of Oyster Bay Department of Planning and Development will begin taking building permit applications and other permit applications under this Permit Amnesty Program upon the effective date of this local law for all past work and work in progress at the time of the enactment of this Local Law without benefit of permit and will stop accepting permit applications under this local law on December 31, 2023; and
- b. During the Amnesty Period, the Town of Oyster Bay will waive the maintain fee for building permits and other required permits (e.g., electrical and plumbing) to maintain construction activities that took place or are taking place without the required permit(s) and for which such work the necessary permit(s) has been applied for during the Amnesty Period. It shall be within the discretion of the Commissioner of the Department of Planning and Development to determine if a property owner has complied with the requirements of this program and is entitled to amnesty under this program. All other fees and costs associated with the issuance of building or other permits shall remain in effect during the Amnesty Period.

**Section 4. Expired Permits.** During the Amnesty Program, owners of properties situated in the Town of Oyster Bay, with a permit that has expired may apply to have the permit renewed for a maximum renewal fee of \$200.00. In the event that the permit has previously been extended, and an extension fee has previously been paid, the permit holder will receive a credit for extension fees previously paid, to a maximum credit of \$200.00.

**Section 5. Board Approvals.** All permits requiring approval by the Town Board, Planning Advisory Board or the Zoning Board of Appeals, must still be approved by the applicable governing board. All supporting documentation and fees associated with an application to the Town Board, Planning Advisory Board or Zoning Board of Appeals must be submitted with the application and must meet all current requirements under the Code of the Town of Oyster Bay.

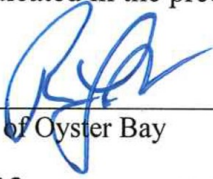
**Section 6. SEQR Determination.** It is hereby determined pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., that the adoption of this local law is a “Type II” Action within the meaning of Section 617.5 (c)(20) of 6 N.Y.C.R.R., pertaining to “routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment” and, accordingly, is of a class of actions which do not have a significant effect on the environment and no further review is required.

**Section 7. Severability.** If any section, subdivision or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by a court of competent jurisdiction, such judgment shall be confined in its operation to the section, subdivision or provision of or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law, or the application thereof to other persons or circumstances.

**Section 8. Effective Date.** This Local Law shall take effect immediately upon its adoption and filing with the Office of the Secretary of State.

I hereby certify that the Local Law annexed hereto, designated as local law No. 7 of 2023 of the Town of Oyster Bay was duly passed by the Town Board on May 23 2023, in accordance with the applicable provisions of law.

I further certify that I have compared the preceding Local Law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original Local Law, and was finally adopted in the manner indicated in the preceding paragraph.

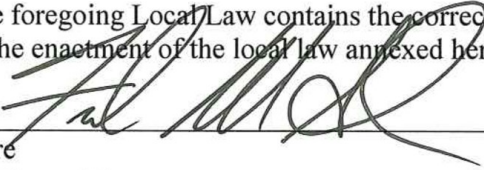
  
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Clerk of the Town of Oyster Bay

(Seal)

Date: May 23, 2023

STATE OF NEW YORK  
COUNTY OF NASSAU

I, the undersigned, hereby certify that the foregoing Local Law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

  
\_\_\_\_\_  
Signature

Town Attorney

\_\_\_\_\_  
Title

Town of Oyster Bay

Date: May 23 2023