

Local Law Filing

New York STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231

(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.

~~County~~
~~City~~
~~Town~~ of Plandome Heights
~~Village~~

Local Law 1 of the year 2023

(Insert Title)

A local law amending Article II, "Fees," of Chapter 1, "General Provisions," to authorize the Board of Trustees to establish fees and deposits required in connection with applications to the Village, the Village Clerk, the Village Building Inspector and any of the Village's boards, departments, committees and commissions, as the Board of Trustees may deem appropriate, by resolution, without a public hearing.

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

~~County~~
~~City~~
~~Town~~ of Plandome Heights
~~Village~~

Section 1. Legislative Findings and Intent. The Board of Trustees (the "Board") of the Village of Plandome Heights (the "Village"), has determined that Article II, "Fees," of Chapter 1, "General Provisions," of the Village Code creates unnecessary costs and expenses in requiring that the Board conduct a public hearing prior to authorizing certain increases in the fees and deposits required to be made with respect to certain applications to the Village, the Village Clerk, the Village building Inspector and any of the Village's boards, departments, committees and commissions. The Board members are elected to make decisions as the representatives of Village residents, and New York State Law establishes those matters as to which public hearings are required. New York State Law does not require a public hearing to establish the amounts of fees and deposits for Village applications. The Village previously elected to enact such a requirement, which requires the posting and publishing of legal notices, and the related delays in

action by the Board. The Board finds that the requirement that the Board adopt a resolution at a public meeting when it amends the schedule of fees and deposits provides appropriate transparency while avoiding unnecessary expense and delay, and effectively promotes the health, safety and welfare of Village residents.

Section 2. Clause “E,” “Fee increases,” of § 1-14, “Fees, deposits and insurance; processing of applications; unpaid amounts constituting liens upon property,” of Article II, “Fees,” of Chapter 1, “General Provisions,” of the Code of the Village of Plandome Heights, is hereby amended to read in its entirety as follows:

“E. [Intentionally omitted.]”

Section 3. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State.

**(Complete the certification in the paragraph that applies to the filing of
this local law and strike out that which is not applicable.)**

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2023 of the ~~(County)(City)(Town)(Village)~~ of Plandome Heights was duly passed by the Board of Trustees on April 3, 2023, in accordance with the applicable provisions of law.
(Name of Legislative body)

~~**2. (Passage by local legislative body with approval, no disapproval or re passage after disapproval by the Elective Chief Executive Officer¹.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved) (not approved) _____ (Name of Legislative body) (re-passed after disapproval) by the _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.~~
(Elective Chief Executive Officer¹)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____ (Name of Legislative Body) and was (approved)(not approved) (re-passed after disapproval) by the _____ (Elective Chief Executive Officer¹) on _____ 20____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special) (annual) election held on _____ 20____, in accordance with the applicable provisions of law.

~~**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (Name of Legislative Body) (approved)(not approved) (re-passed after disapproval) by the _____ (Elective Chief Executive Officer¹) on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.~~

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the _____

¹ Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body; the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

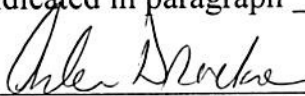
Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20_____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

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 paragraph 1 , above.



Clerk of the county legislative body, City,
Town or Village Clerk or officer designated
by local legislative body

Date: 4/17/2023

