

STATE OF NEW YORK  
**DEPARTMENT OF STATE**

ONE COMMERCE PLAZA  
99 WASHINGTON AVENUE  
ALBANY, NY 12231-0001  
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KATHY HOCHUL  
GOVERNOR

ROBERT J. RODRIGUEZ  
SECRETARY OF STATE

August 16, 2023

Richard G Handler  
Bellerose Village Attorney  
50 Broadway - PO Box 427  
Amityville NY 11701

**RE: Village of Bellerose, Local Law 3 2023, filed on August 7 2023**

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, [www.dos.ny.gov](http://www.dos.ny.gov).

Sincerely,  
State Records and Law Bureau  
(518) 473-2492



**Department  
of State**

LAW OFFICES OF  
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July 31, 2023

NYS Department of State  
Division of Corporations, State Records  
and Uniform Commercial Code  
1 Commerce Plaza, 99 Washington Avenue  
Albany, New York 12231

Re: Inc. Village of Bellerose  
Adoption of Local Law #3 of Year 2023


Dear Sir/Madam:

I am the Village Attorney for the Inc. Village of Bellerose. Enclosed please find an original and two counterparts of the subject local law, which was duly certified by the Village Clerk.

Kindly file the Local Law and return proof of filing to me in the self-addressed stamped return envelope provided for your convenience.

Thank you.

Sincerely,



Richard G. Handler

RGH:jeg  
Enclosures

cc: Charles P. Puglisi, Village Clerk/Treasurer (Via Email)  
Board of Trustees (Via Email)

# 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.

County  City  Town  Village  
(Select one.)

of Bellerose

Local Law No. 3 of the year 20<sup>23</sup>

A local law to amend Bellerose Village Code by establishing a new Chapter 154 Special Event

(Insert Title)

Permits, to provide standards, requirements and rules of conduct for events and

gatherings upon areas in the Village devoted to public use.

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

County  City  Town  Village  
(Select one.)

of Bellerose as follows:

See, Local Law # 3 of Year 2023, attached hereto and incorporated herein.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(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. 3 of 2023 of (County)(City)(Town)(Village) of Bellerose was duly passed by the Board of Trustees on July 24 2023, in accordance with the applicable provisions of law.

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

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) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**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\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ 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 (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ 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.

\* 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.

**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 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.

*Charles P. Pugliese*

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

Date:   July 31, 2023  

(Seal)

INCORPORATED VILLAGE OF BELLEROSE: LOCAL LAW # 3 OF YEAR 2023

A local law to amend Bellerose Village Code by establishing a new Chapter 154 Special Event Permits, to provide standards, requirements and rules of conduct for events and gatherings upon areas in the Village devoted to public use.

BE IT ENACTED by the Board of Trustees of the Inc. Village of Bellerose as follows:

Section 1: §154-1. Definitions.

As used in this article, the following terms shall have the indicated meanings:

VILLAGE PROPERTY

Any area in the Village of Bellerose devoted to a public use including parks, dead-ends, streets, malls, parking lots and recreation areas.

PERSON

Any individual, partnership, corporation, limited-liability company, entity, organization or ad-hoc group, except a function of, or sponsored by a Bellerose Village municipal department or affiliate.

SPECIAL EVENT

Any athletic, political, festival-fair or similar gathering where the event involves an estimated attendance of 20 or more persons, except a private event wholly upon or within private property.

Section 2: §154-2. Permit required.

- A. No person shall hold or conduct a special event as herein defined unless a Special Event Permit has been issued for such event by the Village Clerk.
- B. In the case of a special event involving a group of 50 or more persons, the application for a Special Event Permit shall be filed with the Village Clerk at least 30 days prior to the date of the special event. The Village Clerk shall refer the application to the Board of Trustees for its approval or disapproval. The Village Clerk shall not issue a Special Event Permit unless the application has been approved by the Board of Trustees and any special pre-permit conditions have been satisfied.
- C. In the case of a Special Event involving a group of less than 50 persons, the application shall be filed with the Village Clerk at least 7 days prior to the date of the special event. The Village Clerk may issue a Special Event Permit or may refer the application to the Board of Trustees for its approval or disapproval.
- D. In determining whether to approve or disapprove an application for a Special Event Permit, the Board of Trustees may consider all matters related to the public health, safety and general welfare. If the Board of Trustees approves an application for a Special Event Permit, the Board of Trustees may impose reasonable conditions to protect the public health, safety and general welfare, which conditions shall constitute Special Event Permit conditions.

E. If the Village Clerk issues a Special Event Permit, the Village Clerk may impose reasonable conditions to protect the public health, safety and general welfare, which conditions shall constitute Special Event Permit conditions, including waivers of liability against the Village by the applicant and participants.

F. An application for a Special Event Permit shall be accompanied by an application fee as may hereafter be established by the Board of Trustees from time to time by resolution. The Board of Trustees may waive such fee if it determines there is a related Village purpose.

G. The Special Event Permit shall be displayed in clear view at the special event. Copies shall be maintained in the possession of the sponsor(s) during the event.

Section 3: §154-4. Application information.

A. An application for a Special Event Permit shall provide the following information:

- (1) The date and the hours between which the special event is to take place.
- (2) The approximate number of persons expected to attend.
- (3) Whether the special event involves food or a caterer. If catered, the name, address and telephone number of the caterer.
- (4) The location and or route where the special event is to take place.
- (5) The location of available parking or provisions for parking for the special event.
- (6) Provisions for the collection, storage and disposal of garbage, refuse and debris.
- (7) The purpose of the special event and the nature of the activities to be carried on.
- (8) Name, address, telephone number and full contact information of the applicant, and the persons, or entity holding or conducting the special event.
- (9) Name, address, telephone number and full contact information of a natural person or persons designated by the applicant as the natural person(s) who shall be responsible for (and personally in attendance at) the special event, including responsibility for compliance with permit conditions. For the purpose of acknowledging acceptance of such designation, the designated natural person(s) shall each sign the application.
- (10) Name and address of the record owner of the real property where the special event may take place; if the record owner is not the Village of Bellerose, then the interest of the applicant in such real property.

B. An applicant for a Special Event Permit shall provide such other information as may be necessary to show compliance with rules and regulations for special events established for the subject event or from time to time by resolution of the Board of Trustees.

C. For special event functions using or conducted upon Village property, the applicant shall produce a Certificate of Insurance with liability and property damage limits as shall be set by the Board of Trustees, naming the Village of Bellerose and its officers and employees as additional insureds and Certificate Holder.

Section 4: §154-5. Rules and regulations; permit conditions.

A. No loudspeakers or other amplification shall be permitted unless described and approved as part of the special event application, nor shall the event produce unreasonable noise or other public disturbance as prohibited under Chapter 144 of the Code.

B. If the special event shall include a parade or procession, then all Village Rules and Regulations regarding Parades as provided under Chapter 153 of this Code shall apply.

C. All Village Rules and Regulations regarding Peace and Good Order as provided under Chapter 157 of this Code shall apply to such gatherings and constitute additional standards and requirements for the conduct of such activity.

D. The Board of Trustees may establish from time to time by resolution, rules and regulations for special events.

E. The Board of Trustees may waive any rule or regulation as may be appropriate.

F. Any violation of such rules and regulations or special event conditions shall be deemed a violation of this article.

Section 5: §154-6. Trespassing; liability; compliance with other regulations.

A. Issuance of a Special Event Permit shall not be construed as authorizing any person to trespass upon real property, or deviate from the authorized area of activity.

B. Issuance of a Special Event Permit shall not be construed as imposing any responsibility on the Village of Bellerose for any personal injury or property damage which may be sustained by any person attending the special event. Issuance of a Special Event Permit shall not be construed as creating any duty owed by the Village of Bellerose or village resident to any person attending the special event.

C. The issuance of such Special Event Permit shall constitute a hold harmless and indemnification obligation by the applicant in the event of any damage to Village property or liability arising from such activity.

Section 6: §154-7. Penalties for offenses.

A. Any person or entity as defined herein who holds or conducts a special event without a Special Event Permit having been issued for such a special event shall be guilty of a violation of this article.



B. Where a violation of this article has been committed or shall exist with respect to a special event for which a Special Event Permit has been issued, any person or entity who holds or conducts such special event, as well as the natural person(s) designated as responsible for such special event, and any other person or entity who takes part or assists in such violation shall be guilty of a violation of this article.

C. Any person or entity who violates this article or fails to comply with any of its requirements shall, upon conviction thereof, be subject to a penalty of no less than \$100.00, nor greater than \$2,500.00, in addition to civil liability which may arise from any wrongdoing.

Section 7: Effective date

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