

# 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 Briarcliff Manor

Local Law No. 7 of the year 2024

A local law A LOCAL LAW AMENDING CHAPTER 220-6 SPECIAL PERMIT USES AND CHAPTER

(Insert Title)

220-18 ADMINISTRATION AND ENFORCEMENT IN THE CODE OF THE VILLAGE

OF BRIARCLIFF MANOR

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

County  City  Town  Village  
(Select one.)

of Briarcliff Manor as follows:

SEE ATTACHED

(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. 7 of 2024 of the (County)(City)(Town)(Village) of BRIARCLIFF MANOR was duly passed by the BOARD OF TRUSTEES on JUNE 4 2024, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

**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.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

**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\_\_\_\_.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

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.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

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\* 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 <sup>1</sup>\_\_\_\_\_ above.



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

Date: 6-17-24

(Seal)

A LOCAL LAW AMENDING CHAPTER  
220-6 SPECIAL PERMIT USES AND  
CHAPTER 220-18 ADMINISTRATION  
AND ENFORCEMENT IN THE CODE  
OF THE VILLAGE OF BRIARCLIFF  
MANOR

Be it enacted by the Board of Trustees of the Village of Briarcliff Manor as follows:

Section 1. Section E. Conditions and safeguard of Chapter 220-6 Special permit uses of the Code of the Village of Briarcliff Manor, is hereby repealed in its entirety and replaced with the following:

E. Conditions and safeguards.

(1) The Village Board shall attach such conditions and safeguards to the special permit as are necessary to assure continual conformance to all applicable standards and requirements.

(2) The Building Inspector or his designee may provide notice to a permittee, and subsequently enter any site or structure operating under special permit to ensure compliance with the conditions therein.

(3) Any special permit issued shall be subject to review by the Board of Trustees no less frequently than every five years, unless an alternate period of review or expiration is provided by the Board of Trustees as a condition of such permit, to ensure compliance with all conditions of such special use.

(4) If the Building Inspector or his designee determines that (i) there are activities on the property that were not contemplated when the special permit was approved; or (ii) there is an unanticipated significant increase in any activity permitted (or conditionally permitted) under the special permit; or (iii) there are any other related violations of the Zoning Code, then the property owner may be cited for such violation. The Board of Trustees, in its sole discretion, may consider a permit holder's application to amend a special permit, and grant, or grant subject to addition mitigation, or deny such application. If no such application for amendment is made, the Board of Trustees may, in its sole discretion, modify an existing special permit, or any renewal thereof, to include additional conditions or mitigation for any activity on a property operating under special permit, consistent with the intents and purposes of this Chapter 220-6.

(5) If compliance with all conditions of a special permit is not confirmed, or any deficiencies of such compliance or demands for additional mitigation are not rectified to the satisfaction of the Building Inspector or his designee within 90 days of notification to the permittee, or by other such deadline as may be established by the Building Inspector or his designee, the special permit shall be deemed invalid and terminated.

Section 2. Section H. Existing violations of Chapter 220-6 Special permit uses of the Code of the Village of Briarcliff Manor, is hereby repealed in its entirety and replaced with the following:

220-6 H. Existing violations or outstanding fees.

(1) No permit shall be considered or issued for a special use for a property upon which there is an existing Zoning Chapter violation, or any other violation within the jurisdiction of a Code Enforcement Officer as defined in Chapter 104, Code Enforcement, as may be amended from time to time.

(2) No permit shall be considered or issued for a special use for a property upon which there are outstanding Village tax payments.

(3) No permit shall be considered or issued for a special use for a property upon which there are outstanding fees due to any department of the Village of Briarcliff Manor.

Section 3. Paragraph 1 of Section C. Violations of Chapter 220-18 Administration and enforcement of the Code of the Village of Briarcliff Manor, is hereby repealed in its entirety and replaced with the following:

(1) A violation of the Village Zoning Chapter is hereby declared to be an offense, punishable by a fine not exceeding \$350 or imprisonment for a period not to exceed six months, or both, for conviction of a first offense; for conviction, of a second offense, both of which were committed within a period of five years, punishable by a fine not less than \$350 or an amount equal to twice the amount of the gain realized from the commission of the offense, or imprisonment for a period not to exceed six months, or both; and, upon conviction for a third or subsequent offense, all of which were committed within a period of five years, punishable by a fine not less than \$700 or an amount equal to twice the amount of the person's gain from the commission of the violation; or imprisonment for a period not to exceed six months, or both. Conviction of an offense related to the failure to comply with a condition of a special permit as defined in Section 220-6 hereof shall be triple the amount herein, or four times the amount of the gain realized from the commission of the offense, or imprisonment for a period not to exceed six months, or both. However, for the purpose of conferring jurisdiction upon courts and judicial officers generally, violations of the Village Zoning Chapter shall be deemed misdemeanors, and for such purpose only, all provisions of law relating to misdemeanors shall apply to such violations.

Section 4. Severability. The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any part of this local law which can be given effect without such valid part or parts.

Section 5. Effective Date. This local law shall take effect immediately upon filing in the Office of the Secretary of State of New York in accordance with the provisions of the Municipal Home Rule Law.