

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 the Incorporated Village of Hewlett Harbor

FILED
STATE RECORDS
NOV 24 2020

DEPARTMENT OF STATE

Local Law No. 2 of the year 2020

A local law Restricting the gating of communities within the Village of Hewlett Harbor.
(Insert Title)

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

County City Town Village
(Select one.)

of the Incorporated Village of Hewlett Harbor as follows:

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

Local Law No.2 of the year 2020.

A local law adding Article IX to Chapter 17 "Building Construction" entitled "Gated Communities within The Incorporated Village of Hewlett Harbor" [Added _____ 2020 by L.L.No 2, 2020]

Section 17-65. Gated communities prohibited.

A. Definitions

Community: Any cluster consisting of two or more single family units or two or more attached (either vertical or horizontal) units including private clubs, clubhouses and their property.

Gate: Private entrance to a community that is designed to permit residents of that particular group of homes access or is designed to delineate the structures within as a distinct and separate group within the Village. This includes a fence, barricade, walls, water, or any other material that restricts access to the community.

Gatehouse: A booth or accessory structure located near the entrance to the community.

Guard: A person or electronic device that prohibits entrance to the community by non- community residents.

B. Gating a Community

It shall be unlawful for any person, firm or entity to construct or place a gate around a community within the borders of the Incorporated Village of Hewlett Harbor.

C. Gatehouse:

The construction of a booth or accessory structure, with or without a guard, or electronic gate to prevent access by non-residents of the community or is designed to privatize the homes or structures within the gated area is prohibited

D. Exceptions:

- (1) The Board of Trustees may at any given time vote to restrict access to the Village in its entirety by the construction of a gate or gates.
- (2) The Board of Trustees retains the right to construct one or more gatehouses within or at entrances to the Village.

Be it enacted by the Board of Trustees of the Incorporated Village of Hewlett Harbor as follows:

“A local law prohibiting the construction of a gate and/or gatehouse surrounding a community within the Incorporated Village of Hewlett Harbor.”

(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. 2 of 2020 of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on November 12, 2020, 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)*

* 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.)

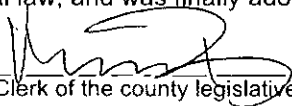
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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 _____ above.



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

Date: 11/12/20

(Seal)