

TOWN OF KENT
25 Sybil's Crossing
Kent Lakes, New York 10512

Yolanda D. Cappelli
Town Clerk

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RESOLUTION

ADOPTING LOCAL LAW #2 of 2024

On the motion by Councilman Tompuri
Seconded by Councilwoman Campbell

WHEREAS, a local law amending Section 77-42 entitled "Swimming Pools" and Section 77-31 entitled "Height of accessory buildings" of the Town Code, was introduced as Introductory Local Law #2 (the "Local Law") of the year 2024 before the Town Board of the Town of Kent on June 18, 2024; and

WHEREAS, the public hearing was opened on July 9, 2024 and the public was invited to attend and be heard on the matter;

NOW THEREFORE, BE IT RESOLVED, that Introductory Local Law #2 of 2024 is hereby enacted by the Town Board of the Town of Kent as Local Law#2 of 2024 of the Town of Kent, and

BE IT FURTHER RESOLVED, that a true copy of the law is attached hereto and made a part hereof.
Motion carried unanimously

TOWN OF KENT
AMENDMENT TO
CHAPTER 77
OF THE KENT TOWN CODE

BE IT ENACTED by the Town Board of the Town of Kent, Putnam County, New York, as follows:

Section 1. Chapter 77-42, entitled "Swimming pools." shall be amended to read as follows:

§ 77-42. Swimming pools.

Except as provided hereinafter, no below-grade swimming pool and no aboveground swimming pool having a capacity of over 5,000 gallons or a depth of 24" or more shall be located, constructed or maintained on any lot in a residential use except in conformity with the requirements of Chapter 27 of the Code of the Town of Kent, the New York State Uniform Fire Prevention and Building Code, and State Energy Conservation Construction Code. Except as provided hereinafter, no below-grade swimming pool and no aboveground swimming pool

having a capacity of over 5,000 gallons or a depth of 24" or more shall be located, constructed or maintained on any lot in a residential use except in conformity with the following requirements:

- A. Such pool shall not be located nearer to the street line than the principal building nor nearer than 15 feet to any property line.
- B. Every gate or other opening in the fence enclosing such pool shall be self-enclosed and self-locking and shall be securely locked at all times when said pool is not in use.
- C. No loudspeaker or amplifying device shall be permitted which can be heard beyond the lot lines of the lot on which said pool is located.
- D. No lighting or spotlighting shall be permitted which will project light rays beyond the lot lines of the lot on which said pool is located.
- E. Adjacent to every side and rear lot line nearest to the pool, there shall be a protective planting strip not less than six feet wide, consisting of suitable plant material capable of attaining a height of not less than six feet. Such screen shall be maintained at such height for the life of the pool. This requirement may be waived upon application by the Planning Board wherever such Board finds that natural conditions render such screen unnecessary.
- F. An aboveground swimming pool having a capacity of 5,000 gallons or less or a depth of less than 24" shall not require a permit.

Section 2. Chapter 77-31, entitled "Height of accessory buildings." shall be amended to read as follows:

§ 77-31 Height of accessory buildings.

No accessory building shall exceed a height of ~~20~~ 15 feet in an R-10 Zone.

Section 3. Severability.

If any part or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision 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 circumstance, and the Town Board of the Town of Kent hereby declares that it would have passed this local law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 4. Effective Date.

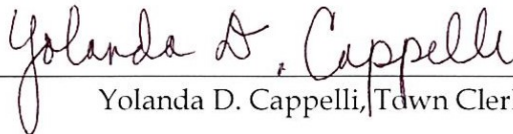
This local law shall take effect immediately upon filing in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Dated: July 9, 2024

BY THE ORDER OF THE TOWN BOARD
TOWN OF KENT

I, Yolanda D. Cappelli Town Clerk of the Town of Kent, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Town Board of the Town of Kent at a meeting of said Board on July 9, 2024.

Dated: July 15, 2024



Yolanda D. Cappelli, Town Clerk