

# 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 Roslyn Harbor

FILED  
STATE RECORDS  
JUN 07 2024

DEPARTMENT OF STATE

Local Law No. 1-2024 of the year 2024

A local law Decks  
(Insert Title)

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

County  City  Town  Village  
(Select one.)

of Roslyn Harbor

as follows:

To rescind existing Chapter 275 Zoning, Article II Word Usage and Definitions, Section 275-4 Definitions and Article V Supplementary Use and Dimensional Regulations, Section 275-18 Supplementary requirements for certain uses in residential districts and to be replaced 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. 1-2024 of 2024 of the (County)(City)(Town)(Village) of Roslyn Harbor was duly passed by the Board of Trustees on May 30 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\*)*

\* 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.

*James Catter*  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body  
Date: 5/30/24

(Seal)

**PROPOSED LOCAL LOAW NO. 2-2024  
DECKS**

**Article II  
Word Usage and Definitions**

**§ 275-4 Definitions.**

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

**ACCESSORY STRUCTURE**

A structure detached from a principal building located on the same lot and customarily incidental and subordinate to the principal building or use. A patio or a deck as defined in this chapter shall not be considered as an accessory structure but shall adhere to the setback requirements for accessory structures as per Table 2. (See also "accessory building," "accessory use" and Illustration No. 1.)

**DECK**

An uncovered structure, usually constructed of wood or concrete, extending from the exterior wall of a residential dwelling, no more than three feet above the finished ground elevation of the wall from which it extends. Decks shall conform to the yard setbacks for accessory structures as per Table 2. Any such structure which is more than three feet above the finished elevation shall be considered part of the principal structure for purposes of setback. (See also "patio" and "porch" and Illustration No. 7.)

**Article V  
Supplementary Use and Dimensional Regulations**

**§ 275-18 Supplementary requirements for certain uses in residential districts.**

**A. Decks.**

- (1) A deck shall have no enclosure other than the sides of the principal building to which it is attached; provided, however, that a deck may have a railing of open construction not over four feet in height, with at least 1/2 of the area thereof open.
- (2) A deck which is more than three feet in height above the average finished grade of the building to which it is attached shall meet the minimum setback requirements for principal buildings. All other decks shall conform to the yard setbacks for accessory structures as per Table 2.
- (3) A deck shall not be located in the front yard, except in accordance with §275-15L, and may not cover more than 20% of one side or rear yard.