

STATE OF NEW YORK
DEPARTMENT OF STATE
ONE COMMERCE PLAZA
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ALBANY, NY 12231-0001
[HTTPS://DOS.NY.GOV](https://dos.ny.gov)

KATHY HOCHUL
GOVERNOR
WALTER T. MOSLEY
SECRETARY OF STATE

June 11, 2024

Village of Sleepy Hollow
Village Hall
28 Beekman Avenue
Sleepy Hollow, NY 10591

RE: Village of Sleepy Hollow, Local Law 3 2024, filed on 6/7/2024

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.

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



**Department
of State**

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 SLEEPY HOLLOW

Local Law No. 3 of the year 2024

A local law ADOPT LOCAL LAW #3, 2024 AMENDING AND RE-CODIFYING SECTIONS 450-60;
(Insert Title)
450-61; 450-62; 450-63 AND 450-64 REGARDING NON-CONFORMING BUILDINGS

LOTS & USES

Be it enacted by the BOARD OF TRUSTEES of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of SLEEPY HOLLOW

as follows:

- 450-60 CONFORMANCE REQUIRED AND THE CONTINUATION OF NON-COMFORMING USES
- 450-61 REPAIR OR RECONSTRUCTION
- 450-62 ALTERATION OR EXTENSION
- 450-63 CONSTRUCTION UNDER PERMIT GRANTED PRIOR TO PASSAGE
- 450-64 CHANGES IN OR DISCONTINUANCE OF USE
- 450-34 APPLICABILITY OF REGULATIONS
- 450-35 SCHEDULE OF REGULATIONS

(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. 3, of 2024 of the (County)(City)(Town)(Village) of SLEEPY HOLLOW was duly passed by the BOARD OF TRUSTEES on MAY 14, 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) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* 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) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. *(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) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. Such local *(Elective Chief Executive Officer*)* 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.)

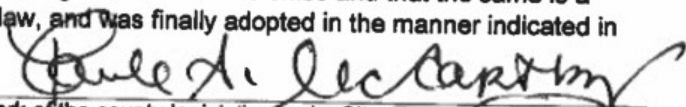
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified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


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

Date: June 4, 2024

(Seal)

Article IX
Nonconforming Buildings, Lots, and Uses

§ 450-60 Conformance Required and the Continuation of Nonconforming Uses.

- A. Except as provided herein, no structure shall be erected, moved, altered, rebuilt or enlarged, nor shall any land or structure be used, designed or arranged to be used, for any purpose or in any manner except in conformity with all regulations, requirements and restrictions specified in this chapter and for the district in which such structure or land is located.
- B. A use, lot, or structure existing at the effective date of this chapter which shall be made nonconforming by the passage of this chapter or of any amendments thereto may be continued, subject to the conditions enumerated in this article.
- C. The provisions regarding nonconformity shall apply only to a use, lot, building or structure legally established or erected, but not to any use established or building or structure erected in violation of law, regardless of the time of establishment or erection.
- D. Any lot with an area or width less than that prescribed for a lot in the district in which such lot is situated, when the owner thereof owned adjoining land on or after the effective date of this chapter or any subsequent amendment which increases the required lot area or width for such parcel, shall be deemed to have merged with said adjoining land to form a single parcel; provided, however, that such merger will not create a nonconforming use. Further, if the adjoining land has been divided into several substandard lots, merger shall occur only to the extent that the minimum lot width requirements of this chapter are met, but not necessarily the minimum lot area requirements.

§ 450-61 Repair or reconstruction.

- A. A nonconforming use or structure or portion thereof declared unsafe by the Building Inspector, may be restored to a safe condition, provided that it does not expand the nonconformity and complies with 450-62 of this chapter.
- B. A nonconforming use or structure accidentally damaged by fire or other causes to the extent of less than 50% of its volume above the foundations as determined by the Building Inspector, may be repaired or restored to its original condition.
- C. A nonconforming use or structure accidentally damaged by fire or other causes to the extent of 50% or more of its volume above the foundations as determined by the Building Inspector, shall not be repaired or rebuilt except in conformity with the regulations of this chapter.
- D. Application for a permit to rebuild or restore the damaged portion of any building damaged or destroyed as set forth in Subsection B shall be filed within six (6) months of the day of such damage and shall be accompanied by plans for reconstruction.
- E. If a permit for such rebuilding or restoration is granted, it shall lapse twelve (12) months thereafter unless reconstruction in accordance therewith has been substantially

completed, except that the Building Inspector, in his discretion, may grant a six-month extension thereof.

§ 450-62 Alteration or extension.

- A.—No such land, building or structure which is nonconforming with respect to use shall be enlarged nor shall the building or structure be altered structurally except as may be required by order of the Building Inspector to strengthen or restore such building or any part thereof to a safe condition.
- B. A nonconforming use shall not be extended in any way, shape or manner to displace a conforming use on the same lot or on adjoining lots.
- C. A change to a nonconforming building or lot which does not increase the degree of nonconformity, and which otherwise conforms to zoning regulations, shall not require a variance. Alterations which would increase the degree of nonconformity are described below in Subsection C (1).

(1) Nonconformity may not be increased or moved. No such land use, building or structure which is nonconforming with respect to height, percentage of building coverage, minimum yard sizes or minimum lot area per dwelling shall be enlarged or altered in such a manner as to increase any such nonconformity.

(2) Nonconformity may not enlarge or increase the habitable or other useful area of such nonconformity, including, without limitation, the alteration of roof or floor levels or the addition of habitable or other useful area above or below such nonconforming structure.

§ 450-63 Construction under permit granted prior to passage.

Nothing herein contained shall require any change in plans, construction or designated use of a building for which a building permit has been heretofore issued and the construction of which shall have been diligently prosecuted within three months of the date of such permit and the ground-story framework of which, including the second tier of beams, shall have been completed within six months of the date of such permit and which entire building shall be completed according to such filed plans within one year from the effective date of this chapter.

§ 450-64 Changes in or discontinuance of use.

- A. A nonconforming use that has been discontinued for a period of one year shall be considered to have been abandoned and shall not thereafter be reestablished. Any future use shall be in conformity with the provisions of this chapter.
- B. A nonconforming use may not be changed to another nonconforming use.
- C. A nonconforming use may be changed to a conforming use, but thereafter it shall not be permitted to revert to a nonconforming use.

Article VI Regulations

§ 450-34 **Applicability of regulations.**

- A. The regulations set forth in this chapter for each district shall be minimum regulations which shall apply uniformly to each class of structure or land within the district, except as hereinafter provided.
- B. No building shall hereafter be erected and no existing building shall be moved, altered, added to or enlarged, nor shall any land or building or portion of a building be used, designed or arranged to be used for any purpose unless in conformity with all of the regulations herein specified for the district in which it is located. All permitted uses shall conform to the specific requirements of at least the minimum standards as listed in the schedule and to additional standards and provisions which may exist elsewhere in this chapter, including but not limited to the provisions of site plan review and special use permits.
- C. Every principal building shall be located on a lot as defined in this chapter. Except for planned development groups complying with all the regulations applying thereto as prescribed by this chapter, no more than one principal building and its accessory structures shall hereafter be erected on any one lot.

§ 450-35 **Schedule of Regulations.**

The regulations applying to the use of buildings and land, the bulk and arrangement of buildings, the area of lots, the open spaces or yards to be preserved and the provisions for off-street parking are set forth in the attached Schedule of Regulations, included at the end of this chapter. Such schedule is an integral part of this chapter and may be amended in the same manner as any other part of this chapter.