

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 Westhampton Beach

Local Law No. 14 of the year 2023

A local law Amending Chapter 70 Entitled "Building Construction and Fire Prevention"
(Insert Title)

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

County City Town Village
(Select one:)

of Westhampton Beach as follows:

SEE ATTACHED

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

Be it enacted by the Trustees of the Village of Westhampton Beach as follows:

CHAPTER 70: Building Construction and Fire Prevention
Article II: General Provisions

§70-16 Term of building permits; extensions and renewals.

- A. A building permit shall be effective to authorize the commencing of work in accordance with the application, plans and specifications on which it is based for a period of 12 months after the date of its issuance.
- B. For good cause and in his or her discretion, the Building Inspector may allow a maximum of one extension for a period not exceeding 90 days.
- C. Should the proposed work not be completed within the twelve-month term or by the end of a granted extension, a building permit may be renewed with an associated fee calculated to be 50% of the original permit fee. Such renewed permits will expire 12 months from the expiration date of the original permit. A renewed permit may be eligible for a ninety-day extension at the discretion of the Building Inspector.
- D. Failure to proceed in a continuous and timely manner as required by §70-17 within the initial term, or any renewed term, of an issued building permit may result in deeming a permit ineligible for renewal by the Building Inspector.
- E. Where a building permit or renewed permit expired and the Building Inspector has deemed the permit ineligible for renewal, the subject property must be remediated to its original condition as directed by the Building Inspector. Such remediation may include, but is not limited to, removal of buildings and/or structures without a valid certificate of occupancy, removal of all equipment and materials, regrading to original grades, and revegetation to natural state.

§70-17 Work to be in compliance.

The issuance of a building permit shall constitute authority to the applicant to proceed with the work in accordance with the approved plans and specifications and in accordance with the applicable building laws, ordinances or regulations. All work shall conform to the approved application, plans and specifications and shall proceed in a continuous and timely manner. The building foundation, framing, exterior siding, opening enclosures and roof shall be installed in conformance with the approved plans and specifications within the twelve-month period stated in a valid building permit.

- A. The work site shall be maintained in a safe and neat condition with building materials and equipment stored in an orderly fashion.
- B. Debris shall be stored in approved refuse containers and/or dumpsters, which shall only be permitted on site when a building or demolition permit is active. Construction dumpsters are to be sized accordingly, well-maintained and removed from the site as soon as practical, so as not to cause a nuisance.
- C. During the term of the permit, or any renewed term, it shall be unlawful for any person or business entity to leave, cause, permit and/or maintain an open excavation or pile of fill or other material, in connection with the removal of trees or other vegetation, or the installation, repair or maintenance of drainage structures, sewage systems, utility work, foundation or other below-grade construction, in an unsecured, or dangerous, or hazardous condition or place. Such excavation or pile shall be effectively and properly fenced, shored or barricaded to prevent the creation and/or maintenance of an unsafe or hazardous condition while work is being performed and such conditions shall be remedied as soon as practicable as the work is completed.

[§70-18 omitted for clarity – no changes proposed]

§70-19 Revocation of building permits.

The Building Inspector may revoke a building permit theretofore issued and approved in the following instances:

- A. Where he finds that there has been any false statement or misrepresentation as to a material fact in the application, plans or specifications on which the building permit was based.
- B. Where he finds that the building permit was issued in error and should not have been issued in accordance with the applicable law.
- C. Where he finds that the work performed under the permit is not being prosecuted in accordance with the provisions of the application, plans or specifications.
- D. Where the person to whom a building permit has been issued fails or refuses to comply with a stop order issued by the Building Inspector.
- F. Where a permit has been revoked, the subject property must be remediated to its original condition as directed by the Building Inspector. Such remediation may include, but is not limited to, removal of buildings and/or structures without a valid certificate of occupancy, removal of all equipment and materials, regrading to original grades, and revegetation to natural state.

- Underscore represents addition(s)
- Brackets represent omission

(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. 14 of 2023 of the ~~(County)(City)(Town)(Village)~~ of Westhampton Beach was duly passed by the Board of Trustees on December 7, 2023, 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.)

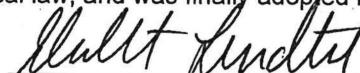
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified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


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

Date: December 11, 2023

(Seal)