

# 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. 4 of the year 2024

A local law Champter 143 Special Events & use of Village Property  
(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.)

(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. 4 of 2024 of the (County)(City)(Town)(Village) of Westhampton Beach was duly passed by the Board of Trustees on September 5th 2024, in accordance with the applicable provisions of law.

**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.

**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\_\_\_\_.

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.

\* 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.)**

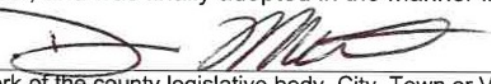
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority 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: 9/5/24

(Seal)



**VILLAGE OF WESTHAMPTON BEACH  
LOCAL LAW No. 4 OF 2024**

BE IT ENACTED by the Board of Trustees of the Village of Westhampton Beach as follows:

**Chapter 143 Special events & use of village property.**

**§143-1 Purpose.**

The Village Board of Trustees may allow public and private properties to be used for special events while seeking to attempt to reduce and eliminate associated nuisances and dangers to health and life caused by the possibility of congestion by parade, walk or runs or assemblies on the sidewalks, streets, avenues, highways, parkways and other public places within the Village. This article shall in no way interfere with the constitutional right of public assembly, but is strictly for the purpose of regulating traffic, both vehicular and pedestrian, and maintaining the legal uses of properties as related to duly issued certificates of occupancy and applicable zoning restrictions.

**Article I: Parade, walk or runs, organized walks and runs.**

**§143-2 Permit required.**

No parade, walk or run, organized walk or run, hereafter to be collectively referred to as "parade, walk or run," shall be permitted upon the sidewalks, streets, avenues, highways, parking lots or other public places in the Village of Westhampton Beach unless a permit shall have been first obtained from the Village Clerk

**§143-3 Application for permit; issuance or denial.**

- A. Application for such a permit shall be on the form provided by the Village Clerk and filed at least 60 days prior to the scheduled event.
- B. The application for the permit shall state and/or include the following information:
  1. Name and address of the person or organization sponsoring the parade, walk or run, with mailing address (if different), email address and telephone numbers and, in the case of an organization, the name of the contact person. The person so identified will be the responsible party for all communications with the Village.
  2. Proposed route for the parade, walk or run, including the point and area at which the parade, walk or run participants are to assemble, the proposed line of march and the proposed termination point. Routes which impact the fewest roads and intersections possible are encouraged.
  3. Proposed date and time of the parade, walk or run and the number of persons and vehicles expected to participate, including set-up and break-down times before and after the event,
  4. Detailed description of anticipated apparatuses, such as over-sized vehicles and floats and equipment, and the plan to ensure safe assembly and travel of all participants.
  5. Should the parade, walk or run require the use of any public properties, including public streets, a Use of Village Property application must be included in the application.
  6. Certificate of insurance and indemnification from harm for the Village, in forms, sufficiency and limits of coverage as deemed appropriate by the Village Attorney.
- C. A copy of the application will be forwarded to the Mayor, the Chief of Police, and the Department of Public Works Superintendent for review and comment.
- D. A copy of the application will be forwarded to the Westhampton War Memorial Volunteer Ambulance Association and the Town of Southampton Police Chief for comment, if applicable.

- E. The Village Board of Trustees shall adopt a resolution either approving or denying the parade, walk or run application, which may also require the applicant to discuss the proposal at one or more Board of Trustees Work Sessions.
- F. Upon obtaining a resolution of approval, the Village Clerk will be directed to issue the permit, subject to any terms and conditions adopted within the resolution including, but not limited to, prior submission proof of any insurance and indemnifications deemed necessary to support the application.

**§143-4 Cost reimbursement.**

Where the circumstances of the parade, walk or run may warrant increased Police (PD) and/or Department of Public Works (DPW) involvement, as the Village Board of Trustees may deem necessary to adequately and safely control and protect the persons attending the parade, walk or run and the immediate area, to safely control traffic in and around the parade, walk or run, and to maintain the public grounds affected by the parade, walk or run, the Village board may require the applicant to pay the cost of such Village services. Costs for such police protection and/or other services provided by Village employees, including costs for overtime, shall be estimated, and provided to the applicant and the Village Board by written report from the Chief of Police, Department of Public Works Superintendent, or other Village Department Head prior to the issuance of the permit. The payment of all fees deemed appropriate shall be included as a condition in the resolution of approval and shall be due and payable within 10 days of the rendering of an invoice for said expenses by the Village.

**§143-5 Limitation on assembly.**

For the purposes of assembly for the parade, walk or run, the number of persons gathered for the parade, walk or run on private or public property shall be restricted to a density of not more than 200 persons at any one time. Should more than 200 persons be expected to participate, a detailed plan to mitigate overcrowding shall be included in the application.

**§143-6 Penalties for offenses.**

A violation of any of the provisions of this article shall, upon conviction thereof, be punishable by a fine of not less than \$250 nor more than \$1,000 for each offense or by imprisonment for a period not exceeding 15 days, or by both such fine and imprisonment.

**Article II Special Events**

**§143-7 Definitions.**

Unless otherwise expressly stated, the following terms shall, for the purposes of this article, have the meanings set forth below:

**CHARITABLE ORGANIZATION**

An organization as defined in New York State Executive Law § 171-a, including but not limited to not-for-profit corporations. Such charitable organizations shall be recognized as exempt from federal taxation under Internal Revenue Code § 501 (c) and shall be duly registered with the Charities Bureau of the Attorney General of the State of New York, if required.

**FIRE CODE OFFICIAL**

The officer or other designated authority charged with the administration and enforcement of the Fire Code of New York State, or a duly authorized representative.

**FOOD VENDOR**

Any food or beverage vendor that the organizer plans to have at their event.



**PERSON**

Any individual, firm, partnership, association, corporation, company or organization of any kind, including a charitable, religious, membership, hospital or not-for-profit corporation.

**PRIVATE PROPERTY**

A parcel within the Village that is owned privately, either improved with a residential or commercial building and use or unimproved.

**PUBLIC SAFETY PLAN FOR GATHERINGS**

A plan to be approved by the Fire Code Official where it is determined that the proposed Special Event may have an adverse impact on public safety through diminished access to buildings, structures, fire hydrants, and fire apparatus access roads or where such gatherings adversely affect public safety services of any kind. The plan should provide an approved level of public safety and addresses the following items:

1. Emergency vehicle ingress and egress;
2. Fire protection;
3. Emergency egress or escape routes;
4. Emergency medical services;
5. Public assembly areas;
6. The directing of both attendees and vehicles, including the parking of vehicles;
7. Vendor and food concession distribution;
8. The need for the presence of law enforcement;
9. The need for fire and emergency medical services personnel;
10. The need for a weather monitoring person.

**SPECIAL EVENT**

Any form of assembly open to the public with or without an admission fee and held on a one-time or occasional basis, which may include but not be limited to, for example, carnivals, circuses, fairs, bazaars, markets and outdoor shows, horse shows or exhibitions, concerts, and road rallies, etc. A special event pursuant to this article includes, but is not limited to, a temporary use by any person of any of the following or combination thereof with a maximum expected attendance of 100 persons or more at any one time:

1. Use of amusement devices;
2. Carnivals or circuses, including any exhibition involving amusement attractions or rides, spectacles, animals, side shows, games and the like;
3. Use of inflatable devices in excess of four feet in diameter, including any hot air balloons or any other inflatable objects;
4. Noise disturbances as defined and regulated under Chapter 251, Article I, Noise, of this Code, including activities for which a variance has been granted;
5. Use of powered equipment requiring connection to public power supplies or separate generator or power supply equipment, including:
  - a. Heating, cooling, refrigerating or cooking devices;
  - b. Sound amplification, public address, loudspeaker, audio, video or television systems;
6. Racing or athletic competitions and uses, including motor vehicle racing or running marathons, cross-country, bicycle, moped, skateboards, rollerblades, or any other contest or exhibition that is competitively timed or speed related;
7. Sales of alcohol beverages, including any activity requiring a special designated permit or other permit under the New York State Liquor Authority;
8. Sales of goods and merchandise, including food, clothing, supplies, equipment, concessions, souvenirs, balloons, candy, jewelry or any other similar items offered for sale;

9. Use of permanent or temporary structures, including stages, booths, canopies, tents, awnings, risers, bleachers, fences, partitions, stands, or similar constructions.

A Special Event includes a Small Special Event, a Medium Special Event, a Large Special Event and a Private Special Event as defined below. A Special Event will not include any activity conducted at a permanent facility which has a valid certificate of occupancy and site plan approval covering such activity. A Special Event shall not include religious services, meetings or assemblies conducted by an organized religious organization on property owned or occupied by a religious organization. A Special Event under this Article II shall not include a parade, walk or run.

#### **SPECIAL EVENT, SMALL**

A Special Event for more than 100 persons expected, but not more than 500 persons at any one time.

#### **SPECIAL EVENT, MEDIUM**

A Special Event for more than 500 persons expected, but not more than 1,000 persons at any one time.

#### **SPECIAL EVENT, LARGE**

A Special Event for more than 1,000 person expected.

#### **SPECIAL EVENT PERMIT**

A permit for a Special Event issued under this chapter.

#### **SPECIAL EVENT, PRIVATE**

A Special Event for any form of private assembly held on a one-time basis with a maximum expected attendance of 100 persons or more at any one time held on privately owned property, such as a wedding or birthday party. Private special events held at a single-family dwelling must be for the owner/occupant of the dwelling and their guests, and not for a commercial purpose or gain or to generate any payment or other consideration for the owner/occupant. A private special event will not include:

- a) any activity conducted at a permanent commercial facility which has a valid certificate of occupancy and site plan approval covering such activity, and
- b) any activity of a religious nature conducted by an organized religious organization on property owned or occupied by a religious organization.

#### **USE OF VILLAGE PROPERTY**

Use of a Village owned street, park, beach, or other parcel owned and controlled by the Village of Westhampton Beach

#### **§143-8 Permit required, with Board of Trustees approval.**

No Special Event shall be permitted within the Village of Westhampton Beach unless a permit shall have been first obtained from the Village Clerk. No special event permit will be issued without a resolution of approval from the Village Board of Trustees.

#### **§143-9 Application for permit; issuance or denial.**

- A. Application for such permit shall be on the form provided by the Village Clerk and filed at least 60 days prior to a Small or Private Special Event, 90 days prior to a Medium Special Event, and 120 days prior to a Large Special Event.
- B. The application for the permit shall state and/or include the following information:



1. Name and address of the person or organization applying for the permit, with mailing address (if different), email address, and telephone numbers. This person will be the responsible party for all communications with the Village. If the event is being sponsored by a person other than the applicant, the name, address, mailing address, email address and telephone number of the sponsor. If the applicant or sponsor is an entity other than a natural person, the name of the entity and the names and addresses and other contact information of the president or other chief executive officer shall be provided.
2. Names and addresses of the record owner of the subject property or properties and the nature and interest of the applicant in the property. Proposed use of Village or other publicly owned properties shall be disclosed.
3. Proposed dates and hours of the Special Event, including setup and shutdown times
4. Expected maximum number of persons intended to use the property at one time and collectively, including organizers, employees, vendors, exhibitors and spectators; the expected number of automobiles and other vehicles intended to use the property at one time and collectively.
5. The purpose of the event, describing in detail the nature of the activities to be carried on and the admission fee to be charged, if any, and the name of groups, organizations, charities or individuals who shall benefit from the proceeds of the event.
6. Plan(s) and/or drawing(s), drawn to scale, showing the size of the property on which the Special Event is to be held, the streets or highways abutting said property, proposed layout of the exhibitors or performers, food vendors, bathroom facilities, any existing building or structures to be utilized, any proposed temporary building or structures including tents and stages demonstrating compliance with the applicable requirements of the NFPA Life Safety Code (NFPA101), the NFPA Temporary Membrane Structures/Tents (NFPA 102) and the Fire Code of New York State, location of fire safety equipment and personnel, and any temporary utilities to be installed for the event.
7. Plan and/or details for the use of live music, microphones, loudspeakers, horns, or other sound generators or enhancers which will be used, if any, and the type and location of speakers and other audio equipment.
8. A plan for the use of lighting, if any, and the type and location of such equipment.
9. Plan and/or drawing depicting the layout of any parking areas for automobiles and other vehicles and the means of ingress and egress to such parking areas.
10. Provisions to dispose of any garbage, trash, rubbish or other refuse, subject to approval by the Village and Suffolk County Department of Health Services.
11. Provisions for restrooms.
12. Proposed signage to be erected for the temporary event, including wayfinding signs, and a schedule for their installation and removal.
13. A certification by the applicant that all other applicable government permits and approvals as may be required, including but not limited to approvals/permits from the Suffolk County Department of Health Services, the New York State Department of Health and the New York State Liquor Authority, shall be obtained prior to commencement of the event.
14. Proposed Public Safety Plan for Gatherings per current Fire Code of New York State, as required for Medium and Large Special Events.
15. Proposed security plans and/or personnel, including a description of the communications plan to be utilized by the event organizer to facilitate command and control of all routine and emergency activities related to the event, subject to approval by the Chief of Police.



16. Plan describing the rehabilitation of the event site to its original condition, including but not limited to rubbish and trash removal, removal of all temporary structures and restoration of all landscaping and other public property to a condition comparable to that prior to the event.
  17. Completed forms required under the State Environmental Quality Review Act (SEQRA), as applicable, as included in the application.
- C. Rejection. The Village Clerk shall have the authority to reject any application that has been found to be incomplete or untimely.
- D. Denial. The Village Board of Trustees reserve the right to deny any special event permit application, with or without public hearing.
- E. Considerations. In determining whether to approve or deny an application, the Village Board of Trustees shall consider the information provided in the application and such other information as may be available, including but not limited to:
- (1) The completed forms required under the State Environmental Quality Review Act (SEQRA).
  - (2) Impact of the event on the safe and orderly movement of traffic within and contiguous to the event.
  - (3) Need for the Village to police such event, and whether the numbers of police officers assigned to properly police such event will prevent the Village from providing adequate police protection to the remainder of the Village.
  - (4) Impact of the event on fire and police protection and ambulance service to the areas contiguous to the event and to the Village in general.
  - (5) Impact of the event on the movement of firefighting equipment or ambulance service to areas contiguous to the event.
  - (6) Impact of the event on the general health, safety and welfare of the Village as identified through the state environmental quality review pursuant to the New York State Code of Rules and Regulations Part 617.
  - (7) Outstanding violations on the property at which the event will be held or any outstanding or unsatisfied conditions of a Village agency approval, including but not limited to those of the Planning Board or the Zoning Board of Appeals.
  - (8) Verification that the information contained in the application is not found to be false or nonexistent in any material detail.
  - (9) Verification of granting the permit would not violate any existing covenants on the property.
  - (10) If one or more events are scheduled for the same date and time of each other, the Village Board will determine if there are adequate resources for all these events. If there are not sufficient resources to ensure public health and safety, the Village Board shall deny one or more permits if the impacts of the events cannot be mitigated. When deciding which event to deny, the Village Board shall consider the following:
    - (a) Whether the event is recurring.
    - (b) Whether this recurring event has been subject to a violation within the last three years.
    - (c) The date the permit application was submitted to the Village Clerk.
    - (d) If events occurred the prior calendar year, the Village Board shall consider what their impact was on that area of the Village.
  - (11) A donation to one or more local charities.
  - (12) If an applicant is requesting a special event permit that was held the previous year, verification that any and all cost reimbursements or damages were satisfied.
  - (13) Possible conflicts with other events and seasonal demands which may overtax or cause undue burden on Village services for parade, walk or runs and special events.
  - (14) The health, safety and welfare of the Village and its residents.

**§143-10 Referrals.**

The Village Clerk shall forward a copy of the application to the Mayor, the Chief of Police, the Fire Marshal, and the Department of Public Works Superintendent for review and comment. A copy of the application shall also be forwarded to the Westhampton War Memorial Volunteer Ambulance Association and the Town of Southampton Police Chief for comment, if applicable. Upon issuance of the permit, the Village Clerk shall forward a copy of the permit and approval resolution to the Department Heads.

**§143-11 Public hearing.**

The Village Board of Trustees may adopt a resolution granting an application with conditions or denying an application without a public hearing based on review of the application or the Board may require a public hearing before determination of an application.

**§143-12 Cost reimbursement.**

Where the circumstances of the event may warrant increased Police (PD) and/or Department of Public Works (DPW) involvement, as the Village Board of Trustees may deem it necessary to adequately and safely control and protect the persons attending the event and the event area, traffic in and around the area of the event, and to maintain the public grounds affected by the event, the Village Board may require the applicant to pay the estimated cost of such Village activities. Costs for such police protection and/or other services provided by Village employees, including costs for overtime, shall be estimated, and provided to the applicant and the Village Board by written report from the Chief of Police, Department of Public Works Superintendent, or other Village Department Head prior to the issuance of the permit. The payment of all fees deemed appropriate shall be included as a condition in the resolution of approval and shall be due and payable within 10 days of the rendering of an invoice for said expenses by the Village.

**§143-13 Insurance and indemnification.**

- A. The applicant shall file with the Village Clerk a certificate of public liability insurance covering the applicant, the property owner and the Village of Westhampton Beach for personal injuries, comprehensive general liability in an amount satisfactory to the Village Attorney, which policy shall name the Village as an additional insured and shall be non-cancellable without 30 days prior written notice to the Village. Said insurance policy shall be approved as to form, sufficiency and limits of coverage by the Village Attorney.
- B. Indemnification of Village personnel and/or officers may be required as a condition of approval where the Village Board of Trustees deem it appropriate. Said indemnification shall be approved as to form, sufficiency and limits of coverage by the Village Attorney.
- C. Failure to submit the required insurance and/or indemnification as determined appropriate by the Village Attorney within 30 days of the scheduled event may result in a forfeiture of approval of permit.

**§143-14 Permit available on premises.**

The special event permit issued hereunder shall be displayed on the premises during the special event and shall be available for inspection by a police officer or other enforcement officer of the Village upon request of such officer.

**§143-15 Transferability.**

A special event permit is not transferable and shall expire at the close of the event for which it is issued.

**§143-16 Privilege.**



The granting of a special event or parade, walk or run permit is a privilege and not a right and may be denied in the event the applicant fails to comply with any application provision of the chapter or for any other reason not prohibited by law.

**§143-17 Application fees.**

- A. The application for a permit shall be accompanied by a non-refundable application fee and/or late application fee in the amount established by resolution of the Village Board of Trustees.
- B. The application for a permit shall be accompanied by the appropriate application fee unless waived at the discretion of the Village Board at the time of filing the application. The Village Clerk shall collect application fees.
- C. Any amendment to the application for a parade, walk or run or special event permit will be subject to an amendment fee of \$100. Amendments requiring a resolution may include changes to the location, route, parking plan, number of people expected, etc. Amendments to fire safety plans or parking plans at the request of the Village are not considered amendments to the application.

**§143-18 Modification or rescission of permit.**

If, after a permit is issued, the Village Board determines that any of the representations and/or statements contained in the application are materially inaccurate or any of the conditions of the permit have not been complied with, the Village Board may serve the permittee's agent a notice of rescission of special permit specifying the manner in which the permitted has not complied with the terms of its permit and/or identifying the incorrect information supplied in the application. The Village Board may for good cause modify or rescind such permit, absolutely or upon conditions.

**§143-19 Other approvals.**

The provisions of this article are not exclusive, and an applicant remains subject to all other applicable government permits and approvals as may be required, including but not limited to approvals/permits from the Suffolk County Department of Health Services, the New York State Department of Health and approvals/permits for tents, fireworks and any further permit(s) as may be required for animal shows, carnivals, circuses and similar events.

**§143-20 Alcoholic beverages.**

If providing alcohol at an event, a Liquor Liability Insurance Policy naming the Village as an additional insured in the amount of \$2,000,000.00 General Aggregate and \$2,000,000.00 Each Occurrence will be required. The applicant remains subject to the provisions of Chapter 54 of the Code of the Village of Westhampton Beach, except upon waiver granted by the Village Board. Applicants planning to provide alcohol must receive necessary permits from the New York State Liquor Authority.

**§143-21 Attendance limitations.**

Attendance at a special event in excess of the attendance allowed pursuant to the permit shall be prohibited. Applicants allowing excess attendance which requires unanticipated police, Fire Marshal, fire protection, ambulance and/or EMS services shall be responsible to reimburse the public safety agency for services and fees incurred.

**§143-22 Hours.**

No exhibition, performance for hire, carnival, circus, carrousel, bazaar, open-air show or place of amusement shall be open any day between the hours of 11:00 p.m. and 9:00 a.m. of the succeeding day, unless this provision is expressly waived by the Village Board in the special event permit.

**§143-23 Conflicts with zoning restrictions.**

A special event permit inherently conflicts with some zoning regulations but is intended to allow for temporary relaxation of the applicable restrictions as deemed appropriate by the Village Board of Trustees with conditions. Where a conflict is noted, the terms and conditions of the approving resolution and permit shall supersede local zoning conflicts.

**§143-24 Penalties for offenses.**

A violation of any of the provisions of this article, or violation of any of the terms and conditions of a permit issued under this article, shall, upon conviction thereof, be punishable by a fine of not less than \$250 nor more than \$1,000 for each offense or by imprisonment for a period not exceeding 15 days, or by both such fine and imprisonment, in addition to any fines imposed hereunder. Failure to obtain a special event permit, as defined herein, shall be an offense, and the fine shall be the applicable special event application fee, plus an amount not less than \$250 nor more than \$1,000. Each day that such event occurs, is conducted, or otherwise takes place without a special event permit having been issued shall be considered a separate offense.

**Article III Repetitive special events.**

**§143-25 Purpose.**

The Village recognizes that some entities and/or properties may engage in more than one special event per calendar year, including houses of worship, golf, tennis and beach clubs, and charitable, community and business organizations such as the Chamber of Commerce, for example. In an effort to preserve the health, safety and welfare of the inhabitants and visitors to the Village, who may be adversely affected by too many special events, the Village seeks to adopt a schedule based on underlying use.

**§143-26 Applicability and guarantees.**

All special events are subject to application, review and approval procedures as detailed within this Chapter. Nothing herein this Article shall be deemed as a right or guarantee to hold a special event, as the Village reserves the right to issue or deny any special event permit application for good cause and reason.

**§143-27 Number of special events per calendar year.**

Provided the subject parcel has a legally established certificate of occupancy and site plan supporting the underlying use and there are no outstanding violations thereupon, the following schedule of number of special events that may be approved in one calendar year is as follows:

<b>Permitted Use</b>	<b>Number of Special Events Permitted per Calendar Year</b>
Residential (single-family)	Two Private Special Events only
Residential (multi-family)	Two Private Special Events only
Commercial Use	One Per business at subject property
Golf, Tennis or Beach Club	Five
Parades, Walks or Runs*	Three per season *where street closure is required for parade, walk or run

**Article IV Use of Village property.**



**§143-28** Use of Village property for a temporary event is subject to review and approval by the Village Trustees, in a form and application as provided by the Village Clerk. Should the proposed use of village property include the gathering of more than 100 persons at any one time, then a special event permit application pursuant to Article II of this Chapter is also required.

- Underscore represents addition(s)

Dated: Westhampton Beach, New York  
September 5, 2024

**BY THE ORDER OF THE TRUSTEES OF THE  
VILLAGE OF WESTHAMPTON BEACH  
DENISE MORDENTE, VILLAGE CLERK**

# Local Law Filing

## Instructions

New York State Department of State  
Division of Corporations, State Records and Uniform Commercial Code  
One Commerce Plaza, 99 Washington Avenue  
Albany, NY 12231-0001  
www.dos.ny.gov

### PLEASE OBSERVE THESE INSTRUCTIONS FOR FILING LOCAL LAWS WITH THE SECRETARY OF STATE

1. Each local law shall be filed with the Secretary of State within 20 days after its final adoption or approval as required by section 27 of the Municipal Home Rule Law. The cited statute provides that a local law shall not become effective before it is filed in the office of the Secretary of State.
2. Each local law to be filed with the Secretary of State shall be an original certified copy.
3. Each local law shall be filed on a form provided by the Department of State. If additional pages are required, they must be the same size as the form. Typewritten copies of the text may be attached to the form. Only legible copies will be accepted.
4. File only the number, title and text of the local law.
5. In the case of a local law amending a previously enacted local law, the text must be that of the law as amended. Do not include any matter in brackets, with a line through it, italicized or underscored to indicate the changes made. The printed number of the bill and explanatory matter must be omitted.
6. For the purpose of filing a local law with the Department of State, number each local law consecutively, beginning with the number one for the first local law filed in each calendar year. The next number in sequence should be applied to each local law when it is submitted for filing, regardless of its date of introduction or adoption. The date of filing of a local law is the date on which the local law is placed on file by the Department.

It is suggested that municipalities use introductory identifying bill numbers for proposed local laws. After the local law is enacted (and approved by the voters, if required), the local law should then be numbered with the next consecutive local law number, as described above, and then submitted to the Department for filing.

7. Each copy of a local law filed with the Secretary of State shall have affixed to it a certification by the Clerk of the County legislative body or the City, Town or Village Clerk or other officer designated by the local legislative body. Certification forms are provided herewith.
8. A copy of each local law may be mailed or delivered to:  
NYS Department of State  
Division of Corporations, State Records and Uniform Commercial Code  
One Commerce Plaza, 99 Washington Avenue  
Albany, NY 12231.

**(DO NOT FILE THIS INSTRUCTION SHEET WITH THE LOCAL LAW.)**



# 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. 4 of the year 2024

A local law Champter 143 Special Events & use of Village Property  
*(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.)**

**(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. 4 of 2024 of the (County)(City)(Town)(Village) of Westhampton Beach was duly passed by the Board of Trustees on September 5th 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 \_\_\_\_\_ above.

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

Date: \_\_\_\_\_

(Seal)