

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231

(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.

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED
DEC 12 2003
MISCELLANEOUS
& STATE RECORDS

~~CITY~~

~~CITY~~ of Riverhead

Town

~~VILLAGE~~

Local Law No. 26 of the year 2003

A local law ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED

(Insert Title)

"BUILDING PERMIT FEES" OF THE RIVERHEAD TOWN CODE.

Be it enacted by the Town Board of the

(Name of Legislative Body)

~~CITY~~

~~CITY~~ of Riverhead

Town

~~VILLAGE~~

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. 26 of 2003 of the ~~(County)~~(City)(Town)(Village) of Riverhead was duly passed by the ~~Town Board~~ on December 2, 2003, 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. 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.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

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.)

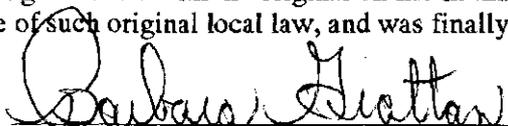
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified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



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

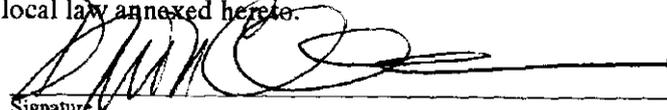
(Seal)

Date: _____ December 8, 2003 _____

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK _____
COUNTY OF _____ Suffolk _____

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.



Signature

Town Attorney
Title

~~County~~
~~City~~
Town of _____ Riverhead _____
~~Village~~
~~XXXXX~~

Date: _____ December 8, 2003 _____

Town of Riverhead
Local Law # 26-2003

§ 108-77. Filing fees. [Amended 6-15-1976; 10-3-1978; 11-8-1978; 12-29-1989]

A. For each appeal to the Board of Appeals, there shall be filing fees, payable upon the submission of an application, in the following amounts:

(1) Residential applications:

(a) Use or area variances and/or interpretations: one hundred fifty dollars (\$150.).

(b) Appeals in accordance with New York State Town Law, Article 16, § 280-a: twenty five dollars (\$25.).

(c) Structures being one hundred (100) square feet and less, including swimming pools being one hundred (100) square feet and less of surface area and of less than a three-foot depth: twenty five dollars (\$25.).

(2) Commercial applications:

(a) Use or area variances and/or interpretations: five hundred dollars (\$500.).

(b) Appeals in accordance with New York State Town Law Article 16, § 280-a: seventy-five dollars (\$75.).

(c) Structures being one hundred (100) square feet and less, including swimming pools and signs being one hundred (100) square feet and less of surface area and of less than a three-foot depth: one hundred fifty dollars (\$150.).

B. The Board of Appeals shall have the discretion to refund a fee where it deems waiving such a fee is appropriate.

§ 108-81. Fee. [Amended 12-29-1989; 5-20-1997]

A. Prior to the filing of each application for a change or amendment of this chapter, a fee shall be paid to the Town Clerk with respect thereto in the following amounts:

(1) Change of zone petition resulting in construction of a building or buildings with a total area of less than 4,000 square feet or less shall be \$1500.

(2) Change of zone petition resulting in construction of a building or buildings with a total area of 4,000 square feet or greater shall be \$2500.

B. The cost of the publication of notice of public hearing shall be paid by the applicant prior to the date of public hearing.

108-97

F. Application and fee.

(1) Sketch plan. A letter of application, together with the requisite number of copies of the sketch plan, shall be submitted to the Planning Board. All applications for the consideration of the sketch plan shall be accompanied by a fee of \$ 250 plus \$200 per lot for engineering fees.

[Amended 12-6-1977; 11-20-1984; 9-20-1988; 12-29-1989; 3-4-1997]

(2) Preliminary plat. A letter of application, together with the requisite number of copies of the preliminary plat, shall be submitted to the Planning Board. All applications for the consideration of a preliminary plat shall be accompanied by a fee of \$500 per acre or part thereof or \$2500, whichever is greater, if a sketch plan as been submitted.

[Amended 12-6-1977; 11-20-1984; 9-20-1988; 12-29-1989; 3-4-1997]

(3) Final plat. A letter of application, together with the requisite number of copies of the final plat, shall be submitted to the Planning Board. When an applicant applies for a final plat without first having applied for preliminary plat approval, the fee imposed shall be that set forth in subparagraph (2) above. Otherwise there shall be no additional fee for Final Plat approval (4) The applicant shall erect a sign giving notice that an application to the Planning Board is pending and giving the date, time and place where the regular meeting for consideration of the application, or adjourned date, will be held. The sign will be furnished by the Town of Riverhead. It shall not be set back more than ten (10) feet from the property line and shall not be less than two (2) nor more than six (6) feet above the grade at the property line. It shall be displayed for a period of not less than seven (7) days immediately preceding a regular meeting for consideration of the application or any adjourned date. The applicant shall file with the Planning Board an affidavit that he has complied with the provisions of this section. No application shall be considered unless such affidavit has been filed.

(5) Engineering fee. Prior to the adoption of a final conditional approval resolution by the Planning Board, the applicant must post a fee in an amount equal to 10% of the estimated improvements, as estimated by the engineering consultant to the Planning Board, which shall be paid to the Town of Riverhead. Such fee shall be diminished in an amount equal to all engineering fees previously paid, subdivision being granted, the applicant must post engineering fees in the amount of \$100 per lot to cover any potential expense to the town for engineering services, as follows: \$50 at the time of the submission of the preliminary plat. The Planning Board may waive all or part of said fee where the Planning Board determines that no additional engineering services are required. No applicant shall have any claim for the return of such fee or portion thereof. [Added 12-6-1977; amended 5-16-1978; 3-4-1986; 12-29-1989; 3-4-1997]

108-131B. Formal application.

(1) Subsequent to preliminary review, an application for site plan approval shall be made on the form for the same provided by the Planning Department. Twelve copies, plus additional copies as may be required by other levels of government with jurisdiction over the site, of the application, a current survey prepared by a licensed surveyor, the site plan (if separate from the survey) and any other submission or

exhibit required by this article shall be submitted, together with the appropriate fee, to the Planning Department.

(2) The Planning Department shall reject any application if it is not so complete or in conformance, and shall notify the applicant as to the reason for such rejection.

(3) For each application for site plan approval submitted to the Planning Department under the provisions of this chapter, the review fee shall be \$500, plus \$.10 per square foot of site improvements and/or altered area. The fee to review an application to amend a previously approved site plan shall be \$500. In no instance shall a site plan review exceed \$25,000. Review fees shall be paid in of 1/2 the fee paid prior to Planning Department's submission of the completed site plan to the Town Clerk and the remaining 1/2 paid prior to Town Board resolution.

§ 108-133.4. Application procedure.

D. Fees. The fee for the review of a special permit application which would result in the construction of a building(s) or a disturbed area of 4,000 square feet or less shall be \$500. The fee for the review of a special permit application for the construction of a building(s) or disturbed area of 4,000 square feet or greater shall be \$2,000. The required fee shall be paid upon submission of the application to the Town Clerk.