

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.

~~XXXXXX~~
~~County~~
~~City~~
Town
~~Village~~
~~XXXXX~~

of Riverhead

Local Law No. 29 of the year 2003

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED
DEC 26 2003
MISCELLANEOUS
& STATE RECORDS

A local law TO AMEND CHAPTER 62 ENTITLED "EXCAVATIONS" OF
(Insert Title)
THE RIVERHEAD TOWN CODE.

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

~~XXXXXX~~
~~County~~
~~City~~
Town
~~Village~~

of Riverhead

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. 29 of 2003 of the ~~(County)(City)(Town)(Village)~~ of Riverhead was duly passed by the Town Board on December 16 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.

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

(Seal)

Date: December 22, 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]
Signature
Deputy Town Attorney
Title

~~COUNTY~~
~~CITY~~ of Riverhead
Town
~~VILLAGE~~

Date: December 22, 2003

Chapter 62
Excavations

(Overstrike Text To Be Deleted)

~~§ 62-2. Application of chapter.~~

~~This chapter shall not apply to any excavation for which a permit is required by New York State Mined Land Reclamation Law codified at Article 23, Title 37, of the Environmental Conservation Law.~~

§ 62-11. Fees.

The Town Board or its designee shall charge and collect the following fees for excavation pursuant to approved site plans, grading plans and realty subdivisions as required by the Zoning Ordinance. The officer designated by the Town Board to issue such permits shall charge and collect for each such permit an annual fee as follows:

A. For commercial and industrial subdivision, site plans or grading plans a fee shall be imposed in the amount of \$2.00 per cubic yard for all material removed from or returned to the site in accordance with town requirements for drainage, parking and other town-required improvements and also for any and all purposes and improvements other than those required for compliance with town requirements.

§ 62-13. Penalties for offenses.

For any and every violation of the provisions of this chapter, the owner, general agent or contractor of a building or premises where such violations have been committed or shall exist, and the lessee or tenant of the premises where such violation has been committed or shall exist, and the owner, general agent, contractor, lessee or tenant of any part of the premises in which part said violation has been committed or shall exist, and the general agent, architect, engineer, surveyor, building contractor or any other person who knowingly permits, takes part or assists in any such violation or who maintains any premises in which any such violation shall exist, shall be guilty of an offense against this chapter, punishable by a fine of not more than one thousand dollars \$1000 per day. Each day's continued violation shall constitute a separate, additional violation of the chapter. Such fines or penalties shall be collected as like fines are now by law collected.