

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
JUN 26 2003

MISCELLANEOUS
& STATE RECORDS

~~County~~
~~City~~ of Riverhead
Town
~~Village~~

Local Law No. 6 of the year 20⁰³

A local law Amending Chapter 108 Entitled "Zoning" of the Riverhead Town
(Insert Title)
Code (Non-Conforming Uses)

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

~~County~~
~~City~~ of Riverhead as follows:
Town
~~Village~~

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. 6 of 2003 of the ~~(County)(City)(Town)(Village)~~ of Riverhead was duly passed by the Town Board on June 17 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.)

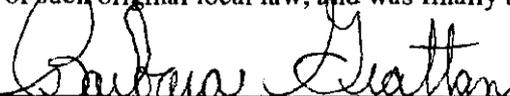
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20.03. of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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.


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

(Seal)

Date: June 23, 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~~ of Riverhead
Town
~~VILLAGE~~

Date: June 23, 2003

Article I
General Provisions

§ 108-3 Definitions

Nonconforming Building - A building or structure lawfully existing on a lot at the effective date of this chapter or any amendment thereto affecting such building or structure, which does not conform to the dimensional regulations of this chapter for the district in which it is situated regardless of the use to which such a building or structure is put. [Amended 6-17-03]

Lot - A portion or parcel of land in single and separate ownership devoted to a certain use or occupied by a building or a group of buildings that are united, by a common interest or use, and the customary accessories and open spaces belonging to the same. Adjoining "lots" which are recorded on an approved major or minor subdivision map filed with the Clerk of the County of Suffolk may be subdivided without approval of the Planning Board of the Town of Riverhead and shall not be deemed merged so long as the adjoining "lots" conform to the Zoning Districts Use Schedule in effect at the time the lots are to be conveyed. [Amended 12-21-1976;1-29-1981;6-17-03]

Article XIII
Supplementary Use Regulations

§ 108-51 Nonconforming buildings and uses

A. Any building, structure or use existing on the effective date of this chapter, or any amendment thereto, may be continued on the same lot held in single and separate ownership, although such building, structure or use does not thereafter conform to the regulations of the district in which it is located, and may thereafter be extended on the same lot by special permit of the Town Board. If the extent of the change is ten percent (10%) or less, the public hearing requirement may be waived by the Town Board. [Amended 6-17-1975;7-3-1979;6-17-03]

B. A nonconforming use on the same lot held in single and separate ownership may be changed to another nonconforming use when approved as a special exception by the Zoning Board of Appeals as hereinafter provided in § 108-76 of this chapter. Nothing herein contained shall be construed to permit a residence in a use district where it is not a permitted use. [Amended 6-17-03]

C. No nonconforming use may be reestablished where such nonconforming use has been discontinued for a period of one (1) year.

D. Nothing in this chapter shall prevent the complete restoration within one (1) year of a building destroyed by accidental cause such as fire, flood, explosion, riot, act of God or act of the public enemy, nor prevent the continuance of the use of such building or part thereof. Such restored building shall not exceed the dimensions of the building destroyed.

E. Any parcel of land which has been used for a camp or for which a plan for a camp has been filed with the Town Clerk of the Town of Riverhead at the effective date of this chapter but not any amendment thereto and which is held in a single ownership by an organization, such as the Boy Scouts, 4-H Club or other similar recognized civic or fraternal organization, all or a part of which has been used for the purposes of a camp, may continue to be used as a camp although such use does not conform to the regulations of the district in which it is located.

F. This chapter shall not apply to any pre-existing non-conforming use that has received a special permit to expand said use from the Town Board prior to the effective date hereof.