

LOCAL LAW #	<u>1</u>
APPROVED BY:	
V.O.A.	<u>1-24-11</u>
N.Y.S.	<u>2-1-11</u>

NEW YORK STATE DEPARTMENT OF STATE
162 WASHINGTON AVENUE, ALBANY, NY 12231

Local Law Filing

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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.

Village of Amityville

Local Law No. 1 of the year 2011

A local law to make additional technical corrections to certain sections of the Village Code.

Be it enacted by the Board of Trustees of the Village of Amityville as follows:

Section 1. The Board of Trustees adopted Local Law No. 2 of 2010 in March, 2010, to make technical corrections to certain sections of the Village Code which was re-codified in December, 2009. After a further editorial review by General Code Publishing, the publishers of said village Code, the Board of Trustees find that additional technical corrections are necessary to correct remaining clerical errors and omissions in the re-codification process.

Section 2: Section 4-2 (A)(8) of the Code of the Village of Amityville is hereby amended to read as follows:
“(8) To grant a special exception wherever it is provided in this Code that such action by the Zoning Board of Appeals is required.”

Section 3: Section 4-3 of the Code of the Village of Amityville is hereby amended to read as follows:
“§4-3 Rules for filing appeals and applications
The Zoning Board of Appeals shall make rules as to the manner of filing appeals or applications for special exceptions or variances from the terms of this chapter.”

Section 4: Section 4-4 of the Code of the Village of Amityville shall be amended to read as follows:

“§4-4 Notice of Hearing.
Upon the filing with the Zoning Board of Appeals of an appeal or an application for a special exception or variance from the terms of this Code, the ZBA shall fix the time and place for a public hearing thereon and shall give notice thereof as follows:

- A. By publishing a notice thereof once a week for two weeks in at least one of the official newspapers.
- B. By posting a notice thereof in a conspicuous place at the Village Hall on or before the date of first publication.

- C. By requiring the applicant to mail a notice thereof to every association of residents of the Village that shall have registered its name and address for the purpose with the Zoning Board of Appeals or the Planning Board and to the owners of all property within 200 feet of the subject premises at least 10 days prior to the date of the public hearing by certified mail, return receipt requested, and proof of such mailing must be submitted to the Clerk of the ZBA at least two days before said hearing. For an application for a special exception for a fence (§ 183-139), said notice shall be mailed to the abutting owners only at least 10 days before said hearing by certified mail, return receipt requested, and proof of mailing submitted two days before such hearing.
- D. By requiring the applicant to erect a white-with-red-lettering sign or signs measuring not less than 30 inches high and 40 inches wide which shall be prominently displayed not more than 10 feet from the street on the premises facing each public street on which the property abuts, giving notice that an application for a special exception or variance is pending and the date, time and place where the public hearing will be held. It shall be displayed for a period of not less than 10 days immediately preceding the public hearing. The applicant shall file an affidavit that he has complied with the provisions of this section. Applicant shall promptly remove such sign after the public hearing.”

Section 5: Section 4-7 of the Code of the Village of Amityville is hereby amended to read as follows:

“§4-7 Considerations in making determinations

- B. No application for a special exception shall be approved unless the Board determines that appropriate conditions can be imposed upon the applicant which will protect the health, safety and welfare of the residents of the surrounding area.
- C. The Zoning Board of Appeals shall also consider whether the granting of the special exception or variance applied for will be:
 - (1) In harmony with the general purpose and intent of the Code.
 - (2) In accordance with the comprehensive plan and design set forth in the Code to lessen congestion in the streets, to secure safety from fire, panic and other dangers, to provide adequate light and air, to prevent the overcrowding of land, to avoid undue concentration of population and to facilitate the adequate provision of transportation, water, *sewage treatment*, parks and other public requirements.
 - (3) In accordance with reasonable consideration, among other things, as to the character of the district and its peculiar suitability for the particular use.
 - (4) With a view to conserving the value of buildings and land and encouraging the most appropriate use of land throughout the municipality.
 - (5) With regard to area variances for front yard, side yard, or rear yard setbacks, or height of a structure, in accordance with the skyplane relationship between the setback and the height of the structure as set forth in the skyplane diagram marked as Exhibit A at the end of this Chapter, and a part thereof.

Section 6: Section 4-8 of the Code of the Village of Amityville is hereby amended to read as follows:

§ 4-8. Expiration of approval or grant; extension of time.

- A. Every variance, or special exception granted by the Zoning Board of Appeals or by a court of competent jurisdiction, pursuant to the provisions of this chapter, which involves a project

for which a building permit is required, shall be and become null, void and of no further force or effect unless, said building permit is issued within 180 days after the decision of the ZBA has been filed with the Village Clerk or a final court decision has been entered.

- B. Every applicant shall be entitled to one extension of time for an additional period of 90 days, provided that a written request is made and granted by a majority vote of the Zoning Board of Appeals and a fee is paid therefore; said fee to be established by the Board of Trustees by resolution.
- C. In cases covered by this section and pursuant to § 49-9A, a building permit shall expire within one year after its issuance, unless extended by the Code Enforcement Officer for up to one six-month period for good cause shown. No further extension shall be given; the applicant's sole recourse shall then be to submit a new application to the ZBA.
- D. Any variance or special exception granted by the Zoning Board of Appeals or by a court of competent jurisdiction, pursuant to the provisions of this chapter, which requires no building permit shall be and become null, void and of no further force or effect unless, within 180 days after the decision of the ZBA has been filed with the Village Clerk or a final court decision has been entered, the use so granted shall actually have commenced at the premises. One extension shall be granted for an additional ninety-day period, provided that a written request is made and granted by a majority of the Board of Appeals and a fee is paid therefore; said fee to be established by the Board of Trustees by resolution. No further extensions shall be given; the applicant's sole recourse shall then be to submit a new application to the ZBA.

Section 7. Section 4-9 of the Code of the Village of Amityville is hereby amended to read as follows:

§ 4-9. Limit on number of applications.

No parcel or part thereof may be the subject of an application for a special exception or variance within one year after the Zoning Board of Appeals has held a public hearing on an application for such relief, unless such application shall be substantially different from the previous application, except upon a motion adopted by a majority of the members of the Zoning Board of Appeals.

Section 8. Section 22-3 paragraph A of the Code of the Village of Amityville is hereby amended to read as follows:

§22-3. Village indemnification of employees.

A. The Village shall indemnify and save harmless its employees in the amount of any judgment obtained against such employees in any state or federal court or in the amount of any settlement of a claim, provided that the act or omission from which such judgment or settlement arose occurred while the employee was acting within the scope of his public employment or duties. The duty to indemnify and save harmless prescribed by this section shall not arise where the injury or damage resulted from intentional wrongdoing or recklessness on the part of the employee. *Nothing in this paragraph shall authorize a public entity to indemnify or save harmless an employee with respect to punitive or exemplary damages, fines or penalties, or money recovered from an employee pursuant to §51 of the General Municipal Law; provided, however, that the public entity shall indemnify and save harmless its employees in the amount of any costs, attorneys fees, damages, fines or penalties which may be imposed by*

reason of an adjudication that an employer, acting within the scope of his public employment or duties, has, without willfulness or intent on his part, violated a prior order, judgment, consent decree or stipulations of settlement entered in any court of this state or the United States.

Section 9. § 24-8(B) of the Code of the Village of Amityville is hereby amended to read as follows:

B. This section is adopted to conform to the provisions of § 7-730 of the New York State Village Law relevant hereto; however, this section is also adopted with the clear intent of superseding §7-725-a of said New York State Village Law in accordance with the provisions of the New York State Municipal Home Rule Law, insofar as this law authorizes the Planning Board to collect a recreation fee in matters involving site plan review.

Section 10. §36-5 of the Code of the Village of Amityville is hereby deleted.

Section 11. § 37-1 of the Code of the Village of Amityville is hereby amended to read as follows:

INTENT TO CONSUME – *Includes any of the following:*

Drinking from the container; possession with movement of the container to the mouth; and any circumstances evidencing an intent to ultimately consume in any public place.

OPEN BOTTLE, CAN OR OTHER CONTAINER – *Any bottle, can, glass or other receptacle suitable for or used to hold any liquid, which has been uncapped, uncorked, the tab removed or the top sliced, cut or broken, or its original condition altered in such a way that the liquid can flow out of it.*

Section 12. §37-2B of the Code of the Village of Amityville is hereby amended to read as follows:

“B. Have in his possession with intent to consume any open container containing any alcoholic beverage on any public lands within the Village.”

Section 13. §49-4B(4)of the Code of the Village of Amityville is hereby amended to read as follows:

“(4) Installation of fences which are not part of an enclosure surrounding a swimming pool, provided that a fence permit is required pursuant to §183-139 of this Code.”

Section 14. §81-13 of the Code of the Village of Amityville is hereby amended to read as follows:

“§81-13 Fireworks.

It shall be unlawful for any person to store, offer for sale, expose for sale, sell at retail, or use or explode any fireworks within the Village without a permit

issued by the Village Clerk in accordance with Section 405.00 of the Penal Law”.

Section 15. §88-12B of the Code of the Village of Amityville is hereby amended to read as follows:

“B. FEES. All applications for a floodplain development permit shall be accompanied by an application fee established by the Board of Trustees by resolution. In addition the applicant shall be responsible for reimbursing the Village for any additional costs necessary for review, inspection and approval of the project. The Local Administrator may require a deposit of no more than \$500 to cover these additional costs.”

Section 16. §107-42 of the Code of the Village of Amityville is hereby amended to read as follows:

*“§107-42. Fees
Each applicant shall pay a license fee established by the Board of Trustees by resolution.”*

Section 17. The column head in §114-4A(5) of the Code of the Village of Amityville is hereby amended to read as follows:

*“Duration Per Day
(in hours) ”*

Section 18. §127-1 of the Code of the Village of Amityville is hereby amended to read as follows:

*“§127-1 Permit required.
No person shall commence the installation or alteration of any plumbing fixtures except in accordance with the Uniform Fire Prevention and Building Code, and without first obtaining a plumbing permit from the Code Enforcement Officer.”*

Section 19. §132-4B(1) of the Code of the Village of Amityville is hereby amended to read as follows:

“(1) Shall have caused an inspection to be made of the premises to be licensed and is satisfied that such premises comply with all the local laws of the Village and any applicable laws, rules and regulations of any other governmental authority, including but not limited to the New York State Uniform Fire Prevention and Building Code, and off-street parking requirements for places of assembly.”

Section 20. §137-2 of the Code of the Village of Amityville is hereby amended to read as follows:

§137-2 Permit required

"It shall be unlawful for the owner of any building, or portion thereof, used for residential purposes to allow, permit or suffer the occupancy thereof as a separate dwelling unit for someone other than the owner without a rental permit pursuant to this chapter. It shall be immaterial whether or not rent or any other consideration is paid to the owner by the occupant of such dwelling unit."

Section 21. §144-5L. of the Code of the Village of Amityville is hereby amended to read as follows:

"L. No wind flags, wind socks or inflatable signs shall be permitted."

Section 22. *Chapter 152 of the Code of the Village of Amityville is hereby amended by deleting Section 152-13 and such section number shall be deemed reserved for future use.*

Section 23. §157-2 of the Code of the Village of Amityville is hereby amended to read as follows:

"§157-2 Setback requirements:

All swimming pools shall have a minimum set back of thirty (30) feet from the property line abutting any street and a minimum side yard and rear yard setback of six (6) feet each."

Section 24. §157-3 of the Code of the Village of Amityville is hereby amended to read as follows:

"§157-3 Permit required:

No swimming pool shall be erected or altered without a permit issued by the Code Enforcement Officer, except swimming pools exempted from permit requirements by §49-4B(3) of this Code."

Section 25. §159-1 of the Code of the Village of Amityville is hereby amended to read as follows:

"§159-1 Definitions:

As used in this article, "gross income", "gross operating income", "person", "premises", telecommunications services", "tenant" and "utility" shall have the meanings as defined in §186-a of the Tax Law."

Section 26. The exception table in §159-19A (1) of the Code of the Village of Amityville is hereby amended to read as follows:

<i>"Personal Income</i>	<i>Assessed Valuation Exempt from Taxation</i>
<i>Not more than \$24,000</i>	<i>50%</i>
<i>Not more than \$24,000 but less than \$25,000</i>	<i>45%</i>
<i>\$25,000 or more, but less than \$26,000</i>	<i>40%</i>
<i>\$26,000 or more, but less than \$27,000</i>	<i>35%</i>

\$27,000 or more, but less than \$27,900	30%
\$27,900 or more, but less than \$28,800	25%
\$28,800 or more, but less than \$29,700	20%
\$29,700 or more, but less than \$30,600	15%
\$30,600 or more, but less than \$31,500	10%
\$31,500 or more, but less than \$32,400	5%

Section 27. §164-13 A (6) (a) [2] of the Code of the Village of Amityville is hereby amended to read as follows:

“[2] At all other times which shall include holidays, i.e. New Year’s Day, Presidents’ Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Election Day, Veteran’s Day, Thanksgiving Day and Christmas Day.”

Section 28. §172-30D of the Code of the Village of Amityville is hereby amended to *delete* “Lincoln’s Birthday” as a holiday.

Section 29. §172-31D of the Code of the Village of Amityville is hereby amended to *delete* “Lincoln’s Birthday” as a holiday.

Section 30. §172-43 of the Code of the Village of Amityville is hereby amended to read as follows:

§ 172-43. Transfer of parking license.

A parking license issued hereunder shall not be transferable from one vehicle to another vehicle; provided, however, that in the event that a licensee shall sell or transfer his motor vehicle during the year, such license may be transferred to any other motor vehicle owned, or leased by said licensee upon payment of an additional fee *as set by resolution by the Board of Trustees.*

Section 31. §172-44 of the Code of the Village of Amityville is hereby amended to read as follows:

“§172-44. Replacement of lost and mutilated licenses.

A parking license issued hereunder shall be kept by the licensee in the approved location in good condition, and if such plate, tag or sticker becomes lost or mutilated, the licensee shall immediately secure a new license from the Village Clerk upon the payment of an additional fee *as set by resolution by the Board of Trustees.*

Section 32. §172-48 of the Code of the Village of Amityville is hereby amended to read as follows:

Stop Sign/Signal on	Direction of Travel	At Intersection of
Austin Avenue	East	Bayview Avenue
Austin Avenue	West	Lake Street
Avon Place	East	Bayview Avenue
Avon Place	West	Broadway

Bayside Avenue	East and west	Ocean Avenue
Bayview Avenue	North and south	Avon Place
Bayview Avenue	North and south	Towne Street
Benjamin Avenue	North	Oak Street
Bennett Place	North and south	Grace Court
Bennett Place	South	South Ireland Place
Berger Avenue	North	Shore Road
Bourdette Place	East and west	Carlton Avenue
Bourdette Place	West	Richmond Avenue
Braham Avenue	North	Shore Road
Bryan Avenue	South	Merrick Road
Burch Avenue	North and south	Greene Avenue
Burch Avenue	North and south	West Oak Street
Burch Avenue	South	Ireland Place
Carleton Avenue	North and south	Bourdette Place
Cedar Lane	North	Maple Drive
Cedar Lane	South	Locust Drive
Cedar Street	East	Broadway
Cedar Street	East and west	Ketcham Avenue
Cedar Street	East	Park Avenue
Central Avenue	North	Hamilton Street
Central Avenue	North and south	Riverside Street
Central Avenue	South	Shore Road
Coles Avenue	East and west	Ocean Avenue
Cooper Avenue	East and west	Grand Central Avenue
Cooper Avenue	West	Riverside Avenue
County Line Road	North	Smith Street
County Line Road	North and south	Locust Drive
DeForest Street	North	Dixon Avenue
Dowsing Place	North	Merrick Road
East and west access road from Bathing Beach	North	South Bayview Avenue
Edison Street	North	Dixon Avenue
Elm Place	West	Albany Avenue
Grace Court	East	Ocean Avenue
Grace Court	West	Bennett Place
Grand Central Avenue	North	Merrick Road
Grand Central Avenue	North and south	Griffing Avenue
Greene Avenue	East	West Oak Street
Greene Avenue	East and west	Burch Avenue
Greene Avenue	West	County Line Road
Griffing Avenue	East and west	Grand Central Avenue
Hamilton Street	East and west	Virginia Court
Hamilton Street	East	Richmond Avenue
Hamilton Street	East and west	South Ketcham Avenue
Homestead Avenue	North	Ireland Place
Ireland Place	West	West Oak Street
John Street	North	Sterling Place
John Street	North and south	Oak Street

John Street	South	Greene Avenue
Ketcham Avenue	North and south	Cedar Street
Lake Street	North	Austin Avenue
Lake Street	South	Oak Street
LeBrun Avenue	North	Richmond Avenue
Locust Avenue	North	Washington Avenue
Locust Drive	East	Broadway and Cedar Lane
Locust Drive	<i>East and West</i>	Cedar Lane
Locust Drive	West	County Line Road
Lombardi Place	West	Bayview Avenue
Louden Avenue	East	Broadway
MacDonald Avenue	East	South Bayview Avenue
MacDonald Avenue	East and west	Grand Central Avenue
Maple Drive	East	Broadway
Maple Drive	East and west	Cedar Lane
Maple Drive	West	County Line Road
Maple Place	West	Albany Avenue
Mole Place	North and South	Richmond Avenue
Mole Place	West	Bayside Avenue
Morris Street	East and west	Central Avenue
New Point Place	West	South Bayview Avenue
Nicholl Avenue	North	Oak Street
North Railroad Plaza	East	<i>At John Street</i>
Ocean Avenue	North	Merrick Road
Ocean Avenue	North and south	Bayside Avenue
Ocean Avenue	North and south	Grace Court
Ocean Avenue	North and south	South Ireland Place
O'Conner Parking Field (north of Oak Street) (west exit)	South	Oak Street
Oldfield Avenue	North	Ireland Place
Orchard Place	East and west	Homestead Avenue
Orchard Place	West	Oldfield Avenue
Park Avenue	North	Ireland Place
Park Avenue	North and south	Wanser Place
Park Avenue	South	Ireland Place
Park Avenue	South	Merrick Road
Perkins Avenue	East	South Bayview Avenue
Perkins Avenue	East and west	Grand Central Avenue
Railroad Avenue	East	Wellington Place
Railroad Avenue	West	Broadway
Ranick Drive East	North	Dixon Avenue
Ranick Drive West	North	Dixon Avenue
Richmond Avenue	North	Bourdette Place
Richmond Avenue	North	Mole Place
Richmond Avenue	North and south	South Ireland Place
Richmond Avenue	North and south	Van Nostrand Place

Richmond Avenue	South	Hamilton Street
Richmond Avenue	South	LeBrun Avenue
Riverside Avenue	North	Merrick Road
Riverside Avenue	North and south	Cooper Avenue
Riverside Avenue	North and south	Perkins Avenue
Riverside Street	West	Central Avenue
Russell Street	East and west	Bryan Avenue
Russell Street	West	Wood Avenue
South Bay Road	East and west	Bayview Road
South Bayview Avenue	North and south	Perkins Avenue
South Bayview Avenue (east side) at Harbor	West	Perkins Avenue, as
North		extended
South Ireland Place	East	Ocean Avenue
South Ireland Place	West	Richmond Avenue
South Ketcham Avenue south	North and	Hamilton Avenue
South Railroad Plaza	East	John Street
South Railroad Plaza	East	Ketcham Avenue
South Railroad Plaza	West	Greene Avenue
Sprague Avenue	East	Albany Avenue
Sprague Avenue	West	Broadway
Sterling Place	East	Broadway
Sterling Place	East and west	Burch Avenue
Sterling Place	East and west	John Street
Sterling Place	West	County Line Road
Towne Street	West	Bayview Avenue
Union Avenue	East	Bayview Avenue
Unqua Place	North	Richmond Avenue
Vanostrand Place	East	Richmond Avenue
Virginia Court	North	Hamilton Street
Wanser Place	West	Park Avenue
Washington Avenue	East	Broadway
Washington Avenue	East and west	Locust Avenue
Wellington Place	South	Oak Street
West Oak Street	East and west	John Street
West Oak Street		
West Smith Street	West	County Line Road
Williams Street	North	Willis Avenue
Willis Avenue	West	Countyline Road
Wood Avenue	North	Towne Street
Wood Avenue	South	Merrick Road

Section 33. §172-49 of the Code of the Village of Amityville is hereby amended to read as follows:

§ 172-49. Schedule II: Stop Point Locations.

In accordance with the provisions of § 172-8, the following described locations are designated as stop point locations at the intersection indicated:

Stop Sign/Signal on <i>West Oak St.</i>	Direction of Travel <i>East and West</i>	At Intersection of <i>Main Firehouse</i>
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Section 34. §172-53. Schedule VI: Yield Intersections.

In accordance with the provisions of §172-14, the following described intersections are designated as yield intersections.

Yield Sign on Ocean Avenue Stuart Avenue	At Intersection of Southbound at Richmond Avenue Northbound at Swartwout/Bingham Place
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Section 35. §178-12A of the Code of the Village of Amityville is hereby amended to read as follows:

“A. The Board of Trustees may designate all or portions of the bulkheads, docks, piers, wharves and end of highways bordering on waters and waterway, which are owned, maintained or under the jurisdiction of the Village as landing or loading areas.”

Section 36. §183-9C. (2) of the Code of the Village of Amityville is hereby amended to read as follows:

“(2) boat clubs, yacht clubs, tennis courts and private parks.”

Section 37. §183-26C. (2) of the Code of the Village of Amityville is hereby amended to read as follows:

“(2) boat clubs, yacht clubs, tennis courts and private parks.”

Section 38. §183-43C. (2) of the Code of the Village of Amityville is hereby amended to read as follows:

“(2) boat clubs, yacht clubs, tennis courts and private parks.”

Section 39. §183-58E. (2) of the Code of the Village of Amityville is hereby amended to read as follows:

“(2) boat clubs, yacht clubs, tennis courts and private parks.”

Section 40. §183-79.A. of the Code of the Village of Amityville is hereby amended to read as follows:

“In the PM Professional – Mixed Use District, any exterior construction or reconstruction requiring a building permit shall be submitted to the Planning Board for architectural review and approved by said Board prior to the issuance of such building permit.”

Section 41. §183-93A. of the Code of the Village of Amityville is hereby amended to read as follows:

§183-93. Prohibited uses.

“A. In an Industrial District, a building may be erected, altered or used, and a lot or premises may be used for any lawful purposes except the following:

- Abattoirs
- Acetylene, natural or any type of gas manufacture or storage
- Acid manufacture, all types and kinds, as a principal industry
- Airfield, airport or airpark
- Ammonia, bleaching powder or chlorine manufacture
- Arsenal
- Asphalt manufacture or refining
- Atomic reactor or nuclear power plant
- Automobile wrecking and/or automobile salvage yard
- Bag cleaning
- Blast furnace
- Boiler works
- Brick, tile or terra cotta manufacture
- Burlap manufacture
- Candle manufacture
- Celluloid manufacture
- Cement, lime, gypsum or plaster of paris manufacture
- Chemical works and manufacture
- Coal tar products manufacture
- Coke ovens
- Concrete batching
- Crematory (not connected with cemetery)
- Creosote treatment or manufacture
- Disinfectant manufacture
- Distillation of bones, coal or wood
- Dyestuff manufacture
- Emery cloth and sandpaper manufacture
- Explosives, manufacture or storage
- Exterminator and insect poisons manufacture
- Farmers’ market or flea market
- Fat rendering
- Fertilizer manufacture and bone grinding
- Fiberglass Product Manufacture
- Fireworks or explosive manufacture or storage
- Fish smoking and curing
- Forge plant
- Garbage, offal or dead animals reduction, dumping or incineration

Gas manufacture (all types)
Glue, size or gelatine manufacture
Gunpowder manufacture
Ink manufacture
Incineration or reduction of residential, commercial or medical solid or nonsolid waste, garbage, dead animals or refuse
Iron, steel, brass or cooper foundry
Junkyards
Lampblack manufacture
Match manufacture
Oilcloth or linoleum manufacture
Oiled, rubber or leather goods manufacture
Oil reduction
Open-air stands
Ore reduction
Paint, oil, shellac, turpentine or varnish manufacture
Paper and pulp manufacture
Petroleum products, refining or wholesale storage of petroleum
Manufacture of plastic compounds
Plating works
Potash works
Printing ink manufacture
Pyroxyline manufacture
Rock crusher
Rolling mill
Rubber or gutta-percha manufacture or treatment
Salt works
Salvage yards
Sand, gravel or cement plants, structures, hoppers, buildings, machines or mechanisms of any nature
Sauerkraut manufacture
Sausage manufacture
Screening, separating, sorting, collecting, storage or transfer of garbage, rubbish, debris or solid waste.
Shoe blacking manufacture
Smelters
Soap manufacture
Soda and compound manufacture
Stone mill or quarry
Stockyards
Storage or baling of scrap paper, iron, bottles, rags or junk
Stove polish manufacture
Tallow, grease or lard manufacture or refining from animal fat
Tanning, curing or storage of leather, rawhides or skins
Tar distillation or manufacture
Tobacco (chewing) manufacture or treatment
Tar roofing or waterproofing manufacture
Vinegar manufacture

Wool pulling or scouring
Yeast plant”

Section 42. §183-103 of the Code of the Village of Amityville is hereby amended to read as follows:

“§183-103 Front yards on corner lots.
In the Industrial District, corner lots shall have a front yard of at least 20 feet on each street.”

Section 43. §183-109D. of the Code of the Village of Amityville is hereby amended to read as follows:

“D. *Height. No building shall exceed 32 feet in height.* There shall be no height limit on flagpoles, domes, spires, chimneys, skylights, television antennas and other necessary appurtenances usually placed above the roof level, provided that they shall be erected only to the minimum height necessary to accomplish the purpose they are intended to serve and which present no hazard to abutting properties.”

Section 44. §183-109F. of the Code of the Village of Amityville is hereby amended to read as follows:

“F. *Off-street parking. Notwithstanding the off-street parking requirements in §183-129, there shall be provided at least 1.5 parking spaces for each dwelling unit.*”

Section 45. §183-111 of the Code of the Village of Amityville is hereby amended to read as follows:

“§183-111. Review and approval of site development plans.

No building permit or certificate of occupancy shall be issued for the construction or use of any building in a PAC Residence District except in accordance with a site plan reviewed and approved by the Planning Board, and after architectural review and approval of the proposed structures by said Board.”

Section 46. §183-114.2 of the Code of the Village of Amityville is hereby amended to read as follows:

“§183-114.2. Height of buildings and structures.

In an SC Senior Citizens Residence District, no building or structure hereafter erected or altered shall be more than 32 feet above finished grade. The roof shall be a peak roof only and shall have a minimum pitch of 4/12.”

Section 47. §183-114.5 of the Code of the Village of Amityville is hereby amended to read as follows:

“§183-114.5 Corner Lots

In a SC Senior Citizens Residence District, a corner lot shall have a front yard along each street as provided in §183-114.4.”

Section 48. §183-114.13 of the Code of the Village of Amityville is hereby amended to read as follows:

§183-114.13. Off-street parking.

In a Senior Citizen Residence District, an off-street parking area conforming to the requirements of this chapter shall be provided for each living unit at a ratio of two spaces for each unit. Where garages are provided, they may be substituted for such off-street parking areas and shall conform architecturally to the principal buildings. Ten percent of the required parking shall be designated as "visitors parking." Said parking areas must meet the requirements of **Article XIV** of this chapter and must be curbed, striped and have direction-of-travel lanes painted over the blacktop. However, the Planning Board may allow or direct that a portion of the designated parking area shall be left as green space and that it not be paved, provided that this shall not result in a reduction of paved parking of less than 1.5 spaces for each unit. The Planning Board may thereafter direct that the paved area be increased, but not beyond two spaces per unit, either on its own motion, by motion of the Board of Trustees or by application of the property owner; if the property owner then fails to comply, the Village or its agents may enter the premises, do the work required to comply and then assess the costs thereof, plus an administrative fee of 15%, against the premises, to be collected in the same fashion as Village real property taxes. This shall not limit the Village from enforcing the provisions of this section or collecting said costs by other legal means. Minimum paving and drainage specifications shall be designated by the Planning Board.

Section 49. §183-145 of the Code of the Village of Amityville is hereby amended to read as follows:

“§183-145 Fee for zoning applications.

Upon the filing of a petition with the Board of Trustees pursuant to §183-144, or upon the written application of a property owner to re-zone his property, there shall be a fee paid to the Village Clerk as set by the Board of Trustees by resolution.”

Section 50. This local law shall take effect immediately.

