

2024-25

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NO. 39-2023 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 87 (BUILDING CONSTRUCTION)

Resolution for Town Board Meeting dated: January 3, 2024

The following resolution was offered by: **COUNCILMAN FERRO**

and seconded by: **SUPERVISOR SMYTH**

WHEREAS, application fees and the method for calculating fees for projects reviewed by the Department of Engineering Services have not been updated since 2008; and

WHEREAS, a review of application fees in nearby towns finds that the Town of Huntington application fees are lower in most cases; and

WHEREAS, the fees need to be increased to cover the cost of reviewing the applications; and

WHEREAS, adjusting application fees is not an action pursuant to SEQRA, 6 NYCRR Part 617.2(b), and therefore SEQRA review is not required.

NOW, THEREFORE,

THE TOWN BOARD, having held a public hearing on the 16th day of November, 2023 at 7:00 p.m. to consider adopting Local Law Introductory No. 39-2023 amending the Code of the Town of Huntington Chapter 87 (Building Construction), and due deliberation having been had,

HEREBY ADOPTS, Local Law Introductory No. 39-2023, amending the Code of the Town of Huntington, Chapter 87 (Building Construction), as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON, AS FOLLOWS:

LOCAL LAW NO. 4-2024
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 87 (BUILDING CONSTRUCTION)

Section 1. Amendment to the Code of the Town of Huntington, Chapter 87 (Building Construction), as follows:

\\thfilesvr1\THSHARE\$\Departments\TownClerk\HomeDirs\DEsposito\JANUARY 3, 2024 RESOLUTIONS\2024-25 CORRECTED - SCRIVENERS ERROR.docx

CHAPTER 87
BUILDING CONSTRUCTION

* * *

§ 87-23 Application fees.

* * *

- C. [Amend – Delete ‘C’ and replace with below]
- C. Computation of application fee. A non-refundable \$50.00 application fee will be applied to all permit applications.

An application for a building permit shall include payment of an initial minimum fee in addition to a sum based upon the size of project using the following Fee Schedules.

(1) For residential uses the minimum fee shall be [one hundred (\$100)] one hundred twenty-five (\$125) dollars.

(2) For nonresidential uses the minimum fee shall be [five hundred (\$500)] six hundred twenty-five (\$625) dollars.

- D. [Delete D In its entirety and replace with new fee schedules].
- D. Permit Fees – see following Fee Schedules for determination of Residential and Commercial Permit fees.

Building Department
RESIDENTIAL FEE SCHEDULE

<u>ITEM</u>	[Current]	Proposed
	[cents/sf]	cents/sf
ATTIC	\$ [0.22]	\$ 0.28
BALCONY	\$ [0.15]	\$ 0.19
BARN	\$ [0.22]	\$ 0.28
BASEMENT SFD - UNFINISHED	\$ [0.36]	\$ 0.45
BASEMENT MFD - UNFINISHED	\$ [0.47]	\$ 0.59
BASEMENT FINISHED - BWO	\$ [0.15]	
CABANA (seasonal plumbing, no heat, bar sink only)	\$ [0.22]	\$ 0.28
CARPORT	\$ [0.22]	\$ 0.28
CELLAR ENTRANCE	\$ [0.22]	\$ 0.28
CONVERT TO LIVING SPACE	\$ [0.26]	\$ 0.45
DECK/PATIO/MASONRY TERRACE	\$ [0.15]	\$ 0.19

2024-25

DORMER	\$	[0.36]	\$	0.45
EGRESS WINDOW	\$	[0.22]	\$	0.28
NEW FINISHED BASEMENT	\$	[0.50]	\$	0.63
FENCE OVER 6' Ht.- \$1/FT OVER 100 Linear Ft	\$	[50.00]	\$	62.50
FIRE DAMAGE	\$	[0.15]	\$	0.19
GARAGE - ATTACHED	\$	[0.36]	\$	0.45
GARAGE - DETACHED	\$	[0.22]	\$	0.28
GAZEBO/PAVILION/ROOFED OVER PATIO	\$	[0.22]	\$	0.28
INTERIOR ALTERATIONS	\$	[0.22]	\$	0.28
LIVING SPC SFD- 1ST FLR	\$	[0.71]	\$	0.89
LIVING SPC SFD - 2ND FLR	\$	[0.56]	\$	0.70
LIVING SPC MFD-1ST FLR	\$	[0.74]	\$	0.93
LIVING SPC MFD - 2ND FLR	\$	[0.60]	\$	0.75
LOFT/MEZZANINE	\$	[0.36]	\$	0.45
PORTICO/OPEN/SCRN PORCH/UNHEATED	\$	[0.22]	\$	0.28
PORCH - ENCLOSED UNHEATED (SUNROOM)	\$	[0.26]	\$	0.33
RESIDENTIAL ALTERATIONS	\$	[0.22]	\$	0.28
RETAINING WALL/FREE STANDING WALL; + \$1 PER LINEAR FT	\$	[100.00]	\$	125.00
SHED - OVER 240 SQ FT	\$	[0.22]	\$	0.28
STORAGE SPACE ATTACHED TO DWELLING	\$	[0.22]	\$	0.28

Building Department
COMMERCIAL FEE SCHEDULE

<u>ITEM</u>	[Current] [cents/sf]	Proposed cents/sf
BASEMENT		\$ 0.45
BUILDING-1 STORY	[0.74]	\$ 0.93
BUILDING - ADDED STORY	[0.60]	\$ 0.75
CELLAR ENTRANCE/Egress Window/Skylight	[0.31]	\$ 0.39
CLUBHOUSE/COMMUNITY BLDG	[0.74]	\$ 0.93
DECK/BALCONY/PATIO/Entry Ramp	[0.15]	\$ 0.19
DEMOLITION (over 1000 SF)		\$ 0.20
EMERGENCY REPAIR/FIRE DAMAGE	[0.71]	\$ 0.19
EXTERIOR ALTERATIONS	[0.31]	\$ 0.39
GARAGE	[0.36]	\$ 0.45
HOTEL (LESS THAN 15 ROOMS)	[0.74]	\$ 0.93
HOTEL (OVER 16 ROOMS)	[0.84]	\$ 1.05
INTERIOR ALTERATIONS	[0.31]	\$ 0.39

C:\Users\psearing\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\NRA9PCZO\2024-25 BLDG DEPT FEES RESO Enactment.docx

MEZZANINE/LOFT	[0.22]	\$ 0.28
PORCH/ROOFED OVER	[0.22]	\$ 0.28
STORAGE BLDG ADDED STORY	[0.31]	\$ 0.39
STORAGE BLDG UNHEATED	[0.47]	\$ 0.59

E. Fixed fees. The following fees are not subject to the minimum fee or based upon the size of the project.

(1) Residential uses:

(a) Two hundred fifty (\$250) dollars for:

[1] Gunite or concrete in-ground swimming pool.

(b) [Two hundred (\$200)] Two hundred fifty (\$250) dollars for:

[1] Vinyl or fiberglass in-ground swimming pool.
[Amended 8-11-2004 by L.L. No. 23-2004]

(c) One hundred fifty (\$150) dollars for:

[1] Shed – [one hundred one (101)]one hundred forty-four (144) to two hundred (200) square feet.

(d) [One hundred (\$100) dollars] One hundred twenty-five (\$125) dollars for:

* * *

(e) [Fifty (\$50) dollars] Sixty-two and 50/100 dollars (\$62.50) for:

(2) Nonresidential uses:

(a) [Five hundred (\$500) dollars] Seven hundred fifty (\$750) dollars for:

* * *

(b) [Two hundred (\$200) dollars] Two hundred fifty (\$250) dollars for:

[1] Accessory antenna installation; Distributed Antenna System (DAS) installations shall be charged per location or pole.
[Amended 12-10-2013 by L.L. No. 32-2013]

[2] Awning, plus [one hundred (\$100)] one hundred twenty-five (\$125) dollars for each additional awning.

[3] Elevator, plus [one hundred (\$100)] one hundred twenty-five (\$125) dollars for each additional elevator.

[4] Hood and duct system, plus [one hundred (\$100)] one hundred twenty-five (\$125) dollars for each additional system.

* * *

(3) General applications:

(a) [Two hundred (\$200)] Two hundred fifty (\$250) dollars for:

* * *

(b) [One hundred (\$100)] One hundred twenty-five (\$125) dollars for:

* * *

(c) [Fifty dollars (\$50)] Sixty-two and 50/00 (\$62.50) dollars for:
[Amended 10-6-2015 by L.L. No. 41-2015]

* * *

(d) [Thirty dollars (\$30)] Forty (\$40) dollars for:
[Added 10-6-2015 by L.L. No. 41-2015^[4]]

* * *

(e) [Five (\$5) dollars] Seven (\$7.00) dollars for:

* * *

Section 2. Severability.

If any clause, sentence, paragraph, subdivision, section, or other part of this local law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalidated, such judgment shall not affect, impair or invalidate the remainder of this local law, and it shall be construed to have been the legislative intent to enact this local law without such unconstitutional or invalid parts therein.

Section 3. Effective Date.

This local law shall take effect immediately upon filing in the Office of the Secretary of State of the State of New York.

ADDITIONS ARE INDICATED BY UNDERLINE

*** INDICATES NO CHANGE TO PRESENT TEXT

DELETIONS ARE INDICATED BY [BRACKETS]

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Edmund J. Smyth	AYE
Councilman Dr. Dave Bennardo	AYE
Councilman Salvatore Ferro	AYE
Councilwoman Brooke A. Lupinacci	AYE
Councilwoman Theresa Mari	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.