

LOCAL LAW 3 – 2024

A Local Law regarding the fees and escrows required for building permits and land use approvals to raise a dwelling to satisfy Village Code § 186-5.

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF MAMARONECK AS FOLLOWS:

Section 1.

The definition of “Land Use Application,” as set forth in § 23-3 of the Code of the Village of Mamaroneck is amended as follows:

Any application by an applicant for subdivision approval, site plan approval, a special permit, including a special permit for a wireless telecommunication facility, an amendment to Chapter 342 of this Code, an amendment to the comprehensive plan, an amendment to the zoning map, a wetland permit, a variance, a perimeter permit, construction permit, reconstruction permit or consistency determination under Chapter 240 of this Code or an appeal to the Zoning Board of Appeals from a determination of the Building Inspector, except an application for a building permit authorizing the modification of an existing dwelling located in an area of special flood hazard as defined in § 186-2(B) of this Code to raise the dwelling so that it satisfies the requirements of § 186-5 of this Code.

Section 2.

Section A347-1 (Fee schedule) of the Code of the Village of Mamaroneck is amended as follows:

The following schedule of fees is hereby established with respect to licenses, permits and activities required or regulated under the provisions of various chapters of the Code of the Village of Mamaroneck, except that no fees are required in connection with the modification of an existing dwelling located in an area of special flood hazard as defined in § 186-2(B) of this Code to raise the dwelling so that it satisfies the requirements of § 186-5 of this Code. The Board of Trustees, by resolution, may increase or decrease any of the applicable fees. This schedule will be reviewed at least annually and approved by resolution of the Village Board of Trustees. Applications for and the issuance of such licenses and permits shall be subject to the provisions of the specific chapter of the Code which is indicated for each type of license or permit. The business, activity or operation for which the license or permit is required shall be subject to all regulations set forth in the chapter to which reference is made.

Section 3.

Section 350-4(L) of the Code of the Village of Mamaroneck is amended as follows:

- L. Fee. The fee specified in or determined in accordance with the provisions set forth in § 350-18 of this chapter and Appendix A347 (Fees) of this Code must be paid as required by those sections, except that no fee is required for an application for a building permit authorizing the modification of an existing dwelling located in an area of special flood hazard as defined in § 186-2(B) of this Code to raise the dwelling so that it satisfies the requirements of § 186-5 of this Code. If work for which a building permit is required has been commenced prior to obtaining a building permit, the building permit fee will be twice the amount determined in accordance with Appendix A347 (Fees) of this Code.

Section 4.

Section 350-2 of the Code of the Village of Mamaroneck is amended to add the following definition:

RAISE A DWELLING

Separating the building from its foundation, temporarily raising the building and its structural elements, and replacing it on an elevated new or modified foundation to protect the home from flooding.

Section 5.

This law is adopted pursuant to the authority granted by Municipal Home Rule Law §10(1)(e)(3).

Section 6.

If any section, subsection, clause, phrase or other portion of this local law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, the portion of the law declared to be invalid will be deemed a separate, distinct and independent portion and the declaration will not affect the validity of the remaining portions hereof, which will continue in full force and effect.

Section 7.

This local law will take effect immediately upon its approval by referendum by the electors of the Village of Mamaroneck and its filing in the office of the Secretary of State in accordance with Municipal Home Rule Law § 27.