

**(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.

**Village of Amityville**

**Local Law No. 2 of the year 2023**

**A local law** to establish setbacks for generators and HVAC equipment in residential zones.

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

Section 1. The Board of Trustees finds that it is necessary to establish minimum setbacks for generators, heating, ventilating and central air conditioning equipment in residential districts to protect the quality of life and the health, safety and welfare of village residents.

Section 2. Article XV of Chapter 183 of the Code of the Village of Amityville is hereby amended to add a new section § 183-148.1 as follows:

“§ 183-148.1 Setbacks for Generators and HVAC Equipment in Residential Zones

No generator, heating, ventilating or air conditioning equipment shall be placed outside of a building in a residential zoning district with a setback of less than five (5') feet from side and rear yard property lines, and no such items shall be located in the front yard of any such property. The Zoning Board of Appeals shall have the authority to modify these provisions by special exception provided that adequate sound proofing and visual screening is included. These provisions shall not apply to generators and HVAC equipment in service on the date of adoption of this section.”

Section 3. This local law shall be effective immediately