

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NO. 3-2024 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 111 (FIRE PREVENTION)

Resolution for Town Board Meeting dated: March 12, 2024

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

and seconded by: **SUPERVISOR SMYTH**

WHEREAS, Construction Permit Fees and Operational Permit Fees for projects reviewed by the Office of the Fire Marshal have not been updated during the past ten (10) years, and Fire Safety and Property Maintenance Inspection Fees have not been updated during the past seven (7) years; and

WHEREAS, a review of Fire Safety Permit and Inspection fees in other Long Island municipalities finds that the Town of Huntington fees are lower across the board; and

WHEREAS, the fees need to be raised to cover the cost of plan reviews, inspections, testing, reports, and permit issuances; and

WHEREAS, adjusting Fire Prevention 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 6th day of February, 2024 at 7:00 p.m. to consider adopting Local Law Introductory No. 3-2024 amending the Code of the Town of Huntington, Chapter 111 (Fire Prevention), Article III (Limited Licenses), Article IV (Permit Application Process), and Article V (Fees), and due deliberation having been had,

HEREBY ADOPTS Local Law Introductory No. 3-2024 amending the Code of the Town of Huntington, Chapter 111 (Fire Prevention), Article III (Limited Licenses), Article IV (Permit Application Process), and Article V (Fees) as follows:

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

LOCAL LAW NO. 16-2024
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 111 (FIRE PREVENTION)

Section 1. Amendment to the Code of the Town of Huntington, Chapter 111 (Fire Prevention), as follows:

CHAPTER 111 (FIRE PREVENTION)

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ARTICLE III (LIMITED LICENSES)

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§ 111-24 Term of limited license; Application Fees.

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B. Fees. The following fees are established for processing the application and issuance of a limited license to install, repair, or modify automatic fire extinguishing systems, automatic fire sprinkler systems and clean agent extinguishing systems.

- (1) Initial application fee. A non-refundable processing fee of [~~\$95.00~~] \$150.00 shall be remitted for each license type applied for prior to an applicant taking the respective examinations.
- (2) License fee. Upon successful completion of the requisite examination(s) the applicant shall remit a license fee of \$300.00 prior to the issuance of a Limited License.
- (3) Re-examination fee. If an applicant fails the written examination twice a non-refundable \$50.00 re-examination fee shall be payable before the test may be taken for a third time.
- (4) Renewals. An individual who possesses a single or multiple limited license may renew the licenses(s) upon timely application for same and payment of a non-refundable renewal fee of [~~\$150.00~~] \$300.00 prior to the expiration of the license sought to be renewed. Within 90 days of the expiration of the current license, renewals may be permitted upon payment of the license renewal fee and an additional penalty of \$75.00 without written reexamination. Applicants who fail to renew their licenses within such 90 day period shall be required to apply for new license with the Plumbing

Licensing Board. Such applicants are required to pay all requisite fees and pass a written examination.

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ARTICLE IV (PERMIT APPLICATION PROCESS)

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§ 111-27. Permit application

Application for a permit required by this chapter shall be made to the Bureau of Fire Prevention Chief Fire Marshal with the non-refundable application fee of \$50.00 and shall be accompanied by plans and specifications where required by the Chief Fire Marshal.

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ARTICLE V (FEES)

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§ 111-39. Construction permit fees

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(D) Expedited Plan Review, Permit Issuance and Off-Hours Inspection and Acceptance Test. Upon the availability of applicable personnel, and upon the approval of the Chief Fire Marshal (CFM) or the CFM’s designee, applicants shall pay the following additional fees for expedited plan review, permit issuance and Off Hours Inspection and Acceptance Test.

- (1) Plan review. \$400 – up to two hours of plan review
- (2) Off-Hours Inspection and Acceptance Test. \$600 – up to four hours of Inspection

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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 invalid, 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 the State of New York.

ADDITIONS ARE INDICATED BY UNDERLINE
*** INDICATES NO CHANGE TO PRESENT TEXT
DELETIONS ARE INDICATED BY [BRACKETS]

VOTE: AYES: 4 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.