New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001
www.dos.ny.gov

Local Law Filing

(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.

☐ **County** ☐ **City** ☐ **Town** ☒ **Village**
(Select one:)

of HUNTINGTON BAY

Local Law No. 5 **of the year 20**19

A local law A LOCAL LAW ADOPTING CHAPTER 63 OF THE VILLAGE CODE CONCERNING
(Insert Title)
RESIDENTIAL PROPERTIES.

Be it enacted by the BOARD OF TRUSTEES **of the**
(Name of Legislative Body)

☐ **County** ☐ **City** ☐ **Town** ☒ **Village**
(Select one:)

of HUNTINGTON BAY **as follows:**

PLEASE SEE ATTACHED

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. **(Final adoption by local legislative body only.)**
I hereby certify that the local law annexed hereto, designated as local law No. 5 of 2019 of the ~~(County)(City)(Town)~~(Village) of HUNTINGTON BAY was duly passed by the BOARD OF TRUSTEES on JANUARY 14 2019, in accordance with the applicable
(Name of Legislative Body)
provisions of law.

2. **(Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)**
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)
(Name of Legislative Body)
(repassed after disapproval) by the _____ and was deemed duly adopted
(Elective Chief Executive Officer)*
on _____ 20[ ][ ], in accordance w ith the applicable provisions of law.

3. **(Final adoption by referendum.)**
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)
(Name of Legislative Body)
(repassed after disapproval) by the _____ on _____ 20____.
(Elective Chief Executive Officer)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. **(Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)
(Name of Legislative Body)
(repassed after disapproval) by the _____ on _____ 20____. Such local
(Elective Chief Executive Officer)*
law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)
I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 1/28/2019

(Seal)

VHB Bill No. 19-5

INCORPORATED VILLAGE OF HUNTINGTON BAY
BOARD OF TRUSTEES

A LOCAL LAW ADOPTING CHAPTER 63 OF THE VILLAGE CODE CONCERNING RENTAL OF RESIDENTIAL PROPERTIES

BE IT HEREBY ENACTED, by the Board of Trustees of the Village of Huntington Bay, as follows:

Section 1. Amendments.

Chapter 63 of the Village Code of the Village of Huntington Bay, entitled "Rental Registry", is hereby enacted to read as follows:

§ 63-1 Findings and Purpose.

The Board of Trustees finds that where rental properties exist, there is an attendant risk of absentee landlordism and the potential for the proliferation of housing, property maintenance and code violations. These conditions can result in health and safety risks for renters and, more broadly, can negatively impact community character, aesthetics and result in the overall depreciation of housing stock in the Village. Therefore, the Board of Trustees finds that the new code provisions set forth herein will aid the Village in monitoring such issues and shall protect and encourage the public health, safety, welfare, and good order of the Village.

§ 63-2 Rental Property Defined.

For purposes of this chapter, Rental Property shall mean a single-family dwelling, a room or rooms therein or portion thereof, that is leased, rented or otherwise occupied, pursuant to an agreement for habitation, for a period of one hundred eighty-one (181) days or longer in exchange for compensation paid, directly or indirectly, to the owner, property manager, or any other person or entity having charge or control of the dwelling. "Transient Rental Properties", as defined in Chapter 91 of this Code, do not qualify as Rental Properties within the meaning of this Chapter.

§ 63-3 Rental Registry Established.

There is hereby established in the Village a rental registry, which shall be maintained by the Village Clerk. The registry shall contain at least the following documents and information for every Rental Property in the Village:

i. The address of the Rental Property;

ii. The legal name(s) of the owner(s);

iii. The legal name(s) of the property manager, if other than the owner;

iv. Current addresses and phone numbers for the owner(s) and property manager(s);

v. The period of the current lease or rental arrangement;

vi. An affidavit from each owner of the subject property attesting that, to the best of his, her or their knowledge, the premises are suitable for habitation and in compliance with all applicable health and safety laws, rules and regulations, including, but not limited to, the NYS Uniform Fire Prevention and Building Code; and

vii. Such other information as the Village Clerk and Chief of Police shall require in the interest of public safety and convenience.

The obligation to register a Rental Property with the Village shall be ongoing in nature, such that the owner, property manager, or other person or entity having charge of such a property shall also have an obligation to keep the documents and information on file with the Village current and shall renew the registration for their Rental Property on at least an annual basis.

§ 63-4 Failure to Register; Penalties.

Every Rental Property in the Village shall be registered in accordance with this chapter. Any owner, property manager, or other person or entity having charge of a Rental Property that fails to comply with this chapter shall be guilty of a violation. A violation of this chapter shall be punishable by a fine of not less than Five Hundred ($500) Dollars and not more than One Thousand ($1,000) Dollars upon conviction.

Section 2. Severability.

If any clause, sentence, paragraph, section, or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder hereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part hereof declared by said court to be invalid.

Section 3. Effective Date.

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

INCORPORATED VILLAGE OF HUNTINGTON BAY
BOARD OF TRUSTEES

NOTICE OF DETERMINATION OF NON-SIGNIFICANCE PURSUANT TO STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)

This Notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law of New York.

The Board of Trustees of the Incorporated Village of Huntington Bay, as lead agency, has considered the proposed local law, has reviewed the EAF and the criteria contained in 6 NYCRR 617.7 (c), and has determined that the proposed action described below, will not have a significant effect on the environment and neither a draft environmental impact statement nor a final environmental impact statement will be prepared.

Name of Action: Adoption of VHB Bill No. 19-5

Description Of Action: Adoption Of Proposed Bill No. 19-5 adopting Chapter 63 of the Village Code Concerning Rental of Residential Properties.

Reasons Supporting this Determination:

This Board has determined that the proposed action is an unlisted action as that term is defined in SEQRA. After careful consideration, the Board has concluded that the proposed action will not have a significant effect on the environment for the following reasons:

1. The proposed action is not such as would result in any change in existing air quality, ground or surface water quality or quantity, traffic or noise level, nor would it affect solid waste production, or have any effect upon erosion, flooding, leaching or drainage problems.

2. The proposed action will not result in the removal or destruction of any quantities of vegetation or fauna nor interfere with the movement of any resident or migratory fish or wildlife species, nor impact on a significant habitat area, nor result in any other significant adverse effect to natural resources.

3. The proposed action will not affect any Critical Environmental Area.

4. The proposed action is consistent with the community's current plans and goals for maintaining the appearance and character of its neighborhoods. The proposed action will not impair the character or quality of any historical, archeological, architectural or aesthetic resources of the Village.

5. The proposed action will not bring about any change in either the quantity or type of energy used.

6. The proposed action will not create a hazard to human health.

7. The proposed action will not produce a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses.

8. The proposed action will not encourage or attract a large number of people.

9. The proposed action will not create any demand for other actions that would result in any of the above consequences.

10. The proposed action will not change two or more elements in the environment, which when considered together could result in a substantial adverse impact on the environment.

11. When considered cumulatively with other actions, the proposed action will not have a significant adverse impact on the environment or meet one of the above criteria.

NOW, THEREFORE, be it resolved, that the Board determines that the proposed action will not have any significant adverse impact on the environment.

On motion by Jay Meyer, seconded by Dominic Spada, the foregoing resolution was adopted by vote as follows:

Herbert F. Morrow, Mayor	- Aye
Dominic Spada, Deputy Mayor	- Aye
Jay Meyer, Trustee	- Aye
Donald T. Rave, Jr., Trustee	- Aye
Mark L. Dara, Trustee	- Aye

Dated: Huntington Bay, New York
~~December __, 2018~~ January 14, 2019

Filed: Huntington Bay, New York
~~December __, 2018~~ January 28, 2019

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are ub ect t public review, and may be subject to further verification. Complete Part I based on information currently available. If additiona research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information

Name of Action or Project:
PROPOSED VHB Bill No 19-5

Project Location (describe, and attach a location map):
VILLAGE OF HUNTINGTON BAY

Brief Description of Proposed Action:
A PROPOSED LOCAL LAW ADOPTING CHAPTER 63 OF THE VILLAGE CODE CONCERNING RENTALS OF RESIDENTIAL PROPERTIES

Name of Applicant or Sponsor:	Telephone: 631-427-2843
Inc Village of Huntington Bay	E-Mail: gdevol@huntingtonbay org

Address:
244 Vineyard Road

City/PO:	State:	Zip Code:
Huntington Bay	New York	11743

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	☐	☑
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: N/A	☑	☐

3.a. Total acreage of the site of the proposed action? N/A acres
b. Total acreage to be physically disturbed? N/A acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? N/A acres

4. Check all land uses that occur on, adjoining and near the proposed action.
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): N/A
☐ Parkland

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	☐	☐	☑
b. Consistent with the adopted comprehensive plan?	☐	☐	☑

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape? N/A	☐	☐
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: N/A N/A	☐	☐
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☐	☐
b. Are public transportation service(s) available at or near the site of the proposed action? N/A	☐	☐
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☐	☐
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: N/A	☐	☐
10. Will the proposed action connect to an existing public/private water supply?	☐	☐
If No, describe method for providing potable water: N/A N/A		
11. Will the proposed action connect to existing wastewater utilities?	☐	☐
If No, describe method for providing wastewater treatment: N/A		
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	☐	☐
b. Is the proposed action located in an archeological sensitive area? N/A	☐	☐
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	☐	☐
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: N/A	☐	☐

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:
☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional
☐ Wetland ☐ Urban ☐ Suburban N/A

	NO	YES
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? N/A	☐	☐
16. Is the project site located in the 100 year flood plain?	☐	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ☐ NO ☐ YES	☐	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐ NO ☐ YES N/A		

	NO	YES
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: N/A	☐	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: N/A	☐	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: N/A	☐	☐

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: Inc. Village of Huntington Bay Date: _____

Signature: _____

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☑	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☑	☐
3. Will the proposed action impair the character or quality of the existing community?	☑	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☑	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☑	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☑	☐
7. Will the proposed action impact existing: a. public / private water supplies?	☑	☐
b. public / private wastewater treatment utilities?	☑	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☑	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☑	☐

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☑	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☑	☐

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☑ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Board of Trustees
Name of Lead Agency

1/28/2019
Date

Herbert F. Morrow
Print or Type Name of Responsible Officer in Lead Agency

Mayor
Title of Responsible Officer

Herbert F. Morrow
Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

PRINT