

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 of SOUTHOLD
- Village

Local Law No. 4 of the year 2024.

A Local Law entitled, A Local Law in relation to Amendments to Chapter 240 Subdivision of Land

Be it enacted the Town Board of the:

- County
- City
- Town of SOUTHOLD
- Village

I. Purpose - The purpose of this local law is to allow fees to be determined by Town Board resolution

II. Chapter 240 of the Code of the Town of Southold is hereby amended to include the underlined words and remove the struck through words as follows:

§ 240-8 Fees.

B. Fee schedule; applications. All fees as determined from time to time by resolution of the Town Board.

Subdivision Classification	Application Fee	Fee Per Buildable Lot
Standard subdivision		
Sketch plat		
Preliminary plat		
Final plat		
Conservation subdivision		
Sketch and final plat		
Sketch and open development map		
Creation of lot within ODA map		
Lot line application		

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

§ 240-37 Administration fee.

- B. This fee shall be equal to ~~6%~~ an amount or percentage as determined by resolution of the Town Board of the adopted final total cost of capital improvements (performance bond estimate), including but not limited to roads, clearing and drainage.
- C. When new road construction is not part of the subdivision (subdivision on an improved road), the applicant shall pay a review fee equivalent to an amount as determined by resolution of the Town Board per lot or a percentage, as determined by resolution of the Town Board, of the bond estimate, whichever is greater.

§ 240-49 Clearing.

I. Landscaping and ground cover.

(4) Tree fee.

- (a) Upon the request of an applicant, if the Planning Board makes a finding pursuant to this chapter that the proposed subdivision presents a proper case for requiring trees to be planted for screening or landscaping purposes, but that a suitable location for said plantings does not exist, or it is otherwise impracticable, the Planning Board may permit the applicant to pay a sum of money in lieu thereof. The fee shall be as follows:

- [1] Not less than an amount as determined by resolution of the Town Board, nor more than an amount as determined by resolution of the Town Board, per tree, based on caliper, that would have been required for screening or landscaping purposes.

§ 240-53 Reservation of parkland on subdivision plats containing residential units.

G. Park and recreation fee.

- (1) If the Planning Board makes a finding pursuant to this chapter that the proposed subdivision plat presents a proper case for requiring a park or parks suitably located for playgrounds or other recreational purposes, but that a suitable park or parks cannot be properly located on such subdivision plat, the Planning Board may require a sum of money in lieu thereof. The fees shall be as follows:

- (a) Standard subdivision An amount as determined by resolution of the Town Board per lot.
- (b) Conservation subdivision An amount as determined by resolution of the Town Board per lot.
- (c) Affordable housing district: none.

III. 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, the judgment shall not affect the validity of this law as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

IV. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State as provided by law.

(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. 4 of 20 24 of the ~~(County)(City)(Town)(Village)~~ of SOUTHOLD was duly passed by the TOWN BOARD on January 16, 20 24, in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or re-passage 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)(re-passed after disapproval) by the _____ and was deemed duly adopted on _____ 20____, in accordance with 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)(repassed after disapproval) by the _____ on _____ 20____. 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) (repassed after disapproval) by the _____ on _____ 20____. Such local 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 there from and of the whole of such original local law , and was finally adopted in the manner indicated in paragraph 1 , above.

(Seal)

Clerk of the County legislative body, City, Town or
Village Clerk or officer designated by local legislative body
Denis Noncarrow, Town Clerk
Date: February 2, 2024