

A local law to amend the Code of the Village of Rockville Centre, in relation to central air conditioning equipment

Section one. The Code of the Village of Rockville Centre is hereby amended, by adding thereto a new section, to be section 340-121.1, to read as follows:

"§340-121.1 Central air conditioning equipment at one and two family dwellings

A. Purpose and Intent. The Board of Trustees of the Village of Rockville Centre finds that it is necessary to regulate the installation and location of central air conditioning equipment at one and two family dwellings to protect and preserve property within the Village as described in this section.

B. Central air-conditioning and other related mechanical equipment or systems at one or two family dwellings shall be installed, located and maintained, or replaced, so that under normal conditions of use such equipment and systems will not be a danger to health or welfare and will not create excessive noise or otherwise become a nuisance. Related equipment or systems include, but are not limited to, apparatus, devices, fixtures, piping, pipe hangers, pipe covering, wiring, fittings and materials used as part of or in connection with central air conditioning installations.

C. Moving parts of central air conditioning equipment which may be a potential hazard shall be guarded to protect against accidental contact.

D. Location. All outdoor compressors used in connection with central air conditioning systems shall be set back a minimum of 20 feet from the front property line, and a minimum of 10 feet from the side property lines.

E. In addition to any other requirement for a building permit, no person shall install or replace central air conditioning equipment at a one or two family dwelling without first obtaining a permit as provided by this section.

F. Central air conditioning permits shall be issued by the Superintendent of Buildings upon written application, which shall include, at a minimum:

1. a completed building application form, including a completed one-family affidavit and no plumbing affidavit, if applicable;

2. proof that the contractor is duly licensed to perform the proposed installation, and documentation of the contractor's Worker's compensation policy, and Liability insurance policy;

3. two copies of an accurate and legible survey prepared by a duly authorized person indicating with sufficient clarity and detail the location of the air conditioning equipment;

4. an Electrical Underwriter's application, including current copy of the electrician's worker's compensation policy and liability insurance policy;

5. such other information as the Superintendent of Buildings shall require as reasonably necessary to the determination whether a permit should issue hereunder; and

6. Payment of any required permit fee.

.G. In granting a permit pursuant to this section, the Superintendent of Buildings may impose reasonable requirements for the remediation of sound when such remediation is necessary in the opinion of the Superintendent of Buildings to protect occupants of adjoining properties. Such requirements may include, but are not limited to, the integration of sound deadening materials or sound absorbing materials, or the addition of landscaping or other buffering.

H. In granting any permit pursuant to this section for replacement of an existing central air conditioning system, the Superintendent of Buildings may waive or vary the setback requirements otherwise required by this section, upon satisfactory demonstration that the existing central air conditioning unit

1. is being replaced in kind, and

2. was lawfully installed .

I. Upon completion of the installation authorized by a permit described in this section, submission of a completed underwriter's certificate, and payment of any applicable fee, the Superintendent of Buildings shall issue a Notice of Completion."

Section two. If any clause, sentence, paragraph, or section of this local law shall be held invalid by any court of competent jurisdiction, or the application of this local law to any person or set of circumstances shall be held invalid, such invalidity or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or operation of this local law directly involved in the controversy in which the judgment shall have been rendered. To further this end, the provisions of this local law are hereby declared to be severable.

Section three. This local law shall take effect immediately upon adoption and filing pursuant to the Municipal Home Rule Law.