

(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

of Rockville Centre

Town

Village

Local Law No. 11 of the year 2008

A local law to amend the Code of the Village of Rockville Centre, with respect to fees and costs

(Insert Title)

for certain applications to the Board of Appeals and/or Planning Board.

Be it enacted by the Board of Trustees of the

(Name of Legislative Body)

County

City

of Rockville Centre **as follows:**

Town

Village

Section one. Section 330-14 of the Code of the Village of Rockville Centre is hereby amended, to read as follows:

"330-14. Fees for site plan review; payment or reimbursement of certain costs.

A. The fee for site plan applications to the Planning Board shall include payment or reimbursement of reasonable costs incurred by the Planning Board for private engineering, environmental, planning and/or architectural consultants, or other private consulting services reasonably deemed necessary by the Planning Board, and other extraordinary expenses, in connection with the review of a proposed site plan. Such reimbursable costs shall be in addition to any other fees required. The applicant shall be required to provide an escrow deposit account at any time on or after the receipt of the

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

application, in an amount sufficient to cover the anticipated costs for such consultant review and other expenses.

B. The fees to be paid by the applicant shall also include payment or reimbursement of the following costs:

(1) publication of legal notices for public hearings, or other required legal notices;

(2) stenographic minutes and transcription of meetings and hearings;

(3) any fees or costs for environmental review conducted pursuant to the State Environmental Quality Review Act or the regulations adopted pursuant thereto.

C. Inspection of improvements. The Superintendent of Buildings shall be responsible for the overall inspection of site improvements, including coordination with the Village Engineer and other local officials and agencies as may be appropriate. Reasonable expenses incurred by the Village for inspections by the designated Village Engineer or other appropriate professionals shall, in addition to fees and costs associated with site plan review, be reimbursed to the Village by the applicant in accordance with the fee schedule established by the Board of Trustees."

Section two. Section 330-28 of the Code of the Village of Rockville Centre is hereby amended, to read as follows:

"330-28. Fees for subdivision review; payment or reimbursement of certain costs.

A. The fee for any subdivision application to the Planning Board pursuant to the provisions of this chapter shall be at the level fixed from time to time by resolution of the Board of Trustees of the Village of Rockville Centre.

B. In addition to any fees established pursuant to paragraph A hereof, the fee for subdivision applications to the Planning Board also shall include payment or reimbursement of reasonable costs incurred by the Planning Board for private engineering, environmental, planning and/or architectural consultants, or other private consulting services reasonably deemed necessary by the Planning Board, and other extraordinary expenses, in connection with the review of a proposed subdivision. Such reimbursable costs shall be in addition to any other fees required. The applicant shall be required to provide an escrow deposit account at any time on or after the receipt of the application, in an amount sufficient to cover the anticipated costs for such consultant review and other expenses.

C. The fees to be paid by the applicant shall also include payment or reimbursement of the following costs:

(1) publication of legal notices for public hearings, or other required legal notices;

(2) stenographic minutes and transcription of meetings and hearings;

(3) any fees or costs for environmental review conducted pursuant to the State Environmental Quality Review Act or the regulations adopted pursuant thereto.

D. Inspection of improvements. The Superintendent of Buildings shall be responsible for the overall inspection of site improvements, including coordination with the Village Engineer and other local officials and agencies as may be appropriate. Reasonable expenses incurred by the Village for inspections by the designated Village Engineer or other appropriate professionals shall, in addition to fees and costs associated with subdivision review, be reimbursed to the Village by the applicant in accordance with the fee schedule established by the Board of Trustees."

Section three. Section 340-143 of the Code of the Village of Rockville Centre is hereby amended, to read as follows:

"340-143. Fees, including payment or reimbursement of costs.

A. The fee for any application to the Board of Appeals pursuant to the provisions of this chapter shall be at the level fixed from time to time by resolution of the Board of Trustees of the Village of Rockville Centre.

B. In addition to any fees established pursuant to paragraph A hereof, the fee for applications to the Board of Appeals shall include payment or reimbursement of reasonable costs incurred by the Board for private engineering, environmental, planning and/or architectural consultants, or other private consulting services reasonably deemed necessary by the Board, and other extraordinary expenses, in connection with the review of a proposed subdivision. Such reimbursable costs shall be in addition to any other fees required. The applicant shall be required to provide an escrow deposit account at any time on or after the receipt of the application, in an amount sufficient to cover the anticipated costs for such consultant review and other expenses.

C. The fees to be paid by the applicant shall also include payment or reimbursement of the following costs:

(1) publication of legal notices for public hearings, or other required legal notices;

(2) stenographic minutes and transcription of meetings and hearings;

(3) any fees or costs for environmental review conducted pursuant to the State Environmental Quality Review Act or the regulations adopted pursuant thereto."

Section four. 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 five. This local law shall take effect immediately upon adoption and filing pursuant to the Municipal Home Rule 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.)

Name of Legislative Body
I hereby certify that the local law annexed hereto, designated as local law No. 11 of 2008 of the ~~(County)~~(City)(Town)(Village) of Rockville Centre was duly passed by the Board of Trustees on October 27, 2008, in accordance with the applicable 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 200__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 200_, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 19_, 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 200__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 200_, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 200_. 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 _____ 200_, 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 200__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 200_, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 200_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 200_, in accordance with the applicable provisions of law.

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 200__ of the City of _____ having been submitted to referendum pursuant to the _____

***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.**

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 _____200_, 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 200__ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 19_, 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 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: October 27, 2008

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF NASSAU

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature

Village Attorney
Title

~~County~~

~~City~~

of Rockville Centre

~~Town~~

~~Village~~

Date: October 27, 2008