

**(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. 1 of the year 2012**

**A local law to amend the Code of the Village of Rockville Centre in relation**

*(Insert Title)*

**to air conditioning equipment at one- and two-family dwellings.**

**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 340-121.1(D) of the Village Code is hereby amended, to read as follows:

**D.** Location. All outdoor compressors used in connection with central air-conditioning systems shall be installed at grade and shall be set back a minimum of 20 feet from the front property line and a minimum of 15 feet from the rear property line. No outdoor compressor may be located in a side yard unless it is located not more than six (6) feet from the dwelling and at least three (3) feet from the nearest property line, except that in the case of a corner lot an outdoor compressor may be located in a side yard which

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

abuts two streets, provided that it is located not more than six (6) feet from the dwelling and at least ten (10) feet from the nearest property line.”

Section two. Section 340-121.(F)(5) of the Village Code is hereby amended, to read as follows:

“(5) Such other information as the Superintendent of Buildings shall require as reasonably necessary to the determination whether a permit should issue hereunder, including documentation demonstrating that the levels of sound emitted by the proposed unit(s) complies with the requirements of this Code; and”

Section three. Chapter 232 of the Code of the Village of Rockville Centre is hereby amended, by adding thereto a new section, to be section 232-8, to read as follows:

“§232-8. Air conditioning or similar units. No person shall operate or maintain, or cause to be operated or maintained, any air conditioning compressor unit or similar unit which emits sound which is audible at the nearest property line at a sound measurement level in excess of 60 dBA.”

Section four. Any local law, ordinance, or resolution of the Village in conflict with this local law is hereby repealed to the extent of such conflict, except that such repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of such local law, ordinance or resolution prior to the effective date of this local law.

Section five. 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 six. 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.)**

~~Thereby certify~~ <sup>Name of Legislative Body</sup> that the local law annexed hereto, designated as local law No. 1 of 2012 of the ~~(County)(City)(Town)(Village)~~ of Rockville Centre was duly passed by the Board of Trustees on April 3, 2012, 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 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 \_\_\_\_\_ 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.

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\***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 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.

(Seal)

Date: April 3, 2012

**(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: April 3, 2012