

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 Rockville Centre

Local Law No. 3 of the year 2013

A local law to amend the Code of the Village of Rockville Centre, to prohibit the establishment
(Insert Title)
of new boarding houses, rooming houses or lodging houses and to regulate
existing boarding houses, rooming houses or lodging houses.

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of Rockville Centre as follows:

Section one. The definition of Multifamily Use as contained in section 340-2 of the Code of the Village of Rockville Centre is hereby amended by adding thereto the following definitions, to be placed in alphabetical sequence and to read as follows:

“MULTIFAMILY USE - Use of a building or structure for lawful residential occupancies containing sleeping units for more than two dwelling units where the occupants are permanent in nature, including apartment buildings. Notwithstanding the foregoing, the term “Multifamily use” shall not include a boarding house, rooming house or lodging house.”

“BOARDING HOUSE” - A dwelling, dwelling unit, facility, or part thereof, in which, for compensation, lodging and meals are provided, and personal, financial or other services may be offered. The term “boarding house” shall not include a hotel or motel, hospital, nursing home, skilled nursing facility, senior care housing facility or dormitory otherwise permitted pursuant to this chapter.”

“LODGING HOUSE” – A facility in which rental sleeping accommodations are provided and in which meals also may be supplied as part of the rent. See, “Boarding House”.

“ROOMING HOUSE” – See, “Boarding House”

Section two. Section 225-1 of the Code of the Village is hereby amended, to read as follows:

“§ 225-1. License required. No lodging house, rooming house or boarding house which furnishes lodging or rooming accommodations for hire within the same shall exist or be maintained within the Village without a license, which shall be issued by the Board of Trustees as hereinafter provided. Notwithstanding the foregoing, where a lodging house, rooming house or boarding house lawfully existed pursuant to a valid license issued by the Village of Rockville Centre prior to June 1, 2013, any such license may be renewed subject to the provisions of this chapter, provided that no such lodging house, rooming house or boarding house may be enlarged or expanded in any manner greater than it existed on June 1, 2013. It is the intention of this section that no new lodging house, rooming house or boarding house be established on or after June 1, 2013 but that those lodging houses, rooming houses and boarding houses lawfully existing and licensed on June 1, 2013 may be permitted to continue, as non-conforming licensed uses, so long as such uses continue to conform to Code requirements and maintain all required licenses.”

Section three. The title and first sentence of section 225-2 of the Code of the Village of Rockville Centre are hereby amended, to read as follows:

“§ 225-2. Requirements for maintenance and renewal of license.

No licenses shall be renewed hereunder, and any renewed licenses shall be subject to revocation, unless the applicant or holder of such license fully complies with the following requirements:”

Section four. Section 225-2(E) of the Code of the Village of Rockville Centre is hereby amended, to read as follows:

“E. Lodging houses, rooming houses and boarding houses legally operating and duly licensed prior to June 1, 2013 shall constitute nonconforming uses pursuant to the zoning regulations of the Village, and the owners thereof shall be entitled to renewal of lawfully existing licenses for the same pursuant to this chapter and upon compliance with all of the provisions of this chapter.”

Section four. Section 225-4 of the Code of the Village of Rockville Centre is hereby amended, to read as follows:

“§ 225-4. Penalties for offenses. Any person or persons convicted of violating any provisions of this chapter shall be guilty of a violation, and shall be subject to fine and/or imprisonment as may be provided by law for violations of the Village Code.”

Section five. Section 225-6 of the Code of the Village of Rockville Centre is hereby REPEALED .

Section six. Any local law or provision of the Code of the Village of Rockville Centre 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 seven. If any clause, sentence, paragraph, section, article, or part of this local law shall be adjudged to be invalid by any court of competent jurisdiction, such judgment shall not affect, impair or invalidate any other part of this local law, or the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

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

(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. 3 of 2013 of the ~~(County)(City)(Town)(Village)~~ of Rockville Centre was duly passed by the Board of Trustees on June 24 2013, 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 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) *(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~~

(Seal)

Date: June 24, 2013