

LOCAL LAWS OF 1999

INCORPORATED VILLAGE OF WEST HAMPTON DUNES

LOCAL LAW NO. 1 OF THE YEAR 1999

A LOCAL LAW AMENDING LOCAL LAW NO. 4 OF 1997 OF THE VILLAGE OF WEST HAMPTON DUNES, A LOCAL LAW ESTABLISHING A 30 PERCENT SIDE YARD AND OTHER SIDE YARD SET-BACK REQUIREMENTS FOR THE VILLAGE OF WEST HAMPTON DUNES.

BE IT ENACTED by the BOARD OF TRUSTEES of the INCORPORATED VILLAGE of WEST HAMPTON DUNES as follows:

Section 1. Enactment, Effective Date, Purpose, and Definitions.

1. (A) Enactment.
- (B) Effective Date.
- (C) Purpose of Local Law
- (D) Definitions Relevant to Local Law

Section 2. General regulations;

2. (A) General Provisions

Section 3. Violations; Penalties

Section 1. Enactment, Effective Date, Purpose, Definitions.

1. (A) Enactment

Pursuant to Section 10 of the Home Rule Law, and Article 7 of the Village Law, the Incorporated Village of West Hampton Dunes, County of Suffolk and State of New York, hereby enacts by this Local Law of 1999, this local law amending the zoning, building and construction laws of the Village of West Hampton Dunes, as adopted by resolution of the Board of Trustees on November 18, 1995, and as amended by Local Law No, 4, of 1997.

- (B) Effective Date.

This local law shall take effect on the filing of the approved Local Law with the Secretary of State of New York, which shall be within twenty (20) days after its approval by the Board of Trustees of the Incorporated Village of West Hampton Dunes.

- (C) Purpose and Intent of Local Law.

The purpose and intent of this Local Law is to promote and protect the Public safety and welfare of the residents of the Village of West Hampton Dunes and their guests, and the visitors to the Village and to preserve the value of property in the Village by the organized development of the Village, and to maintain proper and consistent regulations in the Village of West Hampton Dunes.

The intent of the regulations of this local law is to enhance and protect the physical appearance of the Village of West Hampton Dunes, to preserve its scenic and natural beauty and provide a more attractive economic and business climate and to provide a more attractive residential environment and to protect the environmental and other resources of the Village.

Section 2. General Provisions.

2. General Provisions.

(A) The building, construction and zoning regulations of the Village of West Hampton Dunes as adopted by resolution on November 18, 1995, and amended by Local Law No. 4 of 1997, as further stated in Section 330-115 of the Zoning Law of the Village of West Hampton Dunes, which is the Zoning Law of the Town of Southampton, as adopted, by the Village, is hereby amended to read as follows:

“330-115D(1)”

(A) The total dimensions of both side yards shall be computed on the basis of four tenths (.4) of the total lot width, with no individual side yard being less than four tenths of the total side yard dimension as computed herein, and in no event shall any individual side yard be less than eight feet (8’).

(B) The total dimensions of both side yards may be computed, at the option of the property owner on the basis of three tenths (.3) of the total lot width, provided that the property owner shall agree to center the main structure on the lot, and the total side yard dimension shall be divided equally between the two side yards, and in no event shall any individual side yard be less than eight feet (8’).

(C) In the event an individual side yard dimension is less than ten feet (10’) in width, the only encroachment by an improvement less than eight feet (8’) from the side property line shall be an uncovered three foot (3’) wide or less cantilevered catwalk, walkway, access walk, on one side of the property only and which shall be extended to no closer than five feet (5’) from the side property line, but only in the event that the other side yard of the premises is in compliance with the total side yard requirement, in no case less than eight feet (8’), and that there is no encroachment of a catwalk, walkway, access walk, or any portion of the improvements on the property on the other side yard of less than eight feet (8’), from the side property line.

(D) In the event that an uncovered cantilevered catwalk or walkway should extend closer than eight feet (8’) from the side property line, the Building Inspector at his discretion may have the authority to require fire resistant materials to be applied to the structure or improvements with ratings and regulations that he may prescribe.

Dated: West Hampton Dunes
Suffolk County, New York

INCORPORATED VILLAGE OF WEST HAMPTON DUNES

LOCAL LAW NO. 2 OF THE YEAR 1999

A LOCAL LAW ESTABLISHING REGULATIONS OF SIGNS AND SIGNAGE FOR THE VILLAGE OF WEST HAMPTON DUNES. BE IT ENACTED by the BOARD OF TRUSTEES of the INCORPORATED VILLAGE OF WEST HAMPTON DUNES as follows:

Section 1. Enactment, effective date, purpose, definitions.

- (A) Enactment
- (B) Effective Date
- (C) Purpose of Local Law
- (D) Definitions Relevant to Local Law

Section 2. General regulations; prohibitions, construction standards.

- (A) General Prohibitions
- (B) General construction standards
- (C) General design guidelines
- (D) Construction signs
- (E) Realty signs
- (F) Permitted signs
- (G) Prohibited signs
- (H) Noncommercial messages on signs

Section 3. Additional Provisions

Section 4. Violations; Penalties

Section 1. Purpose, definitions.

1. (A) **Enactment**
Pursuant to Section 10 of the Home Rule Law, the Incorporated Village of West Hampton Dunes, County of Suffolk and State of New York, hereby enacts by this Local Law of 1999, this local law establishing rules and regulations for signs and signage in the Village of West Hampton Dunes.
1. (B) **Effective Date**
This Local law shall take effect on the filing of the approved Local Law with the Secretary of State of New York, which shall be with in twenty (20) days after its approval by the Board of Trustees of the Incorporated Village of West Hampton Dunes.
1. (C) **Purpose of Local Law**

The purpose of this Local Law is to promote and protect the public safety and welfare of the residents of the Village of West Hampton Dunes and their guests, and the visitors to the Village and to preserve the value of property in the Village by regulating signs of all types in the Village of West Hampton Dunes.

The regulation of signs will enhance and protect the physical appearance of the Village of West Hampton Dunes, preserve its scenic and natural beauty and provide a more attractive economic and business climate and provide a more attractive residential environment and protect the environmental and other resources of the Village.

The regulation of signs will also promote public safety by reducing sign or advertising distractions and obstructions that may contribute to traffic accidents and interrupt the safe flow of traffic in the Village.

1. (D) **Definitions Relevant to Local Law.**

As used in this Local Law, the following terms shall have the indicated meanings:

EXEMPT SIGN; Any sign posted by the Village of West Hampton Dunes or other governmental agency that is with the approval or permission of the Village of West Hampton Dunes.

CONSTRUCTION SIGN; A temporary sign used to advertise the construction or alteration of a structure on the lot on which it is displayed, whether erected by an architect, contractor, subcontractor, supplier, owner or any other party.

FREE STANDING SIGN; Any sign not attached to or part of any building but separate and affixed by any means in or upon the ground.

IDENTIFICATION SIGN; A sign which directs attention to a profession conducted upon the property where the sign is located.

ILLUMINATED SIGN; A sign illuminated by electricity, gas or other artificial light either from the interior or exterior of the sign and which includes reflective and phosphorescent light.

NAME SIGN; a sign used solely for showing the name and address of the occupant of a residence on the property on which it is displayed.

OFF-PREMISES SIGN; a sign which describes any activity or identity which is not located on the premises on which the sign is locate.

PORTABLE SIGN; A sign, whether on its own trailer, wheels or otherwise, designed to be movable and not structurally attached to the ground, a building, structure or another sign.

REALTY SIGN; A sign advertising for sale or rent the property upon which the sign is place.

SIGN; Any material, structure or device or part thereof, composed of letter or pictorial matter which is located out-of-doors or on the exterior of any building or indoors as a window sign, displaying an advertisement,

announcement, notice or name, and shall also be deemed to include any declaration, demonstration, display, representation, illustration or insignia used to advertise or promote the interests of any person or business or cause when such is placed in view of the general public.

For purposes of this local law and its enforcement, a “sign” shall not be deemed to include the flag, pennant or insignia of any nation or group of nations or any governmental agency.

SIGN AREA; The entire area within a single, continuous perimeter enclosing all elements which form an integral part of the sign. The structure supporting a sign shall be excluded unless the structure is designed in a way to form an integral background for the display.

SIGN STRUCTURE; The supports, uprights, bracing and framework for the sign. In the case of a “sign structure” consisting of two (2) or more sides where the angle formed between any two (2) of the sides or the projections thereof exceeds thirty degrees (30) each side shall be considered a separate “sign structure.”

WALL SIGN; A sign which is painted on or attached to the outside or exterior wall of a building.

WINDOW SIGN; A sign visible from a sidewalk, street, or other public place, or from anywhere that is off of the premises on which the sign is located, that is painted or affixed on or placed behind so as to be visible from the exterior, glass or other window material.

Section 2. General Regulations; Prohibitions, Construction Standards, Design Guidelines, Construction Signs, Realty Signs, Permitted Signs and Prohibited Signs

2. (A) **Prohibitions**

- (1) Representational signs are prohibited in the Village.
- (2) Portable signs are prohibited in the Village.
- (3) No sign or sign supports shall be placed upon the roof or any exterior surface of any building in the Village.
- (4) No sign shall impair or cause confusion of vehicular or pedestrian traffic because of its design, color, location or placement.
- (5) Illuminated signs are prohibited in the Village.
- (6) Off-premises signs are prohibited in the Village.

2. (B) **General construction standards**

- (1) All freestanding signs shall be designed and constructed to
- (2) A square foot of surface area.
- (3) All signs shall be securely anchored and shall not swing or move in any manner.

- (4) All signs, sign finishes and supports shall be kept clean, neatly painted and free from all hazards such as but not limited to faulty wiring, loose supports, braces, guys and anchors. All supports shall be a color of natural wood or painted white or black, or in the case of realty signs, the color of the lettering in the sign which shall be either a standard dark blue or dark green, which shall be designated by the Board of Trustees of the Village.
 - (5) All freestanding and wall signs shall employ acceptable safety material.
2. (C) **General design guidelines**
- (1) Signs should be designed to be compatible with the surroundings and appropriate to the architectural character of the buildings on which they are placed. Sign panels and graphics should relate with and not cover architectural features and should be in proportion to them.
 - (2) Signs should be appropriate to the types of activities they represent.
 - (3) Layout should be orderly and graphics should be of simple shape, such as rectangle, circle, or oval.
 - (4) Groups of related signs should express uniformity and create a sense of harmonious appearance.
2. (D) **Construction signs**
- (1) On –site construction sign for a project that has an approved building permit may be placed on a site in any district, subject to the following regulations;
 - (2) Such sign may only identify persons or companies involved with the construction, architecture, engineering and development of the premises.
 - (3) Such sign shall not be located nearer to any street than the front of the main building. Such sign shall not be located less than twenty (20) feet from any side lot line.
 - (4) Each face of such sign shall not exceed four (4) square feet in area, and sign shall not have more than two faces or sides.
 - (5) A construction sign may be erected and maintained from the first day of construction and shall be removed within the earlier of seven (7) days of the termination of construction of the project, or the issuance of a certificate of occupancy, or sixty days from the date that such sign is first erected.
2. (E) **Realty signs.**

One on site realty sign may be placed on each site or lot in the Village, subject to the following regulations:

- (1) Such sign shall not exceed three (3) SQUARE FEET IN AREA.
- (2) Such sign shall not be located nearer to any street than four (4) feet from the front of the main building, or in any event nearer than twenty feet (20') to the front property line. Such sign shall not be located less than twenty (20) feet from any side lot line.
- (3) In the case of undeveloped property, such sign shall not be located less than twenty-five (25) feet from any street or twenty feet (20') from any side lot line.
- (4) "Sold" or "in contract" realty signs or notations on realty signs are prohibited.
- (5) Real Estate signs must be a standard blue or standard green lettering on a white background, the shade of blue or green shall be designated by resolution of the Board of Trustees, and shall be consistent for all signs to be determined by the Village.

2. (F) **Permitted Signs**

The following signs are permitted in the Village:

- (1) A name sign used solely for showing the name of the occupant of the residence (and the name of the residence, if any); the street number of the residence may also appear on such sign. Such sign shall not exceed two (2) square feet in area.
- (2) A sign displaying the street number of the residence. Such sign shall not exceed one (1) square foot in area.
- (3) A sign indicating that the property has an alarm system. Such sign shall not exceed one hundred ten (110) square inches in area.
- (4) One (1) on-site construction sign, subject to the provisions of this Local Law and any other regulation or resolution of the Board of Trustees, or any respective agency.
- (5) One (1) on-site realty sign subject to this Local Law.

2. (G) **Prohibited signs.**

All other signs are prohibited in the Village.

Section 3. Additional provisions.

3. (A) No sign shall be erected unless it conforms to all applicable requirements of this Local Law.
3. (B) No building permit shall be required for erection of a sign.
3. (C) Any sign which is legally existing as of the date of the enactment of this local law, and which does not conform to all

applicable requirements of this Local Law may continue to be maintained for a period of thirty days after the date of enactment of this Local Law, except that any such sign shall not be enlarged, extended, relocated or changed in style or in any manner except in conformity with all applicable requirements of this Local Law, and also on the condition that such sign is removed from the premises within thirty days after the date of the enactment of this Local Law.

3. (D) Nothing in this Local Law shall be construed to prohibit the Village from erecting and maintaining public information signs deemed to be necessary or desirable for public safety or welfare on any street or property owned by such governmental agency.

Section 4. Violations; Penalties

4. (A) Each violation of this local law shall be subject to a fine of up to two hundred and fifty dollars (\$250) , and each and every day that a sign in violation of this Local Law or other violation of this Local Law exist shall be a new and separate violation of this Local Law.

4. (B) The imposition of a fine or penalty by the Village shall not preclude or be deemed a waiver by the Village of the rights of the Village to pursue civil remedies, and the Village shall be entitled, in addition to the penalties set fourth herein, to all civil remedies available under the law.

4. (C) A sign in violation of or placed in violation of this law shall be a violation by both the party owning or placing the sign and the owner of the property on which the sign is located.

INCORPORATED VILLAGE OF WEST HAMPTON DUNES

LOCAL LAW NO. 3 OF THE YEAR 1999

A LOCAL LAW ESTABLISHING REGULATIONS OF THE BUILDING DEPARTMENT OF THE VILLAGE OF WEST HAMPTON DUNES, AND AMENDING THE BUILDING AND CONSTRUCTION LAW OF THE VILLAGE. BE IT ENACTED by the BOARD OF TRUSTEES of the INCORPORATED VILLAGE of WEST HAMPTON DUNES as follows:

Section 1. Enactment, Effective Date, Purpose, and Definitions.

1. (A) Enactment
- (B) Effective Date
- (C) Purpose of Local Law

(D) Definitions Relevant to Local Law

Section 2. General Regulations; Concrete Monuments.

2. (A) General Provisions

Section 3. General Regulations; As Built Plans.

3. (A) General Provisions

Section 4. Violations; Penalties

Section 1. Enactment, Effective Date, Purpose, and Definitions.

(A) **Enactment**

Pursuant to Section 10 of the Home Rule Law, and Article 7 of the Village Law, the Incorporated Village of West Hampton Dunes, County of Suffolk and State of New York, hereby enacts by this Local Law of 1999, this local law amending the zoning, building and construction laws of the Village of West Hampton Dunes, as adopted by resolution of the Board of Trustees on November 18, 1995, and as amended by Local Law No. 4, or 1997.

(B) **Effective Date.**

This Local Law shall take effect on the filing of the approved Local Law with the Secretary of State of New York, which shall be within twenty (20) days after its approval by the Board of Trustees of the Incorporated Village of West Hampton Dunes.

(C) **Purpose of Local Law.**

The Purpose of this Local Law is to promote and protect the public safety and welfare of the residents of the Village of West Hampton Dunes and their guests, and the visitors to the Village and to preserve the value of property in the Village by the organized development of the Village, and to maintain proper and consistent regulations in the Village of West Hampton Dunes.

The regulations of this local law will enhance and protect the physical appearance of the Village of West Hampton Dunes, preserve its scenic and natural beauty and provide a more attractive economic and business climate and provide a more attractive residential environment and protect the environmental and other resources of the Village.

(E) **Definitions Relevant to Local Law.**

As used in this Local Law, the following terms shall have the indicated meanings;

CONCRETE MONUMENT; A permanently placed monument of concrete or similar material of at least two and one half feet in length and not less than three inches in diameter or width, buried with two inches above ground, and which is located and placed by a licensed surveyor to indicate the property lines of a site or

premises as further provided in this local law or as may be established by resolution of the Board of Trustees consistent with Local Law.

AS BUILT PLANS; A set of plans sealed and or certified by a licensed professional surveyor, architect or engineer, indicating the completed improvements at a site or premises and their location, which shall include that which may be set by the Board of Trustees by resolution but which in no event shall be less than a survey done and signed and certified by a licensed surveyor locating all improvements on the premises, including all setbacks, and also elevations completed and certified by a licensed architect or engineer as necessary to determine compliance with the pyrami8d law and other local laws and building regulations of the Village of West Hampton Dunes, or any aspect of the building permit or variance granted to the owner or applicant, or as may be required by the building inspector of the Village.

Section 2. General Provisions, Concrete Monuments.

2. **General Provisions.**

- (A) Every site or premises in the Village of West Hampton Dunes for which a building permit has been applied for must have concrete monuments installed on the front lot lines of the property, and in the case of ocean front properties on both side yards located not less than seventy-five feet and not more than one hundred feet from the front property line of the premises, and for non-ocean front properties, every one hundred feet of side property lines of the premises.
- (B) The concrete monuments as required in this local law must be installed by the property owner and inspected by the Village Building Inspector prior to the issuance of a building permit.
- (C) The Building Inspector shall have the discretion and authority to require the installation of additional concrete monuments or property line designation on a site or premises as is determined to be necessary to determine compliance with the laws and code and regulations of the Village.
- (D) The monuments installed or required to be installed must be in place or replaced in the event that they are lost or covered from the time of prior to the issuance of a building permit, as required in this local law, until the issuance of a certificate of occupancy for all of the improvements on a site or premises, and in a manner so that they are visible with at least one inch of vertical height of the monument above grade.

Section 3. General Provisions; As Built Plans

2. **General Provisions.**

- (A) Every property owner or application that has applied for a building permit must provide an as built survey or set of plans indicating the location of all improvements, including set-backs and front and rear yards, as well as at least three elevations indicating compliance with the pyramid law and other building and construction laws of the Village of West Hampton Dunes, and as may be required by the Village Building Inspector in his discretion to determine such compliance prior to the issuance of a certificate of occupancy for such improvements or for the
- (B) The as built survey required by this local law shall be certified to the Village by a licensed surveyor, and the as built plans required by this local law shall be certified and stamped by a licensed engineer or architect.
- (C) All plans submitted in conformance with this local law must indicate the building permit number and date and the number and or date of any variance or the relief granted by the zoning board of appeals.

Section 4. Violations; Penalties

- (A) Each violation of this local law shall be subject to a fine of up to two hundred and fifty dollars (\$250), and each and every day that a violation of this local law or other violation of this local law exists shall be a new and separate violation of this local law.
- (B) The imposition of a fine or penalty by the Village shall not preclude or be deemed a waiver by the Village of the rights of the Village to pursue civil remedies, and the Village shall be entitled, in addition to the penalties set forth herein, to all civil remedies available under the law.
- (C) The Village and or the Village Building Inspector may in his discretion withhold the issuance of a certificate of occupancy or similar approval until the requirements of this local law have been met.

INCORPORATED VILLAGE OF WEST HAMPTON DUNES

LOCAL LAW 4 OF THE YEAR 1999

A LOCAL LAW AMENDING THE ZONING LAW IN THE VILLAGE OF WEST HAMPTON DUNES TO MAKE ZONING LAW UNIFORM FOR THE NORTH SIDE OF DUNE ROAD.

BE IT ENACTED BY THE BORD OF TRUSTEES OF THE INCORPORATED VILLAGE OF WEST HAMPTON DUNES AS FOLLOWS:

Section 1.0 Enactment, Effective Date, Purpose and Definitions.

1. (A) Enactment.
- (B) Effective Date.
- (C) Purpose of Local Law.
- (D) Definitions Relevant to Local Law.

Section 2.0 General Provisions

- (A) General Provisions.

Section 1. Enactment, Effective Date, Purpose, and Definitions.

1. (A) Enactment
Pursuant to Section 10 of the Home Rule Law, and Article 7 of the Village Law, the Incorporated Village of West Hampton Dunes, County of Suffolk and State of New York, hereby enacts by this Local Law 4 of 1999, this local law amending the zoning, building, and construction law of the Village of West Hampton Dunes.

(B) Effective Date.
This local law shall take effect on the approved Local Law with the Secretary of State of New York, which shall be within twenty (20) days after its approval by the Board of Trustees of the Incorporated Village of West Hampton Dunes.

(C) Purpose and Intent of Local Law.
The purpose and intent of this local law is to promote and protect the public safety and welfare of the residents of the Village of West Hampton Dunes, and their guest, and the visitors to the Village, and to preserve the value of property in the Village by the organized development of the Village, and to maintain proper and consistent regulations in the Village of West Hampton Dunes.

The intent of this local law is to amend the existing Laws and regulations of the Village, Local Law 2 of 1997, and Local Laws 4 and 9 of 1995, as adopted, and to have them conform with the Village regulations.

Section 2. General Provisions

2. General Provisions.
 - (A) The building, construction and zoning regulations of the Village of West Hampton Dunes as adopted on November 18, 1995, and Local Law 2 of 1997, Local Laws 4 and 9 of 1997 is hereby amended so that those Local Laws and any portion of them that specifies its application to the south side of Dune Road only, is hereby amended to apply to all properties in the Village of West Hampton Dunes.

Dated: West Hampton Dunes
Suffolk County, New York

INCORPORATED VILLAGE OF WEST HAMPTON DUNES

LOCAL LAW NO. 5 OF THE YEAR 1999

A Local Law amending Zoning Laws and Wetland Laws of the Village of West Hampton Dunes regarding setback requirements.

BE IT ENACTED BY THE BORD OF TRUSTEES OF THE INCORPORATED VILLAGE OF WEST HAMPTON DUNES AS FOLLOWS:

Section 1.0 Enactment, Effective Date, Purpose and Definitions.

1. (A) Enactment.
(E) Effective Date.
(F) Purpose of Local Law.
(G) Definitions Relevant to Local Law.

Section 2.0 General Provisions

- (C) General Provisions.

Section 1. Enactment, Effective Date, Purpose, and Definitions.

3. (A) Enactment
Pursuant to Section 10 of the Home Rule Law, and Article 7 of the Village Law, the Incorporated Village of West Hampton Dunes, County of Suffolk and State of New York, hereby enacts by this Local Law of 1999, this local law amending the zoning, building, and construction law of the Village of West Hampton Dunes.

(D) Effective Date.
This local law shall take effect on the approved Local Law with the Secretary of State of New York, which shall be within twenty (20) days after its approval by the Board of Trustees of the Incorporated Village of West Hampton Dunes.

(C) Purpose and Intent of Local Law.
The purpose and intent of this local law is to promote and protect the public safety and welfare of the residents of the Village of West Hampton Dunes, and their guest, and the visitors to the Village, and to preserve the value of property in the Village by the organized development of the Village, and to maintain proper and consistent regulations in the Village of West Hampton Dunes.

The intent of this local law is to amend the existing Laws and regulations of the Village as adopted, and to have them conform with the Village regulations.

Section 2. General Provisions

(A) The building, construction and zoning regulations of the Village of West Hampton Dunes as adopted on November 18, 1995, and Section 330-83 (K) of those laws and regulations are amended to read as follows:

K. In all residence districts, where the approving authority under the Village Code of the Village of West Hampton Dunes has authorized a wetlands permit for a principal building requiring relief from the minimum required Yards under Section 330-11 of this chapter, a required yard of such proposed principal building might be reduced up to 50%, provided, however, that any such reduced front or rear yard shall not be less than 30 feet, and any such reduced side yard shall not be less than 10 feet. The relief herein shall only by the maximum necessary to achieve the maximum practicable buffer zones required by Chapter 325 of the Wetlands Law of the Town of Southampton as adopted by the Village of West Hampton Dunes as the code and regulations of the Village.

Dated: West Hampton Dunes
Suffolk County, New York