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Text of the law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of Little Falls

Local Law No. 1 **of the year** 1993

A local law To Provide for Building Requirements for The Town of Little Falls to Supplement the NYS Fire and Building Code and Public Health Sanitary Law

Be it enacted by the _____ **Town Board** _____ **of the**

Town of Little Falls _____ **as follows:**

Purpose: This law is to supplement the NYS Fire and Building Code and NYS Public Health Sanitary Law by establishing minimum lot size and set-back requirements.

Section 1. SANITARY SEWERS

A. All sanitary sewer systems, new or replacement, must meet New York State Sanitary Law requirements. Proof of acceptable perk tests must be submitted prior to the issuance of a building permit.

Section 2. MINIMUM LOT SIZE

A. Except on an "existing lot" as defined herein, no residential or commercial structure requiring a septic system shall be placed on a lot less than 43,560 square feet; nor shall said lot have less than 100 feet of frontage.

B. Any lot not bordered by an approved public highway shall require a minimum width of 100 feet on one side.

C. No existing lot shall be reduced to less than 43,560 square feet or less than 100 feet of road frontage, or width on one side.

Section 3. SET-BACK REQUIREMENTS FOR ALL LOTS: "EXISTING AND FUTURE"

A. All structures larger than 100 square feet shall be 40 feet from the public right-of-way and 25 feet from all property lines.

- B. All structures less than 100 square feet shall be 15 feet from the public right-of-way and 10 feet from all property lines.

Section 4. EXISTING LOTS

- A. An existing lot is defined as a lot duly marked on the tax maps as of the date this law takes effect. It is the responsibility of the landowner or permit applicant to prove the lot was duly marked on the tax map at its current size prior to passage of this local law.
- B. All new structures or modifications to existing structures on “existing lots” as defined herein shall conform to New York State Public Sanitary Law and New York State Fire and Building Codes.

Section 5. BOARD OF APPEALS

- A. Creation: A board of appeals shall be established. It shall consist of five members, each to serve for a term of five years. The term of office of the members of the board and the manner of their appointment shall be in accordance with the provisions of the Town Law. Vacancies occurring in said board shall be filled for such unexpired period only.
The board a Appeals shall have the duties, rights, powers and functions conferred upon it by Town Resolution and other provisions of law or ordinance applicable, including the following:
 - 1. All meetings of the Board of Appeals shall be held at the call of the Chairman and at such other times as such board may determine.
 - 2. Such chairman or in the absence of the chairman, the acting chairman, may administer oaths and compel the attendance of witnesses.
 - 3. All meetings of the Board of Appeals shall be open to the public, and notice of such meetings shall be advertised in the official paper of the Town not less than five (5) days nor more than ten (10) days prior to such meeting.
 - 4. Such board shall keep minutes of its proceedings showing the vote of each member upon every question, or if absent or failing to vote, indicating such fact, and shall keep records of all official actions.
 - 5. All decisions of the Board shall be in writing, and a copy of each decision shall be sent to the applicant and to the Codes Enforcement Officer within 14 days following the Public Hearing.
 - 6. Every rule, regulation, amendment or repeal thereof and every order, requirement, decision or determination of the Board shall immediately be filed in the office of the Town Clerk and shall be a public record.

7. Each decision of the Board shall set forth fully the reasons of the decision of the Board and the findings of fact on which the decision was based.

B. POWERS AND DUTIES: The Board of Appeals shall have the following powers and duties prescribed by this local law:

1. The Board of Appeals shall hear and decide appeals from and review any order, requirement, decision or determination made by the Code Enforcement Officer.
2. The Board of Appeals shall also hear and decide all matters referred to it upon which it is required to pass (judgement) under the Local Law.
3. The concurring vote of a majority of the Board of Appeals shall be necessary to reverse any order, requirement, decision or determination of the Code Enforcement Officer, or decide in favor of the applicant any matter upon which it is required to pass (judgement) under this Local Law or to effect any variation in the Local Law.
4. An Appeal may be taken by any person aggrieved or by any officer, department or board of the Town.

This Local Law takes effect on filing with the New York State Department of State.

Enacted: November 30, 1993