

PROPOSED ORDINANCE NO. 33 - 2023

AN ORDINANCE TO AMEND ORDINANCE 76-2000 RELATING TO THE
ESTABLISHMENT OF VARIOUS FEES OF THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, it is deemed to be in the County's interest to provide a less prohibitive and more appropriate fee structure related to the review of applications under section 239-f of the General Municipal Law for large scale development projects that will not discourage desired development projects in the County; now, therefore

BE IT ORDAINED, by the County Legislature of the County of Nassau as follows:

Section 1: Section 8 of Ordinance No. 76-2000, relating to the establishment of various fees for the Department of Public Works, as last amended by Ordinance No. 49-2019, is amended to read as follows:

8. The Commissioner of Public Works is hereby authorized to charge a fee of One Thousand Five Hundred dollars (\$1,500) to review applications for building permits pursuant to Section 239-f of the General Municipal Law that are forwarded by the various towns, cities and incorporated villages. The fee shall be waived for an application filed where the anticipated cost of construction is less than twenty five thousand dollars (\$25,000). A fee of seven hundred and forty dollars (\$740) shall be charged for a re-review of a previously rejected application for which a fee was required. If an application is made for a parcel that differs from the prior proposed use, a fee of seven hundred and fifty dollars (\$750) shall be charged. If the value of construction estimate is greater than two hundred and fifty thousand dollars (\$250,000) and less than five hundred million dollars (\$500,000,000) and is not a major subdivision defined by

§334a of the Real Property Law, the applicant will be required to pay a fee of three quarters of a percent (.75%) of the estimated construction value in addition to the base initial fee of one thousand five hundred dollars (\$1,500). If the total estimated construction value of the work to be completed on a project located on a single parcel or multiple contiguous parcels owned or controlled by a single entity within five (5) years from the date of the issuance of the initial building permit for the project is equal to or greater than five hundred million dollars (\$500,000,000) and is not a major subdivision defined by §334a of the Real Property Law, the applicant will be required to pay a fee of one quarter of a percent (.25%) of the estimated construction value notwithstanding the number of building permits issued for such project. If the applicant is a not-for-profit institution that owns the subject property, the applicant will not be required to pay the additional fee in excess of the base initial fee of one thousand five hundred dollars (\$1,500).

§ 2. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that the adoption of this local law is a “Type II” Action within the meaning of Section 617.5(c)(26) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 3. This ordinance shall take effect immediately and shall apply to applications finally approved on or after the effective date.

