

VILLAGE OF ISLAND PARK
LOCAL LAW NO. 13 OF THE YEAR 2006

A Local Law adopting requirements for the application of a single family residence to be used as a Mother – Daughter/ Father- Son Dwelling.

Section 1: Statement of Purpose:

It is the purpose of this Local Law to encourage residents of the Incorporated Village of Island Park who require mother-daughter/father-son housing arrangements to legally make such arrangements [by means of Village approval and by utilizing a permit system. It is also the purpose of this article to provide for the safety and appearance of mother- daughter/father-son residencies as well as to maintain and preserve the single-family residential character of We Village and to protect the health, safety and welfare of the general public.

Section 2: Definitions:

As used in this article, the following terms shall have the meanings indicated.

BLOOD RELATIVE - Any family member of the following group: parent, child, adoptive child, grandparent, great grandparent or sibling.

BOARDER (or ROOMER) - An unrelated person (not a family member) occupying, a room or rooms, or part of a room in a dwelling.

FAMILY- A group of blood related persons living together as a single, nonprofit housekeeping unit.

MOTHER-DAUGHTER FATHER-SON DWELLING - A separate and second dwelling within a detached single-family dwelling which is occupied by a blood relative of the legal owner of the property or by the legal owner himself so that both parts of the property are only occupied by blood relatives.

Section 3: Mother-Daughter/Father-Son usage:

- A. A detached single-family dwelling may be altered to include an additional kitchen facility and bedroom(s) for the sole use by a blood relative or the legal owner of said single-family dwelling. Such use shall only be permitted upon prior written approval of the Village Board of Trustees and the issuance of a special use permit by the Building Department of the Village of Island Park.
- B. The Village Board of Trustees may approve and permit such use to the general guidelines and conditions set forth by the Board of Trustees and the following specific conditions.
- (1) Not more than one mother-daughter/father-son dwelling unit may be located in any single-family dwelling.
 - (2) The legal owner of the single-family dwelling shall occupy one of the dwelling units, and the blood relative of the legal owner (and family of the blood relative, if applicable) shall occupy the other dwelling unit.
 - (3) A mother-daughter/father-son dwelling unit shall not be located within a garage, a basement or above a second floor.
 - (4) The single-family detached dwelling in which the mother-daughter/father-son dwellings unit is located must contain at least one unobstructed passageway between the main dwelling unit and the mother-daughter/father-son dwelling unit.
 - (5) No boarders or roomers shall be allowed, under any circumstances, in a single-family dwelling, whether or not said dwelling is a mother-daughter/father-son dwelling unit.
 - (6) A mother-daughter/father-son residence application, which is duly notarized, shall be accompanied by documentary proof of legal ownership of the single-family detached dwelling along with at least two forms of documentary proof. This proof must establish that the occupant of the mother-daughter/father-son dwelling unit is a blood relative of the legal owner. Acceptable forms of documentary proof shall be certified copy of the recorded deed from the County Clerk's office for the subject property, and all owners shall have to execute an affidavit of relationship, duly notarized, both of which have to be given

to the Village at the time of the legal owner's application. The names and ages and other information of all occupants of the two dwelling units shall be required to be provided with each application. Clear and distinct photographs of each applicant or applicants, labeled for identification, shall be required to be provided to the village with each application along with certified birth certificates for all involved. If for god reasons shown certified birth certificates are not available other proof of the blood relative relationship may be accepted.

(7) A mother-daughter/father-son special use permit may be issued for a period not to exceed one year. The applicant may apply for a renewal in accordance with the procedures and requirements that are currently established or may be established in the future, by the Village Board of Trustees.

(8) The permit fee for one year, to be paid to the Village by said applicant or applicants, shall be \$250.00. The annual renewal fee by the applicant or applicants for the permit shall be \$50.00 to be paid to the Village, along with any increases which the Board of Trustees may add in the future.

(9) If the permit is not renewed by the village or fee is not paid for by the applicant or applicants then the mother-daughter/father-son housing arrangement shall immediately cease and desist and shall become null and void and shall be of no force and effect.

(10) The Village shall have the right to enter and inspect the premises after giving 48 hours of notice to the occupant of the premises. The inspection shall be during reasonable hours and should be to ascertain whether the use of the premises is in compliance with the terms and conditions set forth in this article and in compliance with the other articles and rules, codes, laws and regulations of the Village Board of Trustees as well as any other applicable rules, codes, laws and regulations. The applicant or applicants shall give written consent for each inspection at the time of application, and such consent shall be called for the duration of the special permit issued for mother-daughter/father-son usage and for any renewal period thereafter. The Village shall have the right to inspect or re-inspect the premises at the end of any one-year term or after the permit terminates, even if the

special permit is not renewed. The Village may continue to inspect until the Village is satisfied that the dwelling is in compliance with any applicable legal requirements.

(11) The mother-daughter/father-son special use permit shall terminate immediately upon any of the following events:

- A. Sale or lease of the dwelling in which the mother-daughter/father-son residence located or any other change or transfer of the title thereof
- B. Any change in occupancy of the dwelling which disqualifies the owner-blood relative relationship as approved by the Board of Trustees.
- C. Violation of any other condition of the special permit as approved by the Board of Trustees.
- D. The Village not renewing the permit.
- E. The applicant or the applicants did not pay for a permit renewal.

(12) Fees for application and inspection shall be established by resolution of the Village Board of Trustees at an open meeting. All special permit approvals are made subject to payment of required fees and expenses by the applicant or applicants.

(13) Applications for mother-daughter/father-son residential special permits shall be on forms, papers and 9ocumentations prescribed and set forth by the Village Board of Trustees. All ap1ications, papers, approval and permit process shall be subject to the rules and procedures of the Board of Trustees, which shall be empowered to establish all terms and conditions of the process not specifically provided for in this article.

(14) That after any permit ends unless it is otherwise immediately renewed the owner must restore the property to being solely a SINGLE

FAMILY unit which would include removing any additional kitchen so that the property only has one kitchen.

Section 4: Enforcement

It shall be the duty of the Nassau County Police Department and/or the designated Code Enforcement Officer to enforce the provisions of this Local Law.

Section 5: Penalties for Offenses.

Any person or persons violating any provisions of this law shall upon conviction thereof pay a fine imposed by the Court which shall not be less than \$250.0, nor more than \$1000.00 for each conviction of this law and each person or persons so convicted shall be required to also comply with all of the provisions in this Local Law.

Section 6: Effective Date

This local law shall take effect immediately and will be filed with the Secretary of State.