

VILLAGE OF ISLAND PARK
LOCAL LAW NO. 6 OF THE YEAR 2008

A local law Amending Section 4, 5, 6, 7A & B and Section 10 of Local Law No. 1 of 1995,
entitled Regulating Non-Conforming Structures and Uses to read as follows:

Be it enacted by the Mayor and Board of Trustees of the Village of Island Park as follows:

Section 1: Authority to determine legal nonconforming uses.

The Board of Zoning Appeals may on the written verified application of the owner of property claiming a legal conforming use thereon, confirm such use by determining that such use is in fact, a legal nonconforming use.

Section 2: Evidence to accompany application to determine legal non-conforming use.

Every application under Section A hereof shall state or be accompanied by documents showing evidentiary facts to establish such use as a legal nonconforming use and shall be filed in duplicate with the Building Department. The Building Inspector may in his discretion, require the production of additional evidence and make whatever independent investigation he may deem necessary after which the case will be presented to the Zoning Board of Appeals.

Section 3: Confirmation or Denial of L4a1 Non-Conforming use.

The Board of Zoning Appeals, upon the evidence submitted to and obtained by the Building Inspector, shall make and file with the Village Clerk a written determination confirming or denying that such use is a legal nonconforming use and stating the facts which they find to be established by such evidence, the basis of such finding and the conclusions they have drawn from such findings.

Section 4: Issuance or Denial of Certificate of Occupancy.

- A. Upon confirmation by the Board of Appeals, of any legal nonconforming use pursuant to this Local Law, the Building Inspector shall issue to the applicant, a certificate of occupancy with an endorsement thereon specifying the legal nonconforming use so confirmed, and such certificate shall constitute presumptive evidence that such use is a legal nonconforming use in any action or proceeding brought to enforce Zoning Ordinance #51.

- B. Every nonconforming use for which a certificate of occupancy has not been issued, as provided in this Local Law, shall presumptively be an illegal nonconforming use for the purpose of any application to or proceeding before any officer or Board of the Incorporated Village of Island Park,

Section 5:

The application fee for two-family non-conforming use as defined in this local law shall be \$200.00 filing fee and ad posh of \$1,000.00 to cover all other expenses, all other buildings will be \$400.00 filing fee along with the required deposit.

This Local Law shall take effect upon the proper filing with the Secretary of State.