

PROPOSED ORDINANCE NO. 49-2016

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

WHEREAS, the County desires to clarify the appropriate fee schedule to be applied when the County has entered into a contract of sale of real property to a not-for-profit organization prior to a change in the fee schedule and where the County had knowledge that the not-for-profit organization intended to construct a building for the public benefit, 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. 176-2015, is amended 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 is not a major subdivision defined by §334a of the Real Property Law in addition to the base initial fee of One Thousand Five Hundred dollars (\$1,500) the applicant will be required

to pay three quarters of a percent (.75%) of the estimated construction value.

Notwithstanding the foregoing, any fees due and owed by a not-for-profit organization for any review of applications for building permits pursuant to this subdivision related to any parcel of real property sold to said not-for-profit by the County, shall be limited to such fees in effect on the date the County Legislature approved the contract of sale of such County real property to such not-for-profit organization, provided such approval date occurred after 2014.

§ 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)(20) and (27) 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.