

A local law to adopt a new Chapter 129 of the Code of the Village of Hewlett Neck, to include a new Chapter to regulate Tents in the Village.

Section one. Chapter 129, is hereby added, to read as follows:

**§ 129-1 Definitions.**

**TENT** Any movable structure or shelter consisting of material stretched entirely or partially over a framework of beams, rods or posts.

**PERMANENT** Lasting or enduring with the intent to remain indefinitely.

**§ 129-2 Permanent tents prohibited.**

No person shall erect, construct or maintain a permanent tent on land owned or occupied by said person located within the Village.

**§ 129-3 Permit required for temporary tent(s).**

- A. It shall be unlawful to construct or erect a tent or similar structure without first filing with the Building Inspector an application, in writing, and obtaining a permit therefor.
- B. No person(s) shall erect, construct or maintain a tent to remain on public or private land within the Village for seven or less consecutive days, unless a permit is issued by the Building Inspector upon at least two weeks advance written request.
- C. No person(s) shall be issued a permit by the Building Inspector to erect, construct or maintain a tent to remain on public or private land located within the Village for more than seven consecutive days or for more than two (2) times in a calendar year, unless approved by the Board of Trustees after a public hearing, provided that said Board finds, in its sole discretion, that such approval will not:
  - 1) Adversely impact the health, safety and welfare of the community.
  - 2) Unduly inconvenience surrounding property owners.
  - 3) Adversely impact surrounding property values or the aesthetic character of the neighborhood.
- D. In no event shall any person erect, construct or maintain a tent to remain on public or private land located within the Village for the purpose of storing any vehicle, boat or mechanical equipment.
- E. No tent shall be permitted in a side or front yard.
- F. No tent shall be permitted within 10 feet of the rear or side property lines.
- G. All tents shall comply with the New York State Building and Fire Codes.

**§ 129- 4 Certificate of approval from County Fire Marshal.**

No tent used unless a certificate of approval shall first be issued by the County Fire Marshal upon presentation of satisfactory evidence of compliance with his rules and regulations.

### **§ 129-5 Application Submittal Requirements.**

Complete applications and required documents shall be submitted to the Village Building Department for review and approval from the Building Inspector prior to installation of any tents.

- A.** A completed application form from the Village, and associated fee.
- B.** Up-to-date survey of the property depicting the tent location, dimensions, openings, and layout of any chairs, tables or platforms.
- C.** Company installing the tent shall supply their liability insurance and workers compensation insurance with the Village as the certificate holder and additionally insured.
- D.** Catering company shall supply their liability insurance and workers compensation insurance with the Village as the certificate holder and additionally insured, as well as a copy of their Nassau County Health Department food establishment permit.
- E.** Fire rated certificates for the tent material.
- F.** Nassau County Fire Marshal tent permit.

### **§ 129- 6 Conditions to approval.**

- A.** Within 24 hours of the expiration of a permit issued, the tent for which the permit was granted shall be disassembled and removed from the Village.

### **§ 129- 7 Permit fee.**

A fee of \$300 shall be charged for each permit issued hereunder.

### **§ 129- 8 Exceptions.**

This chapter shall not apply to any tents or outdoor, covered structures that cover less than 100 square feet of land in the Village.

### **§ 129-9 Penalties for offenses.**

Any person violating any provision of this chapter shall pay a penalty of not more than \$250 per day, for each and every offense.

Section two. Any local law or provision of the Code of the Village of Hewlett Neck in conflict with this local law is hereby repealed to the extent of such conflict, except that such repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of such local law, ordinance or resolution prior to the effective date of this local law.

Section three. If any clause, sentence, paragraph, section, article, or part of this local law shall be adjudged to be invalid by any court of competent jurisdiction, such judgment shall not affect, impair or invalidate any other part of this local law, or the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section four. This local law shall take effect immediately upon adoption and filing pursuant to the Municipal Home Rule Law.