

Minutes of a Meeting of the Town Board of the Town of Riverhead held in the Town Hall, Riverhead, New York, on Tuesday, August 3, 1965 at 10:30 A. M.

Present:

Robert B. Vojvoda, Supervisor

Bruno F. Zaloga, Jr.

Thomas R. Costello, Justices of the Peace

Vincent B. Grodski

George G. Young, Councilmen

Also present: Shepard M. Scheinberg, Town Attorney.

Justice Zaloga offered the following resolution which was seconded by Councilman Grodski.

RESOLVED, That the minutes of the meeting of the Town Board held in the Town Hall on July 20, 1965, be approved as submitted.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was thereupon declared duly adopted.

Supervisor Vojvoda asked if anyone wished to be heard.

Mr. Joseph Melya, Reeve's Park, Riverhead, N. Y., addressed the Board relative to request of Reeve Park Estate Civic Ass'n., for steel mats for boat ramp at Reeve's Park.

Supervisor Vojvoda informed Mr. Melya that the steel mats have been authorized and will be installed by the Highway Department.

HEADS OF DEPARTMENTS:

Police Chief Grodski addressed the Board and made request for the installation of a small pump for the boiler room in the Police Facility, stating that the current system is in violation to the Sewer and Water Regulations.

After some deliberation the Board granted permission for such installation and the matter of drawing up specifications for the pump was referred to Councilman Grodski and Police Chief Grodski.

Patricia S. Tormey, Chairman of Zoning/Board of Appeals addressed the Board and reported that the Board has been upheld in Court in the case that the Court questioned ownership of property and as a result the Town Zoning/Board of Appeals will take applications for appeals only from owners of property and will require proof of ownership.

REPORTS:

Building Inspector's month of July, 1965. Filed.

Police Department, month of July, 1965. Filed.

Recreation Department, month of July, 1965. Filed.

COMMUNICATIONS:

Peter P. Matyas and Florence M. Matyas, Petition, dated July 27, 1965, making application for rezoning. Filed.
Referred to Planning Board.

Town of Southampton, dated July 21, 1965, Re: Amendments to Building Zone Ordinance No. 26. Filed.
Copy to Town Attorney.

Suffolk County Dept. of Planning, dated July 26, 1965, Re: Town of Southampton Amendments to Building Zone Ordinance No. 26. Filed.

Leonard Pavlakis, dated July 26, 1965-Application for Curbs & Gutters. Filed.
John W. MacDonald, dated July 26, 1965, Application for Curbs & Gutters. Filed.
Referred to Alden W. Young and Supt. of Highways.

Myron Nelson and W. Burghardt Turner-Vs. The Township of Riverhead-Order to Show Cause-received July 22, 1965 at 3:44 P. M. Filed.

Mrs. Jeanette Robertson, dated July 26, 1965, Claim for costs of injury sustained by defective sidewalk. Filed.
Referred to Insurance Broker and Town Attorney.

Riverhead Free Library, dated July 21, 1965, expressing appreciation for the installation of street light. Filed.

Riverhead Lion's Club, dated July 20, 1965, enclosing copy of letter from Mr. and Mrs. Stanley Macksel. Filed.

Santo Golfo, dated July 24, 1965, making request for installation of street light corner of 19th Street between Hulse Avenue and Hulse Landing Road, Wading River. Filed.
Referred to Lighting Committee.

Mrs. Eva Budzienski, dated July 22, 1965, making complaint relative to defective drain, corner of Sweezy Avenue and Parkway St. Filed.
Referred to Supt. of Highways and Alden W. Young.

Mrs. Marie Kelley, dated July 8, 1965, making complaint relative to hazardous condition of sidewalk on Corwin Street. Filed.
Referred to Supt. of Highways.

Mr. Roy Hilgeman, dated July 22, 1965, making complaint relative to condition of sidewalk on 126 Union Avenue. Filed.
Referred to Supt. of Highways.

Petition of Peconic Store Owners, making request for Loading Zone. Filed.
Police Chief Grodski reported that he has made inspection and finds that there is a need for such loading zone and that he will submit request at time of drawing up ordinance.

COMMUNICATIONS continued:

Riverhead Town Planning Board, dated July 29, 1965, advising Urban Planning Assistance Program completed with McCrosky-Reuter. Filed.

Recreation Analysis, Inc., dated July 28, 1965, requesting opportunity to present Master Plan for Conservation Recreation before Planning Board and/or Recreation Committee. Filed.

Copies to Planning Board and Recreation Committee.

Petition of Riverhead Savings Bank, urging proceedings be instituted to make proposed Riverhead Parking District #1 a reality. Filed.

Seth A. Hubbard, Attorney, dated August 2, 1965, making request on behalf of Charles Jackson for permission to use old school house on the West side of Wading-River-Manorville Road for the purpose of housing farm workers. Filed.

Town Board granted permit for above request with proviso that regulations of Suffolk County Health Department, State Labor Department, Police regulations and Riverhead Town Zoning and Fire Ordinances be adhered to.

At this point of the meeting, Supervisor Vojvoda called a Recess to hold a Public Hearing.

PUBLIC HEARING- 11:00 A. M.

After being duly advertised proof of publication of Notice Calling Public Hearing to consider Proposed Building Code Ordinance No. 35, was submitted to the Board.

Notice was ordered filed.

Supervisor Vojvoda declared the Hearing open and asked if anyone wished to be heard in favor of or in opposition to the aforesaid Ordinance No. 35.

Town Attorney Shepard M. Scheinberg addressed the Board stating that he and the Town Planning Board have studied different Building Code Ordinances of the neighboring Towns and he believes that the Building Code Ordinance No. 35 as proposed is one suitable for the needs of the Town of Riverhead and urged the Board to adopt it.

No one else wishing to be heard and no communications having been received thereto, Supervisor Vojvoda declared the Hearing closed at 11:05 A. M.

Supervisor Vojvoda re-opened the meeting.

RESOLUTIONS:

Councilman Young offered the following resolution which was seconded by Councilman Grodski.

WHEREAS, The Highway Department of the Town of Riverhead, Suffolk County, New York, presently owns 14 dump trucks manufactured by different dump truck manufacturing companies, and

WHEREAS, Of the 14 dump trucks only four are equipped with four wheel drive for use in snow plowing, and

RESOLUTIONS continued:

WHEREAS, The four dump trucks with four wheel drive are manufactured by the Walters Company, and

WHEREAS, A large supply of spare parts must be kept on hand to service the four wheel drive Walters dump trucks, and

WHEREAS, To purchase a different model of four wheel drive dump truck would be inefficient and uneconomical, since alternate and additional spare parts which would have to be purchase, would not be interchangeable with the ones already on hand, and

WHEREAS, It is determined by this Board desirable to purchase additional four wheel drive dump trucks for the Town Highway Department manufactured by the Walters Company, now, therefore, be it

RESOLVED, That for reasons of efficiency and economy and pursuant to the authority conferred by sub-division 5 of Section 103 of the General Municipal Law, it is determined by this Board that there is a need for standardization in the purchase of four wheel drive dump trucks for the Town Highway Department, and be it further

RESOLVED, That the Walters Company four wheel drive dump trucks be and are hereby standardized for all future purchases of four wheel drive dump trucks for the Town Highway Department.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was there-upon declared duly adopted.

Councilman Young offered the following resolution which was seconded by Councilman Grodski.

WHEREAS, The following applications for construction of Curbs and Gutters have been surveyed by Alden W. Young:

John MacDonald:

To be constructed along 339 Howell Avenue, Town Highway, Riverhead, N. Y. For the sum of \$71.00 to reimburse the Town for the cost of materials. The Town shall not exceed the sum of \$160.00.

Leonard Pavlakis:

To be constructed along 363 Howell Avenue, Town Highway, Riverhead, N. Y. For the sum of \$60.00 to reimburse the Town for the cost of materials. The Town shall not exceed the sum of \$135.00.

NOW, THEREFORE BE IT RESOLVED, That the above stated applications be approved and that Curbs and Gutters be constructed pursuant to contract and agreement forms submitted by the aforementioned applicants, and be it

FURTHER RESOLVED, That the Supervisor be authorized to sign the said contracts in behalf of the Town when the moneys to be paid by above said applicants are turned over and the contracts have been signed, and

BE IT FURTHER RESOLVED, That the Superintendent of Highways be directed to perform the work.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was there-upon declared duly adopted.

Councilman Grodski offered the following resolution which was seconded by Councilman Young.

RESOLUTIONS continued:

RESOLVED, That Claudia T. Preeg, Herod Point Road, Wading River, N. Y., be and is hereby appointed School Attendance Officer for Common School District No. 1, Wading River, Town of Riverhead, for the year 1965-66, to be compensated at the rate of \$200.00 per annum, payable in ten monthly pay periods.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was there-upon declared duly adopted.

Councilman Grodski offered the following resolution which was seconded by Councilman Young.

RESOLVED, That in celebration of Riverhead Day on August 19, 1965 at the World's Fair, that all official offices of the Town of Riverhead be and are hereby closed, and

FURTHER RESOLVED, That the Town Clerk be and is hereby directed to publish notice of the closing of the official offices on August 19, 1965.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was there-upon declared duly adopted.

Justice Zaloga offered the following resolution which was seconded by Justice Costello.

WHEREAS, The Town of Riverhead did apply to the New York State Department of Commerce for the Urban Planning Assistance Program in accordance with the provisions of the Federal Housing Act of 1954 and Sub-division 27 of Section 100 of the Commerce Law of the State of New York, and such application was accepted and approved by the Urban Renewal Administration and the Commissioner of Commerce of the State of New York, and

WHEREAS, The Town of Riverhead Planning Board has reported to the Town Board of the Town of Riverhead that the Urban Planning Assistance Program has been completed with McCrosky-Reuter and this Board has received from them 325 copies of "Comprehensive Community Plan", 125 copies of "Surveys and Evaluations", 10 copies of suggested Zoning Amendments and all other papers and maps used in working on the program,

NOW, THEREFORE, BE IT RESOLVED, That based upon the foregoing, the Town Board of the Town of Riverhead reports to the New York State Department of Commerce that the Urban Planning Assistance Program has been completed.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was there-upon declared duly adopted.

Justice Costello offered the following resolution which was seconded by Justice Zaloga.

RESOLVED, That the Long Island Lighting Company be and is hereby authorized to make a survey for the installation of a light on the corner of 19th Street, between Hulse Avenue and Hulse Landing Road, Wading River, in the Wading River Lighting District.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was there-upon declared duly adopted.

RESOLUTIONS continued:

Justice Costello offered the following resolution which was seconded by Justice Zaloga.

RESOLVED, That the Town Clerk be and hereby is directed and authorized to advertise in the August 5, 1965 issue of the News-Review, the official newspaper of the Town of Riverhead, for bids for the installation of approximately 187 feet of 18" storm sewer and 380 feet of 15" storm sewer and appurtenances for Highway Drainage Project #8 at Raynor Avenue, Riverhead, N. Y., and be it

FURTHER RESOLVED, That the Town Clerk be and is hereby designated to open publicly and read aloud on Friday, August 13, 1965, at 11:15 A. M., in the Town Clerk's Office, 220 Roanoke Avenue, Riverhead, New York, all bids which have been received, and be it

FURTHER RESOLVED, That the Town Clerk shall make a record of such bids and present the same at the Town Board Meeting to be held on August 17, 1965.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was thereupon declared duly adopted.

Justice Zaloga offered the following resolution which was seconded by Councilman Grodski.

RESOLVED, that the Supervisor be and is hereby authorized to enter into a contract to purchase the following described property:

ALL that certain plot, piece, or parcel of land, situate, lying and being at Wildwood, near Wading River, in the Town of Riverhead, County of Suffolk and State of New York, being known and designated as lots numbered 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405 and 406 on a certain map entitled, "Map of Wildwood Hills at Wildwood, near Wading River, in the Town of Riverhead, County of Suffolk and State of New York", filed in the office of the Clerk of the County of Suffolk on July 29, 1936, as Map No. 1210.;

for a purchase price of Fifteen Thousand Five Hundred and 00/100 (\$15,500.00) Dollars from Joseph Bates, as attorney in fact for Richard Turchiano, Joseph Turchiano and Richard V. Turchiano; and be it further

RESOLVED that the Town Attorney be and is hereby authorized to take all steps necessary to obtain funds to finance the purchase, cost of improvements, legal fees, surveys, engineering and other miscellaneous expenses connected herein.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was thereupon declared duly adopted.

The Town Board convened as a Board of Audit and examined all Town bills submitted on Warrants dated August 3, 1965, as follows: General Town - \$4,069.72, General Repairs Item No. 1 - \$4,778.80, Machinery Item No. 3 - \$1,039.69, and Miscellaneous Item No. 4 - \$335.75.

Justice Zaloga offered the following resolution which was seconded by Justice Costello.

RESOLVED, That the General Town bills as submitted in the amount of \$4,069.72, be approved for payment, and

RESOLUTIONS continued:

FURTHER RESOLVED, That General Repairs Highway Item No. 1 bills in the amount of \$4,778.80, Machinery Highway Item No. 3 bills in the amount of \$1,039.69 and Miscellaneous Highway Item No. 4 bills in the amount of \$335.75, be approved for payment.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was thereupon declared duly adopted.

Councilman Grodski offered the following resolution which was seconded by Councilman Young.

WHEREAS, The Town Board of the Town of Riverhead, Suffolk County, New York, has caused all matters and things to be done which are required by the Town Law in order that an ordinance may be adopted by the Town,

NOW, THEREFORE, By virtue of the authority vested in it by the Town Law and other statutes made and provided, the Town Board of the Town of Riverhead, hereby ordains and enacts the following Building Code Ordinance No. 35 of the Town of Riverhead:

PUBLIC NOTICE

WHEREAS, The Town Board of the Town of Riverhead, Suffolk County, New York, has caused all matters and things to be done which are required by the Town Law in order that an ordinance may be adopted by the Town,

NOW, THEREFORE, By virtue of the authority vested in it by the Town Law and other statutes made and provided, the Town Board of the Town of Riverhead, hereby ordains and enacts the following Building Code Ordinance No. 35 of the Town of Riverhead:

BUILDING CODE

Town of Riverhead
Ordinance No. 35

SECTION 1 GENERAL PROVISIONS

Those rules and regulations promulgated pursuant to Article 18 of the Executive Law, of the State of New York, collectively known as the State Building Construction Code, are applicable to all buildings and construction in the Town of Riverhead; said rules and regulations are hereinafter referred to as "the Code."

SECTION 2 DESIGNATION OF BUILDING INSPECTOR

The Building Inspector is hereby designated as the Superintendent of Buildings under the Code. The Town Board of the Town of Riverhead may appoint a deputy building inspector as the need may appear, to act under the supervision of the Building Inspector and to exercise any portion of his powers and duties. Whenever the Building Inspector is absent or unable to act, the deputy building inspector is authorized to perform his functions.

SECTION 3 RESTRICTIONS ON EMPLOYEES

No officer or employee of the Building Inspector's office shall engage in any activity inconsistent with his duties or with the interests of the Building Inspector's office; nor shall he, during the term of his employment, be engaged directly or indirectly in any building business, in the furnishing of labor, materials or appliances for the construction, alteration or maintenance of a building or the preparation of plans or specifications thereof within the Town of Riverhead, excepting only that this provision shall not prohibit any employee from such activities in connection with the construction of a building or structure owned by him, and not constructed for sale.

SECTION 4 DUTIES AND POWERS OF BUILDING INSPECTOR

(a) Whenever by law, rule or regulation in respect to the building code the words "Superintendent of Buildings" are used they shall be deemed to mean the building inspector or his deputy as the case may be. The building inspector shall administer and enforce all rules, regulations, laws and ordinances applicable to the building code and to the construction, alteration, repair, removal and demolition of buildings and structures, and the installation and use of materials and equipment therein, and the location, use, occupancy and maintenance thereof.

(b) He shall receive applications and issue permits for the erection, alteration, removal and

demolition of buildings or structures or parts thereof and shall examine the premises for which such applications have been received or such permits have been issued for the purpose of insuring compliance with laws, ordinances and regulations governing building construction.

(c) He shall issue all appropriate notices or orders to remove illegal or unsafe conditions, to require the necessary safeguards during construction and to insure compliance during the entire course of construction with the requirements of such laws, ordinance or regulations. He shall make all inspections which are necessary or proper for the carrying out of his duties, except that he may accept written reports of inspection from generally recognized and authoritative service and inspection bureaus, provided the same are certified by a responsible official thereof.

(d) Whenever the same may be necessary or appropriate to assure compliance with the provisions of applicable laws, ordinances or regulations covering building construction, he may require the performance of tests in the field by experienced, professional persons or by accredited and authoritative testing laboratories or service bureaus or agencies.

SECTION 5 THE BUILDING INSPECTOR'S RECORDS AND REPORTS

(a) The Building Inspector shall keep permanent official records of all transactions and activities conducted by him, including all applications received, permits and

certificates issued, fees charged and collected, inspections reports, and notices and orders issued. All such records shall be public records open to public inspection during business hours.

(b) The Building Inspector shall, annually, submit to the Town Board a written report and summary of all business conducted by the Building Inspector, including permits and certificates issued, fees collected, orders and notices promulgated, inspections and tests made and appeals or litigation pending.

SECTION 6 APPLICATION FOR BUILDING PERMIT

(a) No person, firm or corporation shall commence the erection, construction, enlargement, alteration, removal, improvement, demolition, conversion, or change in the nature of the occupancy, of any building or structure, or cause the same to be done, without first obtaining a building permit separate and distinct from that required by the Zoning Ordinance from the Building Inspector for each such building or structure; except that no building permit shall be required for the performance of ordinary repairs which are not structural in nature. An application for a building permit is not required where there is no change in the perimeter of an existing structure which is being repaired, improved or remodeled at a cost not exceeding \$750.00 or for such kinds, types and methods of repairs, improvements and alterations as the Town Board shall specify from time to time in regulations adopted by said board by resolu-

tion applicable to this ordinance.

(b) Application for a building permit shall be made to the Building Inspector on forms provided by him.

(c) Copies of plans and specifications and a plot plan in accordance with the requirements of Zoning Ordinance No. 26, Town of Riverhead, shall accompany every application for a permit and shall be filed in triplicate.

(d) Plans shall be drawn to scale upon substantial paper or cloth and the essential parts shall be drawn to a scale of not less than one eighth (1/8) inch to one (1) foot.

(e) All plans and specifications shall be of sufficient clarity to indicate the nature and character of the work proposed and show that the Code will be complied with throughout. Computations, strain sheets, stress diagrams and other data necessary to show the correctness of the plans shall accompany same when required by the Building Inspector.

(f) Application shall be made by the owner or lessee, or agent of either, or by the architect, engineer or builder employed in connection with the proposed work. Where such application is made by a person other than the owner, it shall be accompanied by an affidavit of the owner or applicant that the proposed work is authorized by the owner and that the applicant is authorized to make such application.

(g) Plans and specifications shall bear the signature of the person responsible for the design and drawings and where required by Section 7302, as amended, of Article 147 of the Education Law of the State of New York, the seal of a licensed architect or a licensed professional engineer.

(h) Amendments to the application or to the plans and specifications accompanying the same may be filed at any time prior to the completion of the work, subject to the approval of the Building Inspector.

SECTION 7 ISSUANCE OF BUILDING PERMIT

(a) The Building Inspector shall examine or cause to be examined all applications for permits and the plans, specifications and documents filed therewith. He shall approve or disapprove the application within a reasonable time.

(b) Upon approval of the application and upon receipt of the legal fees therefor, he shall issue a building permit to the applicant upon the form prescribed by him and shall affix his signature or cause his signature to be affixed thereto.

(c) Upon approval of the application, both sets of plans and specifications shall be endorsed

with the word "Approved." One set of such approved plans and specifications shall be retained in the files of the Building Inspector and the other set shall be returned to the applicant together with the building permit and shall be kept at the building site open to inspection by the Building Inspector or his authorized representative at all reasonable times.

(d) If the application together with plans, specifications and other documents filed therewith describe proposed work which does not conform to all of the requirements of the applicable building regulations, the Building Inspector shall disapprove the same and shall return the plans and specifications to the applicant. Upon the request of the applicant, the Building Inspector shall cause such refusal, together with the reasons therefor, to be transmitted to the applicant in writing.

(e) The permit holder or his agent shall keep posted in a conspicuous place on the work the permit card and shall keep same posted until the completion of the work.

SECTION 8 DEMOLITION PERMITS

Demolition permits shall be applied for the same as building permits, but with no plans needed. However, specifications and diagrams, showing methods to be used for needling or shoring adjacent buildings, may be required by the Building Inspector.

SECTION 9 PERFORMANCE OF WORK UNDER BUILDING PERMIT

The performance of work shall conform to the regulations for starting and completion of work as set forth in Zoning Ordinance No. 26 of the Town of Riverhead.

SECTION 10 BUILDING PERMIT FEES

No permit shall be issued until the fee prescribed in this section shall have been paid, nor shall an amendment to a permit be approved until the additional fee, if any, due to an increase in the estimated cost of the building or structure, shall have been paid. The minimum fee for any building permit, whether the same be for installation of plumbing system or for a heating system, or any other building permit which is necessary or required under the provisions of the Code shall be \$5.00 for each permit. The fees hereunder shall include the applicable required fee for the zoning permit as set forth in Zoning Ordinance No. 26 of the Town of Riverhead.

For each building permit, where the construction costs shall exceed \$1,000, an additional fee of \$2.00 per thousand dollars or fraction thereof, in addition to the original charge of \$5.00, shall be paid, which charge shall be

computed up to a total of \$50,000 of building costs, and for each building permit where the construction costs shall exceed \$50,000, an additional fee of \$1.00 per thousand dollars or fraction thereof shall be paid.

Basis for computing valuation of construction for purposes of fee charges, is as follows:

Fees shall be based on the square foot basis of the proposed building, upon the use to which said building is to be put, or upon the cost thereof, as hereafter set forth. Various types of buildings, classified according to the use, shall be valued as follows:

A. Dwellings: One and Two Family

\$10.00 per square foot

B. Multiple Family, Apartments, Hotels, Motels, Boarding Houses, Nursing and Convalescent Homes

12.50 per square foot

C. Garages, attached or unattached

3.00 per square foot

D. Accessory Buildings, Utility Buildings

2.50 per square foot

E. Mercantile, Business, Office Buildings, Garage and Service Stations, Places of Public Assembly, Assembly Halls and Club Houses

8.00 per square foot

F. Factory Buildings (finished types)

8.00 per square foot

G. Factory Buildings (unfinished types)

6.00 per square foot

The method of estimating the cost of the proposed building shall be based on the ground floor area with additional stories to be half as much as the cost of the ground floor area.

Plumbing, heating, standpipe, sprinkler, elevator or electrical work, etc., are all included in the terms "construction or alteration work." When filed with complete construction plans all such work is included under one fee. Fees to be paid for other Building Inspector's permits:

\$5.00 for a permit to demolish a building, unless said demolition is a necessary part of an alteration for which a permit has been issued.

\$1.00 for a duplicate Certificate of Occupancy.

25% of original fee for a renewal permit fee.

No fee shall be charged for bona fide religious, charitable, educational organizations, where such exemptions are consistent with provisions applicable to taxes generally.

SECTION 11 RENOVATION OF BUILDING PERMIT

The Building Inspector may revoke a building permit theretofore issued and approved in the following instances:

(a) Where he finds that there has been any false statement or

misrepresentation as to a material fact in the application, plans or specifications on which the building permit was based;

(b) Where he finds that the building permit was issued in error and should not have been issued in accordance with the applicable law;

(c) Where he finds that the work performed under the permit is not being prosecuted in accordance with the provisions of the application, plans or specifications; or

(d) Where the person to whom a building permit has been issued fails or refuses to comply with a stop order issued by the Building Inspector.

SECTION 12 STOP ORDERS

Whenever the Building Inspector has reasonable grounds to believe that work on any building or structure is being prosecuted in violation of the provisions of the applicable building laws, ordinances or regulations, or not in conformity with the provisions of an application, plans, or specifications on the basis of which a building permit was issued, or in an unsafe and dangerous manner, he shall notify the owner of the property, or the owner's agent, or the person performing the work, to suspend all work, and any such persons shall forthwith stop such work and suspend all building activities until the stop order has been rescinded. Such order and notice shall be in writing, shall state the conditions under which the work may be resumed and may be served upon a person to whom it is directed either by delivering it personally to him, or by posting the same upon a conspicuous portion of the building under construction and sending a copy of the same by registered mail.

SECTION 13 RIGHT OF ENTRY

Any building inspector, upon the showing of proper credentials and in the discharge of his duties, may enter upon any building, structure or premises at any reasonable hour, and no person shall interfere with or prevent such entry.

SECTION 14 CERTIFICATE OF OCCUPANCY

(a) No building hereafter erected shall be used or occupied in whole or in part until a certificate of occupancy shall have been issued by the Building Inspector, in addition to any which may be required under Zoning Ordinance No. 26 of the Town of Riverhead.

(b) No building hereafter enlarged, extended or altered, or upon which work has been performed which required the issuance of a building permit shall continue to be occupied or used for more than thirty (30) days after the completion of the altera-

tion or work unless a certificate of occupancy shall have been issued by the Building Inspector, in addition to any which may be required under the Zoning Ordinance No. 26 of the Town of Riverhead.

(c) No change shall be made in the use or type of occupancy of an existing building unless a certificate of occupancy authorizing such change shall have been issued by the Building Inspector, in addition to any which may be required under Zoning Ordinance No. 26 of the Town of Riverhead.

SECTION 15 RECORDS

There shall be maintained in the Building Inspector's office a record of all findings of violations of this law and code.

SECTION 16 ISSUANCE OF CERTIFICATE OF OCCUPANCY

(a) A certificate of occupancy shall be issued where appropriate, within thirty (30) days after application therefor is made. Failure to act upon such application within thirty (30) days shall constitute approval of such application and the building or portion thereof may thereafter be occupied as though a certificate of occupancy had been issued.

(b) The certificate of occupancy shall certify that the work has been completed, and that the proposed use and occupancy is in conformity with the provisions of the applicable building laws, ordinances and regulations, and shall specify the use or uses and the extent thereof to which the building or structure or its several parts may be put.

(c) The certificate of occupancy provided for in this Section is in addition to any which may be required under Zoning Ordinance No. 26 of the Town of Riverhead.

SECTION 17 TESTS

Whenever there are reasonable grounds to believe that any material, construction, equipment or assembly does not conform with the requirements of the applicable building laws, ordinances or regulations, the Building Inspector may require the same to be subjected to tests in order to furnish proof of such compliance.

SECTION 18 PENALTIES FOR VIOLATION

(a) It shall be unlawful for any person, firm, or corporation to construct, alter, repair, move, remove, demolish, equip, use, occupy or maintain any building or structure or portion thereof in violation of any provision of this ordinance or to fail in any manner to comply with a notice, directive or order of the Building Inspector, or to construct, alter, or use and occupy any building or structure or part thereof in a manner not permitted by an approved building permit or certificate of occupancy.

(b) For any and every violation of the provisions of this ordinance the owner or general agent of a building or premises where such violation has been committed or shall exist, and the lessee or tenant of an entire building or entire premises where such violation has been committed, or shall exist and any builder, architect, tenant, contractor, sub-contractor, construction superintendent or their agents, or any other person taking part or assisting in any such violation shall be liable to a fine or penalty not exceeding One Hundred (\$100.00) Dollars for each and every violation. Whenever such person has received written notice from the Building Inspector that such violation exists or is being committed, each day subsequent to the receipt of such notice that such violation continues shall constitute a separate and distinct violation of this ordinance. Any violation of this ordinance or any part thereof, shall constitute disorderly conduct and any person violating the same shall be a disorderly person.

(c) Any person who shall fail to comply with a written order of the Building Inspector within the time fixed for compliance therewith, and any owner, builder, architect, tenant, contractor, sub-contractor, construction superintendent or their agents, or any other person taking part or assisting in the construction or use of any building who shall knowingly violate any of the applicable provisions of the New York State Building Construction Code, or any order, notice, directive, permit or certificate of the Building Inspector made thereunder shall be punishable by a fine of not more than five hundred dollars (\$500.00), or thirty days in jail, or both. Each day that a violation continues after receipts of written notice of the same shall be deemed a separate offense.

(d) This section shall not apply to violations of the provisions of the New York State Building Construction Code punishable under Section 385 of the Executive Law of the State of New York; nor to violations of the provisions of the Multiple Residence Law punishable under Section 304 of the Multiple Residence Law of the State of New York.

SECTION 19 ABATEMENT OF VIOLATION

Appropriate actions and proceedings may be taken at law or in equity to prevent unlawful construction or to restrain, correct or abate a violation or to prevent illegal occupancy of a building, structure or premises or to prevent illegal acts, conduct or business in or about any

premises; and these remedies shall be in addition to the penalties prescribed in the preceding section.

SECTION 20 VALIDITY

It is hereby declared to be the intention of the Town Board of the Town of Riverhead that the sections, paragraphs, sentences, clauses, and words of this ordinance are severable; and, if any word or words, clause or clauses, sentence or sentences, paragraph or paragraphs, section or sections, of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining words, clauses, sentences, paragraphs and sections of this ordinance as the same would have been enacted by the Town Board without the incorporation in this Ordinance of any such unconstitutional word or words, clause or clauses, sentence or sentences, paragraph or paragraphs, section or sections.

And the Town Clerk is hereby authorized and directed to enter the said Ordinance No. 35 in the minutes of the Town Board, and to publish a copy once in the News-Review, the official newspaper published in the Town, and to post a copy of the same, on the signboard maintained by the Town Clerk, pursuant to subdivision 6 of Section 30 of the Town Law and file in her office affidavit of said publication and posting, and

FURTHER RESOLVED, That the Town Clerk be directed to send copies of the Building Code Ordinance No. 35, of the Town of Riverhead, to the Towns of Brookhaven, Southampton and Southold, the Suffolk County Department of Planning and the Long Island State Park Commission.

The aforementioned Ordinance No. 35, shall take effect ten (10) days after such publication and posting.

Dated: August 3, 1965

BY ORDER OF THE TOWN BOARD
TOWN OF RIVERHEAD, N. Y.
HELENE M. BLOCK, TOWN CLERK

RESOLUTIONS continued:

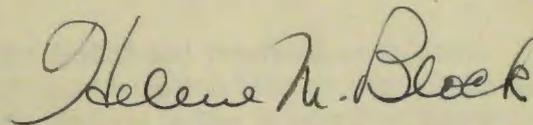
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The aforementioned Ordinance No. 35, shall take effect ten (10) days after such publication and posting.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was thereupon declared duly adopted.

There being no further business on motion and vote, the meeting adjourned at 11:30 A. M., to meet at the Jamesport Fire House, Jamesport, N. Y., on Tuesday, August 17, 1965 at 8:00 P. M.



Helene M. Block, Town Clerk

HMB.