

BILL NO. 2 OF 2025

A local law to amend Lake Success Code Chapter A111 entitled “Fees.”

BE IT ENACTED by the Board of Trustees of the Village of Lake Success as follows:

Section One. Lake Success Code Article I entitled “Miscellaneous Fees” Section A111-1 entitled “Enumeration of fees” is hereby repealed in its entirety.

Section Two. Lake Success Code Chapter A111 is hereby amended by the addition of a new Article II entitled “Planning Board and Building Department Fees” to read as follows:

§A111-1 Enumeration of fees.

- A. A fee schedule shall be established by resolution of the Board of Trustees. Such fee schedule may thereafter be amended from time to time by like resolution. The fees set forth in, or determined in accordance with, such fee schedule or amended fee schedule shall be charged and collected in connection with applications submitted to the Board.
- B. All fees specified in the fee schedule shall be paid to and collected by the Village Clerk simultaneously with the filing of any application. The particular application shall not be deemed filed until said fees shall be paid and until the other requirements of this chapter have been complied with.
- C. The payment of fees specified in the fee schedule shall not preclude the payment of fees required under other provisions of the Code of the Village of Lake Success or Village rules and regulations, or fees required to be paid to any other governmental or quasi-governmental agency or any sewer or water district having jurisdiction in the premises.

§A111-2. General provisions.

- A. Refund of fees. Upon expiration or cancellation of any permit issued under this article, where no construction, excavation, demolition or other work for which such permit was issued has been started, the applicant shall be entitled to a refund of 50% of any permit fee paid and 100% of any certificate of occupancy/completion fee paid, upon filing a claim for such refund by the Building Inspector and the Board of Trustees.

- B. Filing for alterations and new dwellings. One set of forms must be filled out, and nine sets of plans with the original architect's signature and seal, a check for filing fees and a workmen's compensation certificate must be submitted.
- C. Costs. On all applications to the Board of Trustees, the Board of Appeals and/or the Planning Board, the applicant shall be liable for and shall pay the following costs which may be incurred by the Village in processing the application:
 - (1) Advertising.
 - (2) Stenographic minutes of meetings and hearings.
 - (3) Engineering costs for Village Engineer.
 - (4) Legal fees for the Village Attorney and Special Counsel.
 - (5) Recording fees.
 - (6) Planning, sound, traffic, environmental or other specialized study or consultant's fees.
- D. Deposits.
 - (1) In addition to the fees required in §§ A111-1 hereof, the applicant shall deposit with the Village Clerk a sum of money to be used by the Village to defray the costs, listed in Subsection C hereof, which are actually and necessarily incurred by the Village in processing and reviewing the application. The amount of the deposit will be determined by the Building Inspector and the Village's consultants who will be reviewing the project.
 - (2) In the event that the amount of the deposit is insufficient to cover the costs listed in Subsection C hereof, the applicant shall, at such time as is fixed by the Village Clerk, deposit with the Village an amount deemed sufficient to defray all such costs. If the amount deposited exceeds the costs listed in Subsection C which are actually and necessarily incurred by the Village, the unused portion of such deposit shall be returned to the applicant within 60 days after the decision on the application is filed.
- E. Action on application. No action shall be taken by the Board of Trustees, the Board of Appeals and/or the Planning Board on any application subject to the provisions of this section until all fees and deposits required hereunder are paid in full.
- F. Noncompliance with approved plans. In the event that the applicant has not conformed to the approved plans, the Board may, at its discretion, retain consultants to determine

the extent of noncompliance and the applicant shall be liable for all costs incurred by the Village in accordance with Subsection C.

A111-3. Environmental assessment form and environmental impact statement.

- A. The applicant shall pay the actual fees incurred by the Village for review or preparation of an environmental assessment form or environmental impact statement involving an applicant for a permit or approval of an action of any board or agency of the Village or preparing or reviewing the environmental assessment form or environmental impact statement, including but not limited to legal fees; planning, traffic, environmental, engineering or other consulting fees; advertising of legal notices; and stenographic minutes of meetings.

Section Three. This local law shall take effect immediately upon filing with the Secretary of State.