

PROPOSED ORDINANCE NO. 74 – 2014

AN ORDINANCE TO FIX CERTAIN FEES TO BE CHARGED BY  
THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, certain fees charged by the County of Nassau for services no longer cover the costs required to administer and process the services for which they are charged; and

WHEREAS, it is therefore necessary for the County of Nassau to fix such fees so that they cover the administrative costs associated with the operation of services of the departments; now, therefore

BE IT ORDAINED, by County Legislature of the County of Nassau County as follows:

§ 1. Section 3 of Ordinance No. 105-1985, relating to procedures for the issuance of permits for opening of roads other than for County purposes, as last amended by Ordinance No. 187-2010, is amended to read as follows:

3. Each applicant for a permit shall accompany its application by a non-refundable fee of two hundred forty dollars (\$240) for each opening. The said fee is waived however, if the applicant is a municipal corporation duly organized under the laws of the State of New York. Each permit holder shall also be required to pay a fee of three hundred ninety nine dollars (\$399) for each opening to cover costs associated with the re-inspection subsequent to the repair of the roadway following the road opening.

§ 2. Section 9 of Ordinance No 266-1985, constituting the Nassau County Sewer Ordinance, as amended by Ordinance No. 100-C-2001 and 128-2006, is amended to read as follows:

SECTION 9 – Fees

9.1 General Permit

The fee for a General Permit shall be one hundred twenty dollars (\$120) payable on filing the application. Each permit holder shall also be required to pay a fee of three hundred ninety nine dollars (\$399) as a sewer permit inspection fee.

9.2 Special Permit

The fee for a Special Permit Shall consist of the following charges:

- (a) One hundred sixty dollars (\$160) to a maximum of eight hundred dollars (\$800) for Engineering reports.
- (b) An inspection charge of two percent (2%) of the estimated cost of the construction of the external sewers from the available County sewer to the point where the sewer enters the building. The estimated cost of construction is to be determined by the Commissioner. No work will commence until County Inspectors are on the job site. An inspection charge will not be made where the Owner is required to provide this service through others (see Section 13).
- (c) The fee for a Special Permit shall consist of the sum total of the charges described above and shall be payable before issuance of the permit.

9.3 Industrial Discharge Permit

The fee for an Industrial Discharge Permit shall be two hundred thirteen dollars (\$213) payable to the County on filing the application.

#### 9.4 Dye Testing

In each instance when a dye test is conducted to determine whether a building is equipped with a connection to the sewer system, and such test is not made for the sole use and benefit of the County, a minimum fee of one hundred sixty dollars (\$160) to a maximum fee of eight hundred dollars (\$800) per dye test shall be paid to the County by:

- (a) the person requesting such test, or
- (b) the owner of the premises on which such test is made when test is done to establish an illegal connection.

#### 9.5 Verification of Permit/Connection

A fee for the written verification of Permits issued for connection to the public sewer may be charged by the County. The fee shall be ninety-five dollars (\$95.00).

§ 3. Sections 3, 4, 5, 7 and 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. 187-2010, are amended as follows:

- 3. The Commissioner of Public Works is hereby authorized to publish a GPS monumentation book based upon up to date information accumulated by him in loose leaf book form with provision for updating said information as required for a period of five years subsequent to publication. The GPS monumentation book shall be available for sale to the public at a price of two hundred seventy five

dollars (\$275) per volume, to include the aforesaid supplements for a five-year period.

4. The Commissioner is hereby authorized to establish a fee of two hundred nine dollars (\$209) for permits issued pursuant to subdivision (c) of Section 12-4.3 of the Nassau County Administrative Code relating to containers, boxes, dumpsters, or instrumentalities on County roads.

5. The Commissioner of Public Works is hereby authorized to establish a fee of nine dollars (\$9) per square foot for the reproduction of maps.

7. The Commissioner is hereby authorized to charge a fee of three thousand and five hundred dollars (\$3,500) and an additional one hundred and fifty dollars (\$150) per lot to review for an applicant submitting a subdivision map that requires the approval of the Commissioner of Public Works pursuant to Section 334-a of the Real Property Law. If an applicant is required to resubmit plans, the Department shall charge an additional fee of three hundred fifty dollars (\$350) for each occasion that plans are resubmitted.

8. The Commissioner of Public Works is hereby authorized to charge a fee of seven hundred and fifty dollars (\$750) 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 on behalf of a charitable organization, religious institution, or not-for-profit corporation or where the anticipated cost of construction is less than twenty five thousand dollars (\$25,000). A fee of three hundred seventy dollars (\$370) 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 or minor subdivision defined by §339a of the Real Property Law in addition to the base initial fee of seven hundred and fifty dollars (\$750) the applicant will be required to pay one half percent (.05%) of the estimated construction value.

§ 4. Section 1 of Ordinance No. 144-1990, as amended by Ordinance No. 128-2006, relating to various miscellaneous fees to be charged by the Department of Public Works, is amended to read as follows.

Section 1. The Department of Public Works is authorized to charge the following fees:

- (a) Cesspool coupons for scavenger waste at sewage plants

\$53 per 1,000 gallons

- (b) Plans and specifications for construction projects

\$106

- (c) Aerial photos on a scale of 1" = 200"

10 per sheet

§ 5. Section 6 of Ordinance No. 76-2000, as amended by Ordinance No. 41-2009 is amended to read as follows.

6. The Commissioner of Public Works is authorized to charge the following fees:

- (a) Standard Detail Sheets for Civil Engineering and Site Development

Construction

\$260

(b) Standard Specifications for Construction of Sanitary Sewers \$80

(c) Traffic Signal Standard Specifications \$80

§ 6. There shall be a penalty of three times the amount of the applicable permit fee for any violation of the terms and conditions or requirements of a road opening or sewer permit issued by the Department of Public Works or for any actions improperly undertaken without obtaining such a permit from the Department of Public Works

§7. Section XII of the Nassau County Planning Commission Regulations for the Subdivision of Land is hereby amended to read as follows:

	<b>Application or Filing</b>	<b>Fee</b>	<b>Commission Regulations Section</b>
A.	Minor Subdivision Applications, including Lot Line Adjustments	Residential \$600 per lot or unit Lot Line Adjustments \$300	IV(C)(10)
B.	Preliminary Map Applications	Residential \$600 per lot or unit Non-residential \$850 per lot or unit	V(E)(10)
C.	Final Map Applications	\$2,000 per map section filed	V(G)(7)
D.	Amended Map Applications	\$600	X(E)
E.	Appeals to the Planning Commission	\$600	IX(C)
F.	Condominium or Cooperative Conversion Exception Letter Requests	\$100	II(E)
G.	Variance from Commission Regulations	Residential - \$600 per variance Non-residential variance - \$850	IX(A)
H.	Bond and Cash Escrow Filing Fee	\$600	VII
I.	Reduction of Bond or Escrow	\$600	VII
J.	Release of Bond or Escrow	\$600	VII

K.	Extension of Time to File Maps or Deeds	\$600	X(D)
L.	Certified Copy of Resolution	Pursuant to applicable law	X(F)
M.	Environmental Assessment Form (EAF) Filing Fee	\$600	II(A)
N.	Draft Environmental Impact Statement (DEIS) Filing Fee	\$1,000 per acre	II(A)
O.	Final Environmental Impact Statement (DEIS) Filing Fee	\$2,000 per acre	II(A)
P.	Supplemental Environmental Impact State (SEIS) Filing Fee	\$2,000 per acre	II(A)
Q.	Inspection Fee	8% of the cost of the required public improvements and utilities, of their estimated cost, as established by the Commission	VIII
R.	Miscellaneous	\$500	N/A
S.	Re-hearing	\$500	N/A

§8. 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.

§ 9. This ordinance shall take effect immediately.

