

TOWN OF NORTH CASTLE

A LOCAL LAW to amend the Code of the Town of North Castle by amending Chapter 114 entitled Application Processing Restrictions.

BE IT ENACTED by the Town Board of the Town of North Castle as follows:

1. Chapter 114 is amended in its entirety to read as follows:

§ 114-1. Purpose.

The purpose of this chapter is to prohibit the processing and approval of any and all applications for approval and issuance of any permit or certificate of occupancy or use by any board or official of the Town of North Castle for any property owner who has outstanding fees or real estate taxes or special district taxes owed to the Town of North Castle or where outstanding violations (as that term is defined in § 114-4D herein) of any local laws or ordinances of the Town of North Castle exist on the property for which the approval is being requested.

§ 114-2. Short title.

This chapter shall be known as “Application Processing Restrictive Law of the Town of North Castle.”

§ 114-3. Applicability.

This chapter shall apply to the provisions of all the local laws and ordinances adopted by the Town of North Castle for any and all applications submitted or pending on or after the effective date of this chapter.

§ 114-4. Submission of proof; processing and approval.

- A. Simultaneously with the filing of an application to any board or official of the Town of North Castle, the Town shall determine, to the satisfaction of the Town department processing the application, that no fees or real estate taxes or special district taxes are due to the Town of North Castle and that no outstanding violations of any local law or ordinance of the Town of North Castle exist on the property.
- B. The processing and approval of any and all applications for approval and issuance of any permit or certificate of occupancy by any board or official of the Town of North Castle for any property owner who has fees or real estate taxes or special district taxes outstanding to the Town of North Castle or outstanding violations of any local laws or ordinances of the Town of North Castle on the property for which the approval is being requested is hereby prohibited.

- C. In the event that an application is in process before any of the boards or officials as listed above and a violation of this chapter occurs or has outstanding fees or real estate taxes or special district taxes, processing of the application shall cease upon presentation of proof of the violation or delinquency by the Building Inspector of the Town of North Castle. Once the applicant submits proof that the violation of this chapter has been corrected, the application process shall be allowed to continue.
- D. For purposes of this chapter only, a violation of any local law or ordinance of the Town of North Castle shall be deemed to have occurred when one of the following events occurs:
 - (1) When a property owner has failed to seek a variance or appeal within 60 days after the issuance of a notice of violation; or
 - (2) Upon the issuance of a criminal summons by the Code Enforcement Officer.

§114-5. Waivers.

The Town Board, when it deems appropriate, may in its discretion, upon submission of a written request by a property owner, temporarily waive specific provisions of this chapter where necessary to prevent undue hardship or an inequitable result. The Building Inspector, in an emergency situation (e.g., water pipe leak, electrical malfunction, etc.) may also waive specific provisions of this chapter where necessary to prevent undue hardship or an inequitable result. The Building Inspector shall simultaneously provide notice of all waivers to the Town Board.