

**RESOLUTION ADOPTING A LOCAL LAW AMENDING VILLAGE CODE ARTICLE
I, REIMBURSEMENT FOR PROFESSIONAL CONSULTANT REVIEW OF
APPLICATIONS, §130-2**

WHEREAS, the Village Board of the Village of Sag Harbor is seeking to establish specific limits of professional consultant fees for residential and commercial applications by resolution; and

WHEREAS, in furtherance of this goal, the Board of Trustees is considering enacting a local law amending Village Code, Article I, Reimbursement for Professional Consultant Review of Applications, §130-2, Referral to consultant; reimbursable fees; payment; duplication of services; and be it further

WHEREAS, a public hearing was held on June 14, 2022, at which time all persons either for or against the proposed local law were heard; and

WHEREAS, the Village of Sag Harbor Planning Consultant, Nelson Pope & Voorhis, determined that the proposed action is a Type II Action pursuant to the State Environmental Quality Review Act, (SEQRA), and no further environmental review is required; and now, therefore, be it

RESOLVED, that the following local law is hereby adopted:

LOCAL LAW NO. 10 OF 2022

BE IT ENACTED, by the Village Board of Trustees of the Village of Sag Harbor as follows:

A Local Law amending Village Code, Article I, Reimbursement for Professional Consultant Review of Applications, §130-2, Referral to consultant; reimbursable fees; payment; duplication of services.

SECTION 1. Amendment. Please see the following and amend Village Code §130-2, Referral to consultant; reimbursable fees; payment; duplication of services, by deleting those words that are stricken and adding those words that are underlined:

A.

The Village board reviewing a given application and/or other or similar matter may, in review of any application which may come before it, refer such application presented to it to an engineer, environmental expert, planner or other professional consultant as the reviewing board shall deem reasonably necessary to enable it to review such application as required by law. Fees charged for any such professional services shall be in accord with fees usually charged for such services in the eastern Suffolk County area. Fees charged shall be ~~and~~ pursuant to a contractual agreement

between the Village and such professional consultant and shall be limited to the maximum fee amount established for applications set by Resolution of the Village Board of Trustees.

SECTION 2. Authority.

The Village of Sag Harbor hereby enacts this legislation pursuant to NYS Village Law §§7-700 and NYS Municipal Home Rule Law §§10(1)(i)(a).

SECTION 3. Severability.

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

SECTION 4. Effective Date.

This chapter shall take effect immediately upon filing in the office of the Secretary of State pursuant to the Municipal Home Rule Law.