

## **HBP-5-2024**

### **A local law to amend Village of Hewlett Bay Park Village Code Chapter 146 in relation to portable bathrooms.**

Section 1. The Code of the Village of Hewlett Bay Park is hereby amended by adding the following definitions to Village Code §146-2(B), to read as follows:

#### **“PORTABLE BATHROOM**

A free-standing, movable toilet enclosure or container that is not connected to a sanitary sewer system.

Section 2. The Code of the Village of Hewlett Bay Park is hereby amended by adding a new section, to read as follows:

#### **“§146-48. Portable Bathrooms.**

- A. Portable bathrooms shall be permitted on private property in connection with a permit for construction, renovations or alterations on the same property or during an approved on-site event or party. Portable bathrooms are only permitted on a property (i) where there is active construction and a current building permit, or (ii) during a party, and in a location approved by the Building Inspector in accordance with this Code section.
- B. A portable bathroom shall be removed from the premises (i) when a permit has expired, (ii) no current permit exists for construction work on a premises, and/or (iii) the day after conclusion of the party.
- C. No portable bathroom shall be located in a front yard.
- D. A portable bathroom shall be hidden from view from the street and neighboring properties.
- E. Where it can be demonstrated by a property owner that an otherwise permitted portable bathroom cannot feasibly be located in a rear yard or side yard, upon such demonstration to the satisfaction of the Building Inspector, the Building Inspector may waive the aforesaid front yard prohibition.
- F. No portable bathroom may be located within (5) feet of a side or rear property line.”

Section 3. Any local law, ordinance, or resolution of the Village of Hewlett Bay Park in conflict with this local law is hereby repealed to the extent of such conflict, except that such repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of such local law, ordinance or resolution prior to the effective date of this local law.

Section 4. If any clause, sentence, paragraph, section, article, or part of this local law shall be adjudged to be invalid by any court of competent jurisdiction, such judgment shall not affect, impair or invalidate any other part of this local law, or the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 5. This local law shall take effect immediately upon adoption and filing of such law pursuant to the Municipal Home Rule Law.