

**AGENDA FOR THE BOARD OF TRUSTEES
WORK SESSION
-OPEN TO THE PUBLIC-**

December 7, 2023, 11:00 A.M.

***LTV Studios, 75 Industrial Road, Wainscott, NY 11975**

*** Please note location change**

PLEDGE OF ALLEGIANCE:

ROLL CALL:

MAYORS ANNOUNCEMENTS:

PRESENTATIONS:

Hugh King

WORK SESSION/DISCUSSION:

Adding Insulation to Garages

Proposed Code Revisions

1. Ch. 18. Code of Ethics; §18-2 Definitions (Municipal Officer or Employee)
2. Ch. 77. Beaches; Article I. Beach Regulations;
§77-4 (Prohibited conduct)
§77-5 (Vehicles on the beach)
§77-6 (Operating a vehicle while under the influence)
§77-12 (Temporary closure)
§77-14 (Locker permits)
3. Ch. 267. Vehicles and Traffic; Article I. General Regulations
§267-5 (Beach parking)
§267-7 (Parking time limited in designated locations)
4. Ch. 278. Zoning;
§278-1 (Definitions; nonconforming buildings)
§278-3 (Accessory building and structure design requirements)
& (wetland setbacks)
5. Ch. 163. Freshwater Wetlands
6. Ch. 225. Property Maintenance and Nuisance Abatement;
§225-2 (Exterior maintenance)

Chapter 18.

Ethics, Code of

§ 18-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

INTEREST

A direct or indirect pecuniary or material benefit accruing to a municipal officer or employee as the result of a contract with the Village of East Hampton. For the purposes of this chapter a municipal officer or employee shall be deemed to have an interest in the contract of:

- A. His or her spouse, minor children and dependents, except a contract of employment with the Village of East Hampton;
- B. A firm, partnership or association of which such officer or employee is a member or employee;
- C. A corporation of which such officer or employee is an officer, director or employee; and
- D. A corporation, any stock of which is owned or controlled directly or indirectly by such officer or employee.

MUNICIPAL OFFICER OR EMPLOYEE

An officer or employee of the Village of East Hampton, whether paid or unpaid, including members of any administrative board, commission or other agency thereof. No person shall be deemed to be a municipal officer or employee solely by reason of being a volunteer fireman or ~~ambulance association volunteer~~, a volunteer member of the Village of East Hampton Department of Emergency Medical Service (EMS), except a chief or assistant chief. No person shall be deemed to be a municipal officer or employee solely by reason of being or having been an ambulance association volunteer.

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Chapter 77. Beaches

Article I. Beach Regulations

§ 77-1. Authority.

This article is adopted by the Village Board of the Village of East Hampton pursuant to the authority granted the Board under the provisions of the Municipal Home Rule Law of the State of New York.

§ 77-2. Promulgation of rules; applicability.

- A. The Town Trustees of the Freeholders and Commonality of the Town of East Hampton (hereinafter the "Trustees") have ownership of and authority over certain beach areas within and adjacent to the boundaries of the Village of East Hampton. The Village Board has such powers and authority over beaches within and adjacent to its boundaries as have been granted it under the provisions of the Village Law and the Municipal Home Rule Law of the State of New York. In an effort to provide similar, although not identical, rules and regulations for all beach areas within the Town of East Hampton, the Village Board and the Town Trustees have promulgated the following rules and regulations with respect to all beach areas within and adjacent to the boundaries of the Village.
- B. The provisions of this article shall apply to all beaches within and the ocean beaches adjacent to the boundaries of the Village of East Hampton.

§ 77-3. Definitions.

For the purpose of this article, the following terms shall have the meanings indicated:

ACCESS

A means of entry to or exit from a beach.

BEACH

All land lying between a body of fresh or salt water and the base of a bluff or dune. In cases where there is no bluff or dune present, then the "beach" shall be all land lying between such body of water and the naturally occurring beach grass or the upland vegetation if no naturally occurring beach grass is present.

BLUFF

A formation of land which is landward of the natural beach and which rises sharply from its base to a bluff line where the natural land contours resume a gradual slope.

CAMPING

Includes but is not limited to the use of any vehicle to sleep in; the use of a tent or other temporary structure to sleep in; or sleeping on the beach after sundown.

DUNE

A naturally occurring accumulation of sand in wind-formed ridges or mounds landward of the beach, often characterized by the natural growth of beach grass (*Ammophila breviligulata*). Included in this definition are deposits of fill placed for the purpose of dune construction.

OPERATE

The same meaning as that given it in the Vehicle and Traffic Law. A person “operates” a vehicle when he begins to use the mechanism of the vehicle for the purpose of putting the vehicle in motion even though he does not move it. “Operate” is markedly broader than “drive” and includes, among other things, sitting behind the wheel with the keys in the ignition even if the vehicle is not running.

PROTECTED BIRDS

Birds now or hereafter listed on the New York State and/or federal threatened or endangered species list.

TRUSTEE BEACHES

Beaches owned and managed by the Trustees. Included within “Trustee beaches” are the following:

- A. The ocean beaches from the westerly boundary of the Village of East Hampton to the easterly boundary of the Village of East Hampton.
- B. The beaches adjacent to the following bodies of water: Wainscott Pond, Georgica Pond, Hook Pond, Lily Pond and Town Pond.

TRUSTEES

The Trustees of the Freeholders and Commonality of the Town of East Hampton.

UNREASONABLE NOISE

The presence of that amount of acoustic energy which causes temporary or permanent hearing loss in persons exposed and that which is otherwise injurious or tends to be injurious to the public health or welfare, causes a nuisance or interferes with the comfortable enjoyment of life and property of others.

VEHICLE

Any transportation device which is propelled by other than muscular power.

§ 77-4. Prohibited conduct.

- A. No person shall damage, deface, injure, remove, tamper with or destroy any sign, snow fencing, flagging or other property located on the beach.
- B. No person shall throw, break, cast, lay or deposit a glass bottle or pieces of crockery or glass or glassware, fish, garbage or refuse or any injurious substance of any kind or nature on any beach. All persons shall dispose of such substances as directed by law.
- C. No person shall throw, place or deposit fill, sand, gravel or any other materials, including but not limited to trees, shrubs or brush, on the beach unless properly authorized by the Trustees.
- D. No person shall erect, construct, reconstruct, enlarge or alter any structure, including but not limited to any groin, erosion control device, bulkhead, dock, pipe or other improvement whatsoever, in, on or under any beach or pond without having obtained any and all necessary permits and approvals, including those required by the Trustees.
- E. No person shall maintain a camp, trailer or other structure, whether temporary or permanent, on the beach.
- F. No person shall disturb or endanger any protected bird nesting area on the beach. As soon as the protected birds establish their annual nesting sites, the Trustees or their duly authorized agent or agents will cause each nesting site to be fenced, roped or flagged in a manner designed to alert the public that entry is prohibited. No person shall alter, move, remove or tamper with any fence, rope or flagging designating such areas. All such fencing shall be removed at the end of the nesting season.
- G. No person shall erect a fence, barricade or other impediment to vehicular and/or pedestrian traffic on the beach without the written consent of the Trustees.
- H. No person shall intentionally obstruct vehicular or pedestrian access to the beach.
- I. No person shall camp on the beaches. Specific exception may be granted by the Trustees to organizations such as Boy Scouts, Girl Scouts and other civic organizations, upon written request.
- ~~J. No person shall camp in the parks or on other public property in the Village of East Hampton. Specific exception may be granted by the East Hampton Village Board of Trustees to organizations such as Boy Scouts, Girl Scouts and other civic organizations, upon written request.~~
- ~~K. No person shall camp on private property without written permission from the owner and only in conformance with other applicable Village ordinances.~~

- L. No person shall intentionally engage in fighting or in violent, tumultuous or threatening behavior on the beach.
- M. No person shall ride, walk or otherwise allow or permit a horse, dog, cat or other animal to be in or upon a protected bird nesting area designated pursuant to § 77-4F at any time.
- N. Animals on the beach.
- (1) No person shall ride, walk or otherwise allow or permit a dog, cat or other animal to be on or upon any beach from May 15 to September 15 of each year, between the hours of 9:00 a.m. and 6:00 p.m. At all other times during the period from May 15 to September 15 of each year, dogs must be manually restrained on a leash within areas that are within 300 feet of any road end along the Atlantic Ocean beaches.
[Amended 5-17-2013 by L.L. No. 13-2013; 11-18-2016 by L.L. No. 13-2016]
- (2) Any individual who permits a dog upon any beach shall maintain control over said dog at all times and shall take such action as may be necessary to clean up after such animal.
- O. No person shall make unreasonable noise on the beach or permit such noise from a radio, vehicle or other instrument under his or her control.
- P. No person shall disobey the lawful directives of a lifeguard employed by the Village of East Hampton for the health, safety and welfare of the public issued in the performance of his or her duties.
- Q. Beach fires.
[Amended 12-15-2006 by L.L. No. 16-2006]
- (1) No person shall start or maintain a beach fire less than 50 feet from any beach grass, vegetation, tent or fence or less than 100 feet from any building or permanent structure or less than 200 feet from any posted water-bird nesting colony.
- (2) No person shall maintain a fire that is greater at any time than two feet in any dimension.
- (3) All fires must be completely extinguished with as many buckets of water as is necessary. No person shall extinguish a fire or embers by covering them with sand.
- (4) No person shall leave a fire unattended. All fires shall be under constant watch.
- (5) No person shall maintain a beach fire unless a bucket of water is stationed within 10 feet of the fire.
- (6) No person shall kindle or maintain a fire if the prevailing wind velocity exceeds 15 miles per hour.

- (7) No person shall start or maintain a fire with any fuel other than firewood. The use of construction material as fuel is prohibited.
- (8) In addition to the penalties set forth in § 77-9 of this article, any duly constituted law enforcement officer as set forth in § 77-10 may require a beach fire to be extinguished when deemed dangerous due to wind conditions or size and may prohibit fires when unusually dry conditions exist or whenever other circumstances present an increased fire hazard. None of these provisions shall be construed as relieving any person who lights or maintains a fire from resulting damage to property or persons.
- (9) All fire debris, including logs and wood, shall be removed from the beach.
[Added 1-15-2010 by L.L. No. 2-2010]
- (10) All fires must be contained in a metal container.
[Added 1-15-2010 by L.L. No. 2-2010]
- (11) No beach fire shall be set, started, kindled or maintained prior to 6:00 p.m. and must be fully extinguished prior to 12:00 midnight.
[Added 10-20-2017 by L.L. No. 19-2017]

R. Alcohol on the beach.
[Added 4-16-2021 by L.L. No. 9-2021]

- (1) No person shall possess, consume, ingest, or take internally any alcoholic beverage, nor have in his possession any alcoholic beverage container which has been opened for the purpose of consuming the contents thereof, during the hours of lifeguard protection on the beach.
- (2) If there is no lifeguard stationed on the beach, then no person shall possess, consume, ingest, or take internally any alcoholic beverage, nor have in his possession any alcoholic beverage container which has been opened for the purpose of consuming the contents thereof, from 9:00 a.m. through 5:00 p.m. from May 15 to September 15 of any year.
- (3) At no time, without a special event permit specifically permitting such, shall any person possess on any beach an alcoholic beverage container which is capable of holding in excess of one gallon.

S. Alcohol, additional.
[Added 4-16-2021 by L.L. No. 9-2021]

- (1) Except as hereinafter provided, no person under the age of 21 years shall possess any alcoholic beverage on any beach, with the intent to consume such beverage.
- (2) A person under the age of 21 years may possess any alcoholic beverage on any beach with intent to consume if the alcoholic beverage is given:

- (a) To a person who is a student in a curriculum licensed or registered by the State Education Department and the student is required to taste or imbibe alcoholic beverages in courses which are a part of the required curriculum, provided such alcoholic beverages are used only for instructional purposes during class conducted pursuant to such curriculum; or
 - (b) To the person under 21 years of age by that person's parent or guardian.
- (3) Any person who unlawfully possesses an alcoholic beverage on any beach with intent to consume may be summoned before and examined by a court having jurisdiction of that charge; provided, however, that nothing contained herein shall authorize, or be construed to authorize, a peace officer as defined in Subdivision 33 of § 1.20 of the Criminal Procedure Law or a police officer as defined in Subdivision 34 of § 1.20 of such law to arrest a person who unlawfully possesses an alcoholic beverage with intent to consume. If a determination is made sustaining such charge, the court may impose a fine not exceeding \$50 and/or completion of an alcohol awareness program established pursuant to § 19.25 of the Mental Hygiene Law and/or an appropriate amount of community service not to exceed 30 hours.
 - (4) No such determination shall operate as a disqualification of any such person subsequently to hold public office, public employment, or as a forfeiture of any right or privilege or to receive any license granted by public authority, and no such person shall be denominated a criminal by reason of such determination, nor shall such determination be deemed a conviction.
 - (5) Whenever a peace officer, as defined in Subdivision 33 of § 1.20 of the Criminal Procedure Law, or police officer, as defined in Subdivision 34 of § 1.20 of the Criminal Procedure Law, shall observe a person under 21 years of age openly in possession of an alcoholic beverage, as defined in this chapter, on any beach, with the intent to consume such beverage in violation of this section, said officer may seize the beverage and shall deliver it to the custody of his or her department.
 - (6) Any alcoholic beverage seized in violation of this section is hereby declared a nuisance. The official to whom the beverage has been delivered shall, no earlier than three days following the return date for initial appearance on the summons, dispose of or destroy the alcoholic beverage seized or cause it to be disposed of or destroyed. Any person claiming ownership of an alcoholic beverage seized under this section may, on the initial return date of the summons or earlier on five days' notice to the official or department in possession of the beverage, apply to the court for an order preventing the destruction or disposal of the alcoholic beverage seized and ordering the return of that beverage. The court may order the beverage returned if it is determined that return of the beverage would be in the interest of justice or that the beverage was improperly seized.

- T. Smoking. No person shall smoke a cigarette, pipe, cigar or similar smoking substance or engage in any vaping activity at any beach pavilion, beach parking lot, on the beach within 300 feet of the beach road end, and/or within 20 feet of any other person on the beach.
[Added 4-16-2021 by L.L. No. 9-2021]

§ 77-5. Vehicles on the beach.

A. Requirements.

- (1) No person shall operate or park a vehicle on the beach from May 15 to and including September 15 in any year, between the hours of 9:00 a.m. to 6:00 p.m. Notwithstanding the above, individuals shall be permitted to drive a vehicle on the beach between the easterly side of the Two Mile Hollow parking area to the easterly boundary of the Village at all times, provided that they shall exercise due caution when traversing through said area and provided, further, that they are in compliance with all other requirements of this article.
[Amended 11-18-2016 by L.L. No. 14-2016]
- (2) No person shall operate or park a vehicle on that portion of the beach between the Hook Pond Jetty on the east and the prolongation southerly on the westerly property line of the HiTide (known as SCTM#301-13-13-12) on the west, between the hours of 6:00 p.m. and 12:00 midnight on the night of the annual East Hampton Village Fire Department fireworks display. The provisions of this subsection shall not apply to vehicles whose occupants are engaged in commercial net fishing and vehicles whose occupants are actively engaged in the fireworks display.
[Amended 7-31-2019 by L.L. No. 10-2019]
- (3) No person shall operate a vehicle on the beach unless said vehicle is registered and displays a valid vehicle registration license in compliance with the Vehicle and Traffic Law of the State of New York.
- (4) No person shall operate a vehicle on the beach unless said vehicle is in compliance with the provisions of the Motor Vehicle Financial Security Act as contained in Article 6 of the Vehicle and Traffic Law, requiring liability insurance or other proof of financial security.
- (5) No person shall operate a vehicle on the beach unless such vehicle has been issued and displays a valid and proper East Hampton town resident beach vehicle permit issued by the East Hampton Town Clerk. Resident permits shall be issued free of charge to all residents of the Town of East Hampton who shall submit proof of residency or property ownership within the town and a valid registration in the name of the resident or property owner. Permits shall be issued to nonresidents upon payment to the Town Clerk of a nonrefundable fee of \$200. Such nonresident permits shall expire on December 31 of each year. Disabled veterans and individuals possessing a valid mobility impaired license shall be entitled to a fifty-percent discount on the cost of the permit. The Town Clerk shall inspect all applications for permits and determine the

validity of the qualifications presented in accordance with the provisions of this section. The permit shall be affixed to the rear of the vehicle in the location specified by the Town Clerk and shall be placed in such location in a manner which allows the permit to be clearly visible at all times when the vehicle is in motion.

[Amended 7-31-1998 by L.L. No. 12-1998]

- (6) No person shall operate a vehicle on the beach unless such vehicle is equipped with a tow rope or chain, jack and spare tire.
- B. Exemptions. Operators of the following vehicles shall be exempt from the provisions of § 77-5A(1) above, provided that they shall exercise due caution when traversing through restricted bathing areas:
- (1) Vehicles whose occupants are actively engaged in traditional commercial net fishing.
 - ~~(2) Vehicles displaying a handicapped parking permit being used by a handicapped person.~~
- C. Nesting areas. No person shall operate a vehicle within or upon any protected bird nesting area designated as such by the Trustees or Village Board pursuant to § 77-4F hereof at any time. A violation of the provisions of this subsection shall be punishable by a fine of not less than \$250 nor more than \$1,000 or by imprisonment for up to 15 days, or both. Upon conviction of such violation, the permission to operate a vehicle on the beach heretofore given said person by the Trustees is hereby revoked, automatically and without recourse, for a period of one year. In the event that the violator is also the owner of the vehicle in which the offense occurred, then, in such event, the permit issued to the violator for said vehicle shall be surrendered to the court and shall be subject to removal from the vehicle by a court officer or police officer if not voluntarily surrendered. A person who operates a vehicle on the beach at a time when his permission to do so has been revoked shall be subject to prosecution for criminal trespass, as well as other applicable statutes, under the Penal Law.
- D. Access. No person operating a vehicle shall take access to the beach other than from existing access points. No person operating a vehicle shall take access to the beach by climbing over any dune, bluff or vegetation.
- E. Regulations for beach use by vehicles.
- (1) All operators of vehicles traveling along the beach shall maintain a distance of no less than 50 feet seaward of the beach grass line, if possible.
 - (2) No person shall operate a vehicle over or upon any dune, bluff or vegetation.
 - (3) No person shall utilize a vehicle on the beach for the purpose of camping or sleeping.
 - (4) No person shall operate a vehicle on the beach during the period from one-half hour after sunset to one-half hour before sunrise and at such other times as visibility for a

distance of 1,000 feet ahead of such vehicle is not clear, unless such vehicle displays at least two lighted headlights on the front and two lighted lamps on the rear.

- (5) No persons shall operate a vehicle on the beach at a speed in excess of 15 miles per hour.
- (6) No person shall operate a vehicle in a reckless manner that endangers the safety of other persons.
- (7) Vehicles shall travel in a single line, except when necessary to pass. In the event that a vehicle operator(s) deems it necessary and safe to pass another vehicle, he or she shall do so in a manner so that not more than two vehicles, inclusive of the vehicle to be passed, are traveling beside each other in any one direction at any time.
- (8) No operator of a vehicle shall have the right-of-way over any person on foot.
- (9) No person shall abandon any vehicle on the beach. A vehicle left unattended for a period of 24 hours or more shall be deemed abandoned and may be removed to an impound area designated for the placement of the same by or at the direction of any officer authorized to enforce this article at the expense of the owner thereof. The Village Board and Trustees and said enforcement officer shall not be responsible for damage to any vehicle occasioned by such removal. Upon impounding an abandoned vehicle, the officer shall make an inquiry as to the owner of the vehicle and shall notify the owner, if known, that the vehicle has been impounded and that, if unclaimed, it will be sold at public auction not less than 10 days after the date such notice was given. The owner may reclaim the vehicle after proving ownership and paying an impound fee of \$200, plus the costs of removal, plus a storage fee of \$20 per day. If a vehicle remains unclaimed for a period of 10 days from the date notice is given to the owner or if the owner cannot be found or ascertained:
 - (a) A vehicle having a value of \$750 or less may be destroyed, junked or otherwise disposed of as the officer or the Trustees see fit.
 - (b) A vehicle having a value in excess of \$750 shall be disposed of at a public auction to the highest bidder. The proceeds from the sale of such vehicle, less the impound fee, costs of removal, storage fee and costs of sale, shall be held by the Trustees, without interest, for the benefit of the owner of such vehicle for a period of one year. If not claimed within said one-year period, such proceeds shall be paid into the general fund of the Trustees.
- (10) Notwithstanding any provision herein contained to the contrary, no person shall operate a motorcycle, hovercraft, snowmobile, all-terrain vehicle or similar vehicle designed for off-road travel on the beach.
- (11) The provisions of this § 77-5 shall not apply to vehicles operated by the police, fire and rescue services, the dory rescue squad, East Hampton Town Bay Constable, an

East Hampton Town Harbor Master, an East Hampton Town Dog Control Officer or other emergency vehicles while actually in the performance of their duties.

Chapter 77. Beaches

Article I. Beach Regulations

§ 77-6. Operating a vehicle while under the influence of alcohol or drugs prohibited.

A. Prohibited conduct.

- (1) No person shall operate a vehicle on the beach while such person's ability is impaired by the consumption of alcohol.
- (2) No person shall operate a vehicle on the beach while such person has ~~0.10~~ .08 of 1% or more by weight of alcohol in his or her blood as shown by chemical analysis of such person's blood, breath, urine or saliva, made pursuant to the provisions of § 1194 of the Vehicle and Traffic Law.
- (3) No person shall operate a motor vehicle on the beach while in an intoxicated condition.
- (4) No person shall operate a vehicle on the beach while his ability to operate such vehicle is impaired by the use of a drug, as defined in the Vehicle and Traffic Law.

B. Sanctions.

- (1) A violation of Subsection A(1) above shall be punishable by a fine of not less than \$100 nor more than \$250 or by imprisonment for up to 15 days, or both. Upon conviction of such violation, the violator's permission to operate a vehicle on the beach is hereby revoked, automatically and without recourse, for a period of one year.
- (2) A violation of Subsection A(2), (3) or (4) above shall be punishable by a fine of not less than \$250 nor more than \$500 or by imprisonment for up to 15 days, or both. Upon conviction of such violation, the violator's permission to operate a vehicle on the beach is hereby revoked, automatically and without recourse, for a period of two years.
- (3) A person who operates a vehicle in violation of any provision of Subsection A, after having been convicted of a violation of any provision of Subsection A within the preceding 10 years, shall be punished by a fine of not less than \$350 nor more than \$500 or by imprisonment for up to 15 days, or both. Upon conviction of such violation, the violator's permission to operate a vehicle on the beach is hereby revoked, automatically and without recourse, for a period of five years.
- (4) In addition to the penalties set forth herein in Subsection B(1), (2) and (3), in the event that the violator is also the owner of the vehicle in which the offense

occurred, then, in such an event, the permit issued to the violator for said vehicle shall be surrendered to the court and shall be subject to removal from the vehicle by a court officer or police officer if not voluntarily surrendered.

- (5) No person shall operate a vehicle on the beach at a time when his or her permission to do so has been revoked. Violation of this provision shall be subject to a fine of not less than \$500 nor more than \$1,000 and imprisonment for a period of not more than 15 days, or both.

C. Chemical tests.

- (1) Any person who operates a vehicle on the beach shall be deemed to have given consent to a chemical test of one or more of the following: breath, blood, urine or saliva, for the purpose of determining the alcohol and/or drug content of the blood, provided that:
 - (a) Such test is administered by or at the direction of a police officer, with respect to a chemical test of breath, urine or saliva, or at the direction of a police officer, with respect to a chemical test of blood;
 - (b) The police officer has reasonable grounds, as such term is defined in § 1194 of the Vehicle and Traffic Law, to believe such person to have been operating in violation of any provision of § 77-6A of this article; and
 - (c) The test is administered within two hours after the person has been lawfully arrested for such violation, in accordance with the procedures set forth in § 1194 of the Vehicle and Traffic Law.
- (2) A person arrested for a violation of any provision of § 77-6A of this article shall be advised by the arresting officer that he or she may refuse to submit to the chemical test and that, as a result of such refusal, his or her permission to operate a vehicle on the beach will be revoked immediately and automatically for a period of two years.
- (3) If a person who has been lawfully arrested for a violation of any provision of § 77-6A of this article and who has received the warning provided in Subsection C(2) hereof shall refuse to submit to a chemical test, the permission to operate a vehicle on the beach heretofore given said person by the Trustees is hereby revoked, automatically and without recourse, for a period of two years, regardless of whether the person is convicted of a violation of any provision of Subsection A above, and shall not be restored thereafter without the written approval of the Trustees.
- (4) In addition to the penalties set forth herein in Subsection C(1), (2) and (3), in the event that the violator is also the owner of the vehicle in which the offense occurred, then, in such an event, the permit issued to the violator for said vehicle

shall be surrendered to the court and shall be subject to removal from the vehicle by a court officer or police officer if not voluntarily surrendered.

- (5) Chemical test results shall be accorded the same treatment and effect as provided in § 1195 of the Vehicle and Traffic Law.

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Chapter 77. Beaches

Article I. Beach Regulations

§ 77-12. Temporary closure.

- A. The Trustees have the right to temporarily close or restrict any beach or portion thereof at any time if deemed appropriate and necessary. The Trustees shall advise the Village Board of their decision to order any closure in a manner deemed reasonable under the circumstances, but failure to do so shall not affect the validity of such closure or restriction.

- B. **The Village Board, at the request of the East Hampton Village Police Chief has the right to temporarily close or restrict any beach or portion thereof at any time if deemed appropriate and necessary for public safety purposes. The Village Board shall advise the Trustees of any such closure in a manner deemed reasonable under the circumstances, but failure to do so shall not affect the validity of such closure or restriction.**

Chapter 77. Beaches

Article II. Main Beach Pavilion

§ 77-14. Locker permits.

A. Definitions. As used in this section, the following terms shall have the meanings indicated:

NONRESIDENT

Any individual who does not meet the definition of a resident.

RESIDENT

Any individual who:

[Amended 4-19-2002 by L.L. No. 10-2002]

- (1) Is registered to vote in Village elections; or
- (2) Owns property in the Village, including a shareholder in a housing cooperative located in the Village; or
- (3) Is a volunteer or exempt member of the East Hampton Fire Department or the **East Hampton Village Department of Emergency Medical Service (EMS), Ambulance Association serving the Village of East Hampton, or an ambulance association member who was exempt as of April 30, 2023.**

B. Permits for the use of the lockers located inside the Main Beach Pavilion shall be issued on a seasonal basis, as follows:

- (1) The Board of Trustees shall, by resolution, establish the fees to be charged for the use of the lockers, based on the respective size of the lockers.
- (2) Residents. Village residents who have had the use of a locker or a locker permit during the previous season shall be given first opportunity to obtain a permit for the same locker during the following season. In addition, the Village Clerk shall, on a continuing basis, maintain a list of Village residents who did not have the use of a locker during the previous season, but wish to obtain a locker permit for the following season. The list shall retain the order in which residents have signed up for a locker. Upon payment of the applicable fee and upon the submission of proof of Village residency, the Village Clerk shall issue a seasonal locker permit to those residents who had lockers the previous season, and then, on a first-come-first-served basis, to any Village resident desiring the use of a locker.
- (3) Nonresidents. The Village Clerk shall, on a continuing basis, maintain a list of nonresidents who wish to obtain a locker permit for the following season. If there are any vacant lockers remaining upon June 15 of each year, permits for those lockers will be issued to nonresidents based upon a lottery drawing.

- (4) One sticker only, entitling the vehicle to which the sticker is affixed to park in Lot #1, the lot immediately adjacent to the Main Beach Pavilion, shall be issued with each locker permit. Nonresident locker permit-holders shall pay the fee required under § 267-5C of this Code for the sticker. The sticker must be affixed to a vehicle which is owned or leased by the locker permit-holder or a resident of the same premises in which the permit-holder resides.
- (5) Locker permits and Lot #1 parking stickers are nontransferable and nonassignable.
- (6) The contents of all lockers must be removed no later than September 15 of each year.

Chapter 267. Vehicles and Traffic
Article I. General Regulations

§ 267-5. Beach parking.

[Added 4-19-1968]

- A. No person shall park a motor vehicle in any of the following locations:
- (1) On both sides of Two Mile Hollow Road, from the intersection of Further Lane and Two Mile Hollow Road in a southerly direction to the authorized-sticker parking area located at the southerly end of Two Mile Hollow Road, and on Two Mile Hollow Road where it adjoins and terminates at the beach of the Atlantic Ocean.
 - (2) On both sides of Old Beach Lane, from the intersection of Further Lane and Old Beach Lane in a southerly direction to the authorized-sticker parking area located at the southerly end of Old Beach Lane, and on Old Beach Lane where it adjoins and terminates at the beach of the Atlantic Ocean.
 - (3) On both sides of Highway Behind the Pond, from the authorized-sticker parking area 1,100 feet in a northerly direction, and on Highway Behind the Pond where it adjoins and terminates at the beach of the Atlantic Ocean.
 - (4) On both sides of Apaquogue Road, from the authorized-sticker parking area in a northerly and northwesterly direction to the intersection of West End Road and Apaquogue Road, and on Apaquogue Road where it adjoins and terminates at the beach of the Atlantic Ocean.
 - (5) On both sides of Lily Pond Lane, from the intersection of Apaquogue Road and Lily Pond Lane 300 feet in an easterly and northeasterly direction.
- B. No person shall park, except with a permit visibly displayed on a motor vehicle, from May 15 to September 15 of each year, at the following locations as designated for parking purposes:
[Amended 7-30-1971; 5-18-1979 by L.L. No. 16-1979; 2-15-2002 by L.L. No. 2-2002; 11-21-2008 by L.L. No. 12-2008]
- (1) Beginning at the westerly side of Two Mile Hollow Road where it adjoins and terminates at the beach of the Atlantic Ocean; running thence in a northerly direction along the westerly side of Two Mile Hollow Road 400 feet to a point; running thence in an easterly direction 200 feet to the easterly side of Two Mile Hollow Road; running thence in a southerly direction along the easterly side of Two Mile Hollow Road 400 feet; running thence in a westerly direction along the Atlantic Beach 200 feet to the point or place of beginning.

- (2) Beginning at the westerly side of Old Beach Lane where it adjoins and terminates at the beach of the Atlantic Ocean; running thence in a northerly direction along the westerly side of Old Beach Lane 200 feet to a point; running thence in an easterly direction to the easterly side of Old Beach Lane; running thence in a southerly direction along the easterly side of Old Beach Lane 200 feet; running thence in a westerly direction along the Atlantic Beach to the point or place of beginning.
- (3) Beginning at the westerly side of Highway Behind the Pond where it adjoins and terminates at the beach of the Atlantic Ocean; running thence in a northerly direction along the westerly side of Highway Behind the Pond 400 feet to a point; running thence in an easterly direction to the easterly side of Highway Behind the Pond; running thence in a southerly direction along the easterly side of Highway Behind the Pond 400 feet; running thence in a westerly direction along the Atlantic Beach to the point or place of beginning.
- (4) Beginning at the westerly side of Apaquogue Road where it adjoins and terminates at the beach of the Atlantic Ocean; running thence in a northerly direction along the westerly side of Apaquogue Road 300 feet to a point; running thence in an easterly direction to the easterly side of Apaquogue Road; running thence in a southerly direction along the easterly side of Apaquogue Road 300 feet; running thence in a westerly direction along the Atlantic Beach to the point or place of beginning.
- (5) From a point on the westerly side of Ocean Avenue, said point marking the division line between premises of Bayberry on the north and the Main Beach of the Incorporated Village of East Hampton on the south, and running thence southerly along said westerly side of Ocean Avenue, and including the parking area behind the Main Beach Pavilion, a distance of approximately 433 feet to the beach of the Atlantic Ocean, running thence easterly along said beach of the Atlantic Ocean a distance of approximately 108 feet to the easterly side of Ocean Avenue, running thence northerly along the easterly side of Ocean Avenue a distance of 796 feet to a point, and including the Village-owned parking lot adjoining the easterly side of said Ocean Avenue.
- (6) No person shall park in the parking area behind (adjacent to) the Main Beach Pavilion (sometimes referred to as "Lot No. 1") between the hours of 9:00 a.m. and 1:00 p.m. except with a parking permit issued pursuant to Chapter 77, Article II, visibly displayed on the motor vehicle. ~~Vehicles authorized to utilize designated handicapped parking spaces and which have a resident permit, nonresident permit, or Lot 1 permit are exempt from this provision.~~
[Amended 5-21-2021 by L.L. No. 14-2021]
- (7) No person shall park in the parking area behind (adjacent to) the Main Beach Pavilion (sometimes referred to as "Lot No. 1") between the hours of 1:00 p.m. and ~~6~~5:00 p.m. except with a parking permit issued pursuant to Chapter 77, Article II, or a resident parking permit issued pursuant to § 267-5C. ~~Vehicles authorized to utilize designated handicapped parking spaces and which have a resident permit, nonresident permit, or Lot 1 permit are exempt from this provision.~~
[Amended 5-21-2021 by L.L. No. 14-2021]

C. Parking permits.

[Amended 3-21-1969; 2-16-1979 by L.L. No. 1-1979; 3-16-1979 by L.L. No. 2-1979; 1-18-1980 by L.L. No. 1-1980; 7-31-1986 by L.L. No. 10-1986; 2-15-2002 by L.L. No. 2-2002; 11-18-2005 by L.L. No. 21-2005; 11-17-2006 by L.L. No. 13-2006; 1-2-2007 by L.L. No. 1-2007]

- (1) Parking permits at the rate of one per car, valid for one calendar year, shall be issued by the Village Clerk to residents owning or leasing a motor vehicle (including individuals who enjoy the exclusive use of one corporate or partnership vehicle) without charge, and to all others at a purchase price per calendar year which shall, from time to time, be fixed by resolution of the Board of Trustees. No individual shall, without an appropriate parking permit visibly displayed on and affixed to the rear driver's side window, park a motor vehicle in any of the above designated areas. All parking permits shall be nontransferable. The following individuals may qualify for resident beach parking permits upon submission of proof of resident status, as required below:

- (a) Individuals who own property in the Village and/or who are residential shareholders in a housing cooperative, or individuals related by blood or marriage to residential property owners. An affidavit signed and notarized by the residential property owner attesting to the relationship and attesting that the relative is currently residing at the property owner's Village residence is required.

[Amended 8-16-2013 by L.L. No. 18-2013; 11-18-2016 by L.L. No. 15-2016^[1]]

[1] *Editor's Note: This local law also repealed former Subsection B, Domestic employees residing in the Village with property owners, and redesignated former Subsections C and D as B and C, respectively.*

- (b) Tenants renting a Village residential property on a year-round basis. Tenant must provide a year-round lease and any three of the following proofs of residency:

[1] Registration to vote in Village elections.

[2] Driver's license with address matching address of rental property on lease.

[3] Automobile registration with address matching address of rental property on lease.

[4] Utility bill (i.e., electric, telephone, cable, water company) with address matching address of rental property on lease.

[5] W-2 or income tax return with address matching address of rental property on lease.

- (c) Nonresident volunteer, **active** and exempt members of the East Hampton Fire Department **and of the East Hampton Village Department of Emergency Medical Service (EMS), as well as Ambulance Association members who were exempt as of April 30, 2023,** and lifeguards that are East Hampton Village Ocean Rescue members (limited to one resident parking permit for one family vehicle).

[Amended 1-15-2021 by L.L. No. 3-2021]

- (2) Any qualified individual owning or leasing a different motor vehicle during the season, in requesting the issuance of an additional or replacement nonresident permit or permits without charge, shall be entitled to same only upon the surrender of the scraped-off permit number or numbers from the permit for that different motor vehicle.
 - (3) The number of annual full-season parking permits issued to individuals who do not qualify under Subsection C(1)(a) or (b) shall not exceed 3,100 permits per year, effective January 1, 2017.
[Amended 11-16-2012 by L.L. No. 25-2012; 11-18-2016 by L.L. No. 15-2016; 4-16-2021 by L.L. No. 7-2021]
 - (4) Half-season parking permits shall be issued rather than monthly parking permits to those individuals who do not qualify under Subsection C(1)(a) or (b) above. The number of half-season parking permits shall not exceed: 750 permits for the period of May 15 to and including July 31; and 750 permits for the period of August 1 to and including September 15, effective immediately. The half-season permit fee shall, from time to time, be fixed by resolution of the Board of Trustees.
[Added 4-16-2021 by L.L. No. 7-2021; amended 4-28-2023 by L.L. No. 7-2023]
- D. Limited daily parking available by fee for non-permit holders. Daily parking is available on a limited basis for individuals not possessing a beach parking permit at a daily fee which shall, from time to time, be fixed by resolution of the Board of Trustees. Daily parking is available at the following beaches:
[Added 11-17-2006 by L.L. No. 14-2006; amended 5-20-2011 by L.L. No. 5-2011; 12-16-2011 by L.L. No. 10-2011; 11-16-2012 by L.L. No. 25-2012; 11-18-2016 by L.L. No. 15-2016; 4-16-2021 by L.L. No. 6-2021]
- (1) Main Beach; Village-owned parking lot adjoining the easterly side of Ocean Avenue.
 - (2) Two Mile Hollow Beach parking lot.

DRAFT

Chapter 267. Vehicles and Traffic

Article I. General Regulations

§ 267-7. Parking time limited in designated locations.

[Amended 6-17-1955; 6-28-1963; 3-20-1964; 7-30-1971; 12-16-1977 by L.L. No. 18-1977; 4-20-1979 by L.L. No. 5-1979; 4-20-1979 by L.L. No. 6-1979; 4-20-1979 by L.L. No. 7-1979; 7-13-1984 by L.L. No. 18-1984; 11-15-1985 by L.L. No. 13-1985; 11-15-1985 by L.L. No. 21-1985; 7-31-1987 by L.L. No. 12-1987; 7-31-1987 by L.L. No. 13-1987; 10-18-1991 by L.L. No. 16-1991; 7-31-1992 by L.L. No. 14-1992; 3-19-1993 by L.L. No. 2-1993; 3-19-1993 by L.L. No. 3-1993; 3-19-1993 by L.L. No. 4-1993]

A. Except for designated handicapped parking spaces, which are governed by § 267-7B, the parking of vehicles in any of the following locations for longer than stated hereinafter is hereby prohibited. Where parking limits are applicable only between specified hours, unlimited parking is permitted at all other times, except as set forth in § 267-2 or elsewhere in this chapter. At the expiration of any timed parking listed herein, a parked vehicle must move a minimum of 20 feet in any direction in order to restart a new time period, except in any Village parking lot said vehicle must physically exit and reenter a lot to start a new parking period.

[Amended 2-19-2016 by L.L. No. 1-2016; 2-19-2016 by L.L. No. 2-2016; 4-16-2021 by L.L. No. 6-2021]

(1) ^[1]On the westerly side of North Main Street for the distance between a point beginning 25 linear feet south of the intersection of North Main Street and Talmage Lane and continuing southerly for a distance of 100 linear feet to another point, between the hours of 7:30 a.m. and 7:30 p.m. for a period of time in excess of one hour.

[Added 2-19-2016 by L.L. No. 2-2016]

[1] *Editor's Note: Original Subsection A(1), pertaining to parking on Main Street, was repealed 7-6-1995 by L.L. No. 22-1995.*

(2) On the north side of Newtown Lane, from its intersection with the westerly side of Main Street, running in a northwesterly direction to the intersection with easterly side of Osborne Lane, and on the south side of Newtown Lane, from its intersection with the westerly side of Main Street, running in a northwesterly direction to its intersection with the southerly side of Railroad Avenue 155 feet to the end of the existing gutter curbing, daily between the hours of 8:00 a.m. and 7:00 p.m. for a period of time in excess of one hour.

[Amended 10-15-1993 by L.L. No. 21-1993; 4-19-1996 by L.L. No. 10-1996; 2-19-1999 by L.L. No. 3-1999; 3-15-2002 by L.L. No. 8-2002; 2-20-2004 by L.L. No. 1-2004; 5-18-2007 by L.L. No. 4-2007; 1-15-2021 by L.L. No. 2-2021]

(3) On the northerly side of Fithian Lane, from the westerly corner of Bohack's building for a distance of 250 feet in an easterly direction for a period in excess of one hour.

(4) ^[2]At the Village-owned premises at 8 Osborne Lane for a period of time in excess of 23 hours, except for the five parking spaces (excludes the handicap space) closest to Osborne Lane on the southerly row of the parking lot, which between the hours of 8:00 a.m. and 6:00 p.m. for a period in excess of three hours.

[Added 12-21-2018 by L.L. No. 1-2019]

[2] *Editor's Note: Former Subsection A(4), regarding Ocean Avenue, was redesignated as Subsection A(26) 8-22-2008 by L.L. No. 8-2008.*

(5) No vehicle, truck or car shall be permitted to stand backed to the curb for the unloading or loading of merchandise except while actually being loaded or unloaded and except between the hours of 7:00 a.m. and 10:00 a.m. and then for no longer period than is required for such loading or unloading.

(6) On the northwesterly side of North Main Street between Talmage Lane and Cedar Street and on the southeasterly side of North Main Street from the boundary line between Residence District (Zone) C and the Commercial District (Zone) to the intersection of the southeasterly side of North Main Street and the westerly side of Cross Highway, between the hours of 7:30 a.m. and 7:30 p.m. for a period of time in excess of one hour.

(7) On the westerly side of James Lane beginning at a point 775 feet from the intersection of Mill Road running southerly for a distance of 410 feet for a period in excess of 30 minutes between the hours of 9:00 a.m. and 6:00 p.m. from May 15 to and including September 30.

[Amended 11-19-1999 by L.L. No. 13-1999; 1-15-2021 by L.L. No. 2-2021]

(8) On the easterly side of James Lane from the intersection of the northerly side of Maidstone Lane with the easterly side of James Lane northerly approximately 760 feet to the intersection of the easterly side of James Lane with the southerly side of Dunemere Lane for a period in excess of two hours, between the hours of 9:00 a.m. and 6:00 p.m.^[3]

[3] *Editor's Note: Original Subsection A(9), which immediately followed this subsection and provided regulations for Railroad Avenue, was repealed 4-15-1994 by L.L. No. 12-1994. See now Art. V.*

(9) On the east side of Main Street beginning at a point 129 feet south from the southeasterly intersection of Davids Lane and Main Street southerly for a distance of 73 feet for a period in excess of one hour between the hours of 8:00 a.m. and 7:00 p.m. daily.^[4]

[Added 7-6-1995 by L.L. No. 23-1995; amended 6-15-2001 by L.L. No. 8-2001; 3-15-2002 by L.L. No. 8-2002; 2-20-2004 by L.L. No. 1-2004; 5-18-2007 by L.L. No. 4-2007]

[4] *Editor's Note: Original Subsection A(10), which immediately followed this subsection and provided regulations for Railroad Avenue, was repealed 4-15-1994 by L.L. No. 13-1994. See now Art. V.*

(10) On the southerly side of Newtown Lane, from the intersection of the westerly side of the entrance to the Robert G. Reutershan Parking Lot with said southerly side of Newtown Lane, running thence westerly for a distance of 240 feet for a period in excess of one hour between the hours of 8:00 a.m. and 7:00 p.m. daily.

[Added 6-15-2001 by L.L. No. 7-2001; amended 3-15-2002 by L.L. No. 8-2002; 2-20-2004 by L.L. No. 1-2004; 4-15-2005 by L.L. No. 9-2005; 5-18-2007 by L.L. No. 4-2007]

(11) On the north side of Newtown Lane between Sherrill Road and Conklin Terrace and from a point 20 feet west of Conklin Terrace westerly for a distance of 300 feet for a period in excess of two hours between the hours of 8:00 a.m. and 7:00 p.m.^[5]

[Added 8-15-2014 by L.L. No. 15-2014]

[5] *Editor's Note: Original Subsection A(11), which provided regulations for Railroad Avenue, was repealed 4-15-1994 by L.L. No. 14-1994. See now Art. V.*

(12) On the easterly side of James Lane from the northeasterly corner of the Hedges Inn premises in a southwesterly direction approximately 355 feet to the intersection of the easterly side of James Lane and northeasterly side of Ocean Avenue for a period of time in excess of 15 minutes.

(13) On the westerly side of North Main Street, between the northerly side of the entrance of the Schenck Parking Lot and a point 700 feet northerly thereof as measured along said westerly side of North Main Street, daily between the hours of 8:00 a.m. and 7:00 p.m. for a period of time in excess of one hour.

[Amended 4-19-1996 by L.L. No. 11-1996; 2-19-1999 by L.L. No. 3-1999; 3-15-2002 by L.L. No. 8-2002; 2-20-2004 by L.L. No. 1-2004; 5-18-2007 by L.L. No. 4-2007]

(14) (Reserved)^[6]

[6] *Editor's Note: Former Subsection A(14), which provided regulations for North Main Street, as amended, was repealed 9-15-2017 by L.L. No. 14-2017.*

(15) ^[7]On the north side of Davids Lane beginning at a point 410 feet east of the intersection of Main Street and Davids Lane and extending a distance of 1060 feet, and on the south side of Davids Lane beginning at a point 462 feet east of the intersection of Main Street and Davids Lane and extending a distance of 1026 feet, for a period of one hour between the hours of 9:00 a.m. and 6:00 p.m. Monday through Saturday and between the hours of 12:00 noon and 6:00 p.m. on Sunday.

[Added 4-17-2009 by L.L. No. 6-2009]

[7] *Editor's Note: Original Subsection A(15), which provided regulations for Railroad Avenue, was repealed 4-15-1994 by L.L. No. 15-1994. See now Art. V.*

(16) On both sides of Davids Lane beginning at a point 40 feet east of the intersection of Main Street and Davids Lane and extending a distance of 370 feet east on the north side, and extending a distance of 422 feet east on the south side, for a period of two hours between the hours of 9:00 a.m. and 6:00 p.m. Monday through Saturday and between the hours of 12:00 noon and 6:00 p.m. on Sunday.

[Amended 4-17-2009 by L.L. No. 6-2009]

(17) In that portion of the Lumber Lane Parking Lot (sometimes referred to as Lot 1) lying southwesterly of Pleasant Lane, subject to the requirements of a parking fee as set forth in Article IX herein.

[Amended 7-30-1993 by L.L. No. 12-1993]

(18) On the south side of Gay Lane beginning at the intersection of the southerly side of Montauk Highway (Route 27), and extending to the intersection of Egypt Lane and on the north side of Gay Lane beginning at the intersection of the southerly side of Montauk Highway (Route 27) easterly 242 feet for a period of time in excess of one hour between the hours of 10:00 a.m. and 5:00 p.m.

[Added 6-18-1993 by L.L. No. 7-1993; amended 8-20-1993 by L.L. No. 15-1993; 6-15-2007 by L.L. No. 7-2007]

(19) In that portion of the Lumber Lane Parking Lot (sometimes referred to as Lot 2) lying southeasterly of Pleasant Lane for a period of time in excess of 24 hours.

[Added 7-30-1993 by L.L. No. 11-1993]

(20) On the south side of Gingerbread Lane Extension beginning at a point 20 feet west of The Learning Center driveway and extending to a point 240 feet west for a period of one hour between the hours of 9:00 a.m. and 6:00 p.m.

[Added 3-21-1997 by L.L. No. 3-1997]

(21) On the north side of Pantigo Road beginning at a point 60 feet east of the northeasterly intersection of Methodist Lane and Pantigo Road, easterly for a distance of 370 feet for a period of time in excess of two hours between the hours of 8:00 a.m. and 7:00 p.m.^[8]

[Added 6-15-2012 by L.L. No. 15-2012]

[8] *Editor's Note: Original Subsection A(21), regarding Fithian Lane, added 11-19-1999 by L.L. No. 11-1999, was repealed 4-20-2000 by L.L. No. 4-2000.*

(22) On the north side of Gingerbread Lane Extension beginning at the intersection of Lumber Lane and Gingerbread Lane Extension and extending to a point 365 feet west for a period of two hours between the hours of 8:00 a.m. and 6:00 p.m.

[Added 12-17-1999 by L.L. No. 17-1999]

(23) On the east side of Park Place beginning at a point 210 feet from the intersection of Main Street and Park Place and extending north for a distance of 465 feet and on the north side of Park Place beginning at a point 180 feet from the intersection of Park Place and Newtown Lane extending east 265 feet for a period of time in excess of 30 minutes, during the period from May 15 to and including December 31.

[Added 5-1-2003 by L.L. No. 4-2003; 2-20-2004 by L.L. No. 1-2004]

(24) On the east side of Methodist Lane beginning at a point 30 feet from the intersection of Pantigo Road and extending north for a distance of 77 feet and beginning at a point 131 feet from the intersection of Methodist Lane and Pantigo Road for a distance of 335 feet for a period of time in excess of two hours between the hours of 8:00 a.m. and 7:00 p.m.

[Added 9-19-2003 by L.L. No. 11-2003; amended 6-15-2012 by L.L. No. 16-2012]

(25) On the westerly side of the Circle (south entrance), beginning on the westerly portion of The Circle that is 68 feet east of the intersection of Main Street and the Circle and running 120 feet east, for a period of time in excess of one hour.

[Added 7-30-2004 by L.L. No. 11-2004]

(26) On Ocean Avenue where it adjoins and terminates at the beach of the Atlantic Ocean (Main Beach), for a period in excess of 15 minutes.

[Amended 8-22-2008 by L.L. No. 8-2008]

(27) On Apaquogue Road/Lily Pond Lane Road where it adjoins and terminates at the beach of the Atlantic Ocean (Georgica Beach), for a period in excess of 15 minutes.

[Added 8-22-2008 by L.L. No. 8-2008]

(28) On Highway Behind the Pond where it adjoins and terminates at the beach of the Atlantic Ocean (Wiborg Beach), for a period in excess of 15 minutes.

[Added 8-22-2008 by L.L. No. 8-2008]

(29) On Old Beach Lane where it adjoins and terminates at the beach of the Atlantic Ocean (Egypt Beach), for a period in excess of 15 minutes.

[Added 8-22-2008 by L.L. No. 8-2008]

(30) On Two Mile Hollow Road where it adjoins and terminates at the beach of the Atlantic Ocean (Two Mile Hollow Beach), for a period in excess of 15 minutes.

[Added 8-22-2008 by L.L. No. 8-2008]

(31) On the south side of Pantigo Road beginning at a point 30 feet east from the intersection of Pantigo Road and Gay Lane and extending east for a distance of 150 feet for a period of time not in excess of 30 minutes between the hours of 9:00 a.m. and 7:00 p.m.

[Added 6-15-2012 by L.L. No. 19-2012]

(32) At the Village-owned premises at 88 Newtown Lane between the hours of 8:00 a.m. and 6:00 p.m., Monday through and including Friday, shall be limited to those on official Village business, including Village of East Hampton employees.

[Added 2-19-2016 by L.L. No. 1-2016; amended 11-15-2019 by L.L. No. 13-2019; 2-19-2021 by L.L. No. 5-2021]

(33) Robert G. Reutershan, Barnes Schenck, 66 Main Street and 73 North Main Street Parking Lots.

[Added 4-15-2016 by L.L. No. 7-2016]

(a) In the Robert G. Reutershan Parking Lot and the Barnes Schenck Parking Lot, for a period of time in excess of three hours between the hours of 10:00 a.m. and 6:00 p.m. every day during the period from May 15 to and including December 31, subject to the requirements of a parking fee as set forth in Article XI herein, and for a period of time in excess of three hours on Fridays, Saturdays, federal holidays and only those Sundays that precede a Monday federal holiday during the period from January 1 to May 14. Volunteer members of the East Hampton Fire Department, **volunteer members of the East Hampton Village Department of Emergency Medical Service (EMS)**, volunteer members of the East Hampton Village Ambulance Association **who were exempt as of April 30, 2023**, and volunteer members of the East Hampton Volunteer Ocean Rescue who work in the central business district and who have applied to the Village Clerk for permits and obtained and place such permits on their cars shall be exempt from the provisions of this section.

(b) In the Barnes Schenck Parking Lot during the period from May 1 to and including December 31, parking in the five spaces beginning 21 feet east of the intersection of Barnes Lane and the entrance to the Schenck Parking Lot running for a distances of 45 feet along the southerly side of the parking lot shall be limited to not more than 30 minutes.

(c) The parking lot located at 66 Main Street, during the period from May 1 to and including December 31, between the hours of 8:00 a.m. and 6:00 p.m., for a period of time in excess of one hour. Village Employees assigned to work, or with offices located, at 66 Main Street who display a permit issued by the Village Clerk on their vehicles shall be exempt from the provisions of this section. The Village Clerk is authorized to issue not more than 15 such permits.

(d) In the parking lot located at 73 North Main Street (SCTM No. 301-04-01-10.1) daily between the hours of 8:00 a.m. and 9:00 p.m. for a period of time in excess of two hours.^[9]

[9] *Editor's Note: Former Subsection A(33)(d), regarding parking receipts, was repealed 12-18-2020 by L.L. No. 6-2020.*

(34) On the east side of Pleasant Lane for the distance between a point beginning 30 linear feet south of the curblineline and Newtown Lane and continuing southerly for a distance of 76 linear feet to another point, between the hours of 8:00 a.m. and 7:00 p.m. for a period of time in excess of one hour.

[Added 1-20-2017 by L.L. No. 1-2017]

(35) On the north side of Newtown Lane, from the intersection with the westerly side of Osborne Lane running in a northwesterly direction to land of the Long Island Railroad Company daily between the hours of 8:00 a.m. and 7:00 p.m. for a period of time in excess of two hours.

[Added 1-15-2021 by L.L. No. 2-2021]

(36) Beginning from a point 137 feet south from the northwest corner of Lumber Lane at the intersection of Railroad Avenue running along the western side 360 feet south, subject to the requirements of a parking fee as set forth in Article IX herein.

(37) On the west side of Race Lane, from a point 195 feet south of the intersection of Railroad Avenue, to a point south 145 feet to the entrance of No. 31 Race Lane, daily between the hours of 9:00 a.m. to 6:00 p.m. for a period of time in excess of 30 minutes.

[Added 1-21-2022 by L.L. No. 1-2022]

B. The parking of vehicles in any designated handicapped parking space in excess of three hours is hereby prohibited.

[Amended 6-21-2002 by L.L. No. 13-2002; 2-20-2004 by L.L. No. 1-2004; 8-17-2007 by L.L. No. 17-2007]

C. Signs shall be erected and maintained in each of said blocks or locations designating the provisions of this section.

§ 278-1. Definitions; nonconforming buildings.

A. Definitions. For the purpose of this chapter, certain words and terms shall have the following meanings:

COVERAGE – ~~In~~ **On** all residential districts **properties**, that percentage of lot area covered by the ground floor area of all buildings **and roofed structures** sited thereon, together with all other structures. ~~In~~ **On** all other districts **properties**, that percentage of lot area covered by the ground floor of all buildings sited thereon, together with all other structures, including pavements and impermeable surfaces except for walkways located on the property which are available and open to the public and which connect public areas. **Buildings and roofed structures shall be measured to the furthest extent of the roof as projected downward to the ground, except that cornices, eaves, and gutters projecting not more than 24 inches from the exterior walls shall be excluded,**

LOT LINE, FRONT – A street right-of-way line at the front of a lot, ~~except that in the case of a flag-shaped lot, the front lot line shall be any one of the internal lines designated by the owner, which designation, once made, shall be permanent.~~ No lot shall have less than 20 feet on a public road or street, and at no point shall said lot be less than 20 feet in width.

YARD, SIDE – The area of any lot with a building which lies between the nearest portion of the building and the side lot line of the lot, extending through from the front yard, or from the front lot line where no front yard exists, to the rear yard or to the rear lot line where no rear yard exists. **Flat lots have side yards abutting each lot line.**

D. Accessory building and structure design requirements.

(1) The maximum gross floor area of all accessory buildings on a lot shall not exceed 2% of the lot area plus 200 square feet.

~~(1) (2) No accessory building shall contain more than one room **on any level or story** or, except for a garage or an accessory building permitted pursuant to §278-2B(7)(d), **§278-2B(7)(e) and (3) and (4) below.** exceed 250 square feet in gross floor area.~~

(3) No accessory building shall exceed 250 square feet of gross floor area except for a garage or an accessory building permitted pursuant to §278-2B(7)(d) and §278-2B(7)(e).

~~(2) (4) Pool house design requirements:~~

~~(a) A pool house or any portion of an accessory structure dedicated to such use shall not exceed 250 square feet of gross floor area.~~

~~(b) (a) Interior plumbing fixtures shall be limited to a sink plus one powder room.~~

~~(c) (b) Pool houses shall not contain indoor showers, **nor shall any pool house contain cooking or sleeping facilities.**~~

~~(d) All plumbing fixtures shall drain to a sanitary system in **an approved** conforming location.~~

~~(e) Pool houses shall not be insulated and/or heated, nor shall any pool house contain cooking or sleeping facilities.~~

~~(4) (3) **Detached garage design requirements:**~~

~~(a) **No habitable space, toilet, shower or bathtub shall be permitted inside a garage on any level.**~~

~~(b) **No plumbing of any kind shall be permitted on the second floor over a garage.**~~

~~(c) **A garage shall be accessible by an improved driveway, designed and capable for use for the storage of motor vehicles owned and regularly used by or on behalf of the owner or tenant of the lot.**~~

~~(3) (4) **Detached garage containing a pool house or recreation room design requirements:**~~

A ground-level pool house and a recreation room may be attached to an existing or proposed garage or located within a preexisting accessory structure in excess of 250 square feet of gross floor area when the following criteria are met:

(a) ~~The preexisting accessory structure or the garage~~ **building shall** conform with the required setbacks of §278-3A(5)(c) and those of Chapter 101, Coastal Erosion Areas; Chapter 124, Preservation of Dunes; and Chapter 163, Freshwater Wetlands.

(b) A pool house shall be located at ground level of the building and comply with the requirements of §278-3. D. 4.

(c) A recreation room shall be located on the second story of the building.

(d) Interior plumbing associated with a recreation room shall be limited to a sink plus one powder room.

(e) A recreation room shall not contain indoor showers, nor shall any recreation room contain cooking or sleeping facilities.

~~(b) There is no proposed enlargement of the preexisting accessory structure, unless the preexisting accessory structure is used solely as a garage with or without storage areas.~~

~~(e)~~ **(f) The portion of the structure garage to be utilized as a pool house or recreation room is restricted to said use and there shall be no internal passages into the garage portion of building.**

~~(d)~~ **(g) The remaining portion of the preexisting accessory building is used as a garage portion of the building shall be restricted to use as defined in §278-1. or storage area and conforms with the building and fire codes. and shall be accessible by an improved driveway, designed and capable for use for the storage of motor vehicles owned and regularly used by or on behalf of the owner or tenant of the lot.**

~~(e)~~ **(h) The property owner shall file a declaration of compliance Covenants and Restrictions with this subsection and shall authorize an annual inspection by the Code Enforcement Officer on 24 hours' notice.**

~~(4) Garage design requirements:~~

~~(a) No habitable space, toilet, shower or bathtub shall be permitted inside a garage on any level.~~

~~(b) No plumbing of any kind shall be permitted on the second floor over a garage.~~

~~(c) A garage shall be accessible by an improved driveway, designed and capable for use for the storage of motor vehicles owned and regularly used by or on behalf of the owner or tenant of the lot.~~

(5) No pedestrian walkway, as defined in this chapter, ~~shall be located within 10 feet of a swimming pool, nor shall it be designed or intended to be used as a patio, deck or similar accessory structure.~~

(6) No accessory building **or accessory structure** shall exceed 14 feet in height, except a garage, which shall not exceed the following height limitations or the height limitations under §278-3B(2), whichever is less.

(a) On lots of less than 10,000 square feet, a garage shall not exceed 16 feet in height.

(b) On lots greater than 10,000 square feet, but not more than 20,000 square feet, a garage shall not exceed 18 feet in height.

(c) On lots of more than 20,000 square feet, a garage shall not exceed 20 feet in height.

~~(7) The maximum gross floor area of all accessory buildings on a lot shall not exceed 2% of the lot area plus 200 square feet.~~

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(8) ~~Freshwater wetland~~ **Wetland** setbacks. Except for docks, none of the following structures or activities shall be located within the following distances of the landward edge of any ~~freshwater~~ wetland (See Chapter 163 of this Code for additional requirements):

Structure or Activity	Distance (feet)
Building	150
Septic or Discharge System	200
Clearing of land, landscaping or Fertilization	125

Chapter 163 ~~Freshwater~~ Wetlands (Remove “Freshwater” from chapter title)

Add Definition of Man-made Wetland.

MAN-MADE WETLAND OR POND– Artificial lined ponds of less than one acre in size which do not penetrate into the groundwater table.

SETBACKS – Except for coastal erosion structures (sea walls, revetments, bulkheads, gabions) and docks, the nominal standard of 150 feet for setting back structures and buildings from the landward edge of any wetland, and 200 feet for setting back any septic or ~~discharge~~ system from the landward edge of any wetland, and 125 feet for setting back any clearing of land, landscaping and fertilizing from the landward edge of any wetland.

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§ 225-2 Exterior maintenance

A. Surface and subsurface water shall be drained to prevent damage to buildings and structures and to prevent development of stagnant waters. Gutters, culverts, catch basins, drain basins, drain inlets, screenwriter sewers and sanitary sewers or other satisfactory drainage systems shall be provided and utilized. In no case shall ~~the water from any rain leader~~ be allowed to flow ~~over the sidewalk of~~ onto any adjoining property or street right-of-way.