

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

**PLEASE TAKE NOTICE** that a public hearing will be held before the Town Board of the Town of Riverhead, at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on the 1<sup>st</sup> day of December, 2009 at 2:20 p.m. to consider a local law amending Chapter 108 entitled "Zoning" of the Riverhead Town Code as follows:

**CHAPTER 108  
ZONING  
ARTICLE XVII, Administration**

§ 108-74. Certificate of occupancy.

D. Certificate of occupancy. In case of undue hardship, the Building and Zoning Department official may issue a temporary certificate of occupancy valid for a period not to exceed of six months for any building, structure or use, ~~provided that he shall find that:~~ The Building and Zoning Department official may extend the temporary certificate of occupancy for no more than two successive six month periods. The Town Board may issue an extension of the temporary certificate of occupancy beyond eighteen months if the applicant is able to satisfy the criteria set forth below and proof that the unavoidable delay set forth in provision (2) below is related to or caused by local or regional public improvements.

- (1) Such building or structure is in itself in conformance with the New York State Uniform Fire Prevention and Building Code and all other applicable ordinances or regulations.
- (2) All site development requirements are essentially completed but that, due to unavoidable delays, they cannot be entirely completed as required in a reasonable time.
- (3) On investigation, the Building and Zoning Department official shall approve of such temporary certificate of occupancy.
- (4) A cash deposit in escrow in an amount established by the Building and Zoning Department official shall be provided to insure satisfactory completion of all required improvements within a period of six months or such other extension of time granted by the Building and Zoning Department official. Failure to comply with this time limitation shall render such escrow in default, and the Town may utilize the deposited money in the Town of Riverhead Town account set up for this purpose. The actual work completing the improvements may be performed by one of the Town's departments or a private contractor selected by public bid.

- Underline represents addition(s)
- Overstrike represents deletion(s)

Dated: Riverhead, New York  
November 17, 2009

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

DIANE M. WILHELM, Town Clerk