

June 29, 2021

A LOCAL LAW NO. 2 OF 2021 OF THE VILLAGE OF SALTAIRE CREATING SECTION 55-26 OF THE SALTAIRE VILLAGE CODE REGULATING PLATFORM LIFTS AND ELEVATORS

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE INCORPORATED VILLAGE OF SALTAIRE AS FOLLOWS:

Section 1.0 Title, Enactment, Effective Date, Purpose.

1.1 Title of Local Law

1.2 Enactment.

1.3 Effective Date.

1.4 Purpose and Intent of Local Law.

2.0 General Provisions

2.1 Creation of Section 55-26

3.0 Severability and Validity

Section 1.0 Title, Enactment, Effective Date and Purpose.

1.1. Title

This Local Law shall be entitled, "Local Law No. 2 of 2021: Creation of Section 55-26 of the Saltaire Village Code regulating Platform Lifts and Elevators."

1.2. Enactment.

Pursuant to Section 10 of the Home Rule Law, the Village Law and the Village Code of the Incorporated Village of Saltaire, the Incorporated Village of Saltaire, County of Suffolk and State of New York, hereby enacts by this Local Law No. 2 of 2021, a Local Law of the Incorporated Village of Saltaire.

1.3. Effective Date.

This Local Law shall take effect on the filing of the approved Local Law with the Secretary of State of New York, which shall be within twenty (20) days after its approval by the Board of Trustees of the Incorporated Village of Saltaire.

2.0 Purpose and Intent of Local Law.

It is the intent of this provision to provide access to their homes and Village facilities, while preserving open spaces and protecting and enhancing the fragile environment of the barrier island in which the Village of Saltaire exists.

3.0 General Provisions.

2.1 Creation of Section 55-26 of the Saltaire Village Code

Section 55-26 of the Saltaire Village Code is hereby created to read as follows:

“Section 55-26 Platform Lifts and Elevators

Finding, Purpose and Intent: It is the intent of this provision to provide access to their homes and Village facilities, while preserving open spaces and protecting and enhancing the fragile environment of the barrier island in which the Village of Saltaire exists.

A. Definitions

The following words and phrases when used in this Section shall have the following meanings:

PLATFORM LIFT – An exterior platform no larger than 25 (twenty-five) square feet in surface area located outside of the enclosed space of a building that is part of a hoisting and lowering mechanism without an enclosed shaft used for raising and lowering people and items to and from the ground level and the finished first floor of the building only.

ELEVATOR – A compartment housed in a shaft and enclosed within the interior of the building used for raising and lowering people or items to different floor levels of the building.

B. Location and Zoning Impact

- 1) No Elevator or Platform Lift may be erected or installed on any property without a permit issued by the Building Inspector pursuant to plans and specifications previously submitted by the applicant in accordance with this Code.
- 2) A Platform Lift from the ground level to the first floor of any business or residential structure may be installed on the property under the following conditions:
 - a. It may be installed within the buildable area of the property created by the setback requirements of this Chapter, in which case the area that it covers shall count toward and be compliant with the Lot Coverage requirements pursuant to §55-14 of this Code.

- b. It may be installed in the setback area of the property, in which case the area it covers will not count toward total Lot Coverage, only if the Platform Lift meets all of the following conditions:
 - i. It shall be installed or constructed for service between the ground level and the first floor of the building or structure, and not to or between any other building or structure floor levels.
 - ii. It must be installed in lieu of either the access staircase or a component of the entrance ramp and be equal or less than the permitted coverage area that are allowed to be connected to the public walkway pursuant to §55-9 and § 55-14 of this Code.
 - iii. The exit from the Platform Lift onto the first-floor elevation of the building must be either:
 - 1. onto a building or structure that is within the buildable area of the property created by the setback requirements of this Chapter, or
 - 2. onto a preexisting legal non-conforming building or structure outside of the buildable area of the property created by the setback requirements of this Chapter.
 - iv. It shall be constructed with such noise-abatement design or equipment as may be required or permitted by this Code or applicable law and approved by the Building Inspector in order to minimize any noise or other disturbances created by its operation.
- 3) An Elevator in any commercial or residential building or structure may be installed on a property only under the following conditions:
 - a. It shall only be installed within the buildable area of the property created by the setback requirements.
 - b. It may not be installed within any setback area of the property.
 - c. The area it covers will count towards and be compliant with the Enclosed Space coverage pursuant to §55-14 of this Code.

C. Construction Standards

- 1) Platform Lifts and Elevators shall be designed and installed in conformance with the version of the Building Code of the State of New York and in compliance with all applicable Federal, State and Village requirements in effect at the time of the application for a permit to construct.
- 2) Platform Lifts and Elevators shall be designed and installed in accordance with NFIP Technical Bulletin #4 dated June 2019, or any successor standards or regulations.
- 3) A set of plans and specifications shall be submitted to the Building Inspector, which shall be stamped by a design professional and shall include a statement that the Platform Lift or Elevator:

- (i) will be constructed with materials resistant to flood damage, and
- (ii) will be constructed by methods and practices that minimize flood damages, and
- (iii) will be constructed with electrical and mechanical equipment that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

3.0 Severability and Validity

- 3.1 In the event that any portion or portions of this Local Law of 2021 shall be determined to be invalid or unenforceable for any reason, the remainder of the Local Law, and its provisions, shall remain in full force and effect.