

The Building Zone Ordinance

OF THE
TOWN OF HUNTINGTON

(As amended to July 1, 1958)

Recompiled and Reprinted
July, 1958

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Article I, II
ARTICLE I
Section 1.

This ordinance shall be known and may be cited as "The Building Zone Ordinance of the Town of Huntington."

ARTICLE II DEFINITIONS
Section 1.

Unless otherwise expressly stated, the following words shall for the purpose of this Ordinance, have the meaning herein indicated.

- (a) Words used in the singular number include the plural and vice versa, and the word "building" includes the word "structure", "lot" includes the word "plot", the word "shall" is always mandatory.
- (b) Accessory Building: A building subordinate to the main building on a lot and used for purposes customarily incidental to those of the main building.
- (c) Single Family Dwelling: A building designed for and occupied exclusively as a home or residence for not more than one family.
- (d) Two Family Dwelling: A building designed for and occupied exclusively as a home or residence for two families.
- (e) Multiple Family Dwelling or Apartment House: A building, not a Single Family Dwelling nor a Two Family Dwelling, designed and occupied exclusively for dwelling purposes.
- (f) Lot Area: The area of a lot on which a building and its accessories are located; provided that the area shall be measured to the street line only.
- (g) Building Area: The aggregate of the maximum horizontal cross section area of the buildings on a lot, excluding cornices, eaves, gutters or chimneys projecting not more than twenty-four (24) inches, steps, one story open porches, bay windows not extending through more than one story and not projecting more than five (5) feet, balconies and terraces.¹
- (h) Front yard: The required open space extending along the street line of any street on which the lot abuts.
- (i) Side Yard: The required open space extending along the side lot line from the front yard to the rear yard.
- (j) Rear Yard: The required open space extending along the rear lot line (not a street line) throughout the whole width of the lot.
- (k) Private Garage: A building used for the storage of automobiles owned and used by the owner or tenant of the lot on which it is erected for a purpose accessory to the use of the lot.
- (l) (Deleted).²
- (m) Public Garage: A building, other than a Private Garage, one or more stories in height, used for storage or repair of automobiles.
- (n) Height: The height of a building shall be measured from the mean level of the ground surrounding the building to a point midway between the highest and lowest points of the roof, provided that chimneys, elevator penthouses, tanks and similar projections shall not be included in the height.
- (o) The "Ground or First Story" is the lowest story entirely above the level of the ground in front of the building.
- (p) A "Two and One-half Story Building" is one where the main eaves are below the mid-height of the third story.
- (q) "The Depth of a Lot" is the mean distance from a street line of the lot to its opposite rear line, measured in the general direction of the side

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- lines of the lot. The "Width of a Lot" is the mean width measured at right angles to its depth.
- (r) A "family" is any number of persons living and cooking together on the premises as a single housekeeping unit.
 - (s) "Building Inspector" shall mean the Building Inspector of the Town of Huntington or any person appointed to act as such for the purposes of this Ordinance by the Town Board.
 - (t) An "Acre" as applicable to this Ordinance shall refer to the land exclusive of the street area.
 - (u) "Lodge" as used in this Ordinance shall mean the club house or club rooms of the local unit of a fraternal order, the majority of the members of which local unit are residents of the Town of Huntington.²
 - (v) Farm: For the purpose of this Ordinance a farm is defined as the use of land and buildings, either as a principal or accessory use for the production of vegetive crops such as, but not limited to, grains, field crops, market garden crops, fruits, sod, fibre plants but not including herbaceous or woody nursery stock, greenhouses or florists' establishments. When conducted as an accessory use to a principal residential use, poultry and farm animals; but not furbearing animals, or dairy cattle, dogs or cats raised commercially; may be kept for the exclusive use of the resident.³
 - (w) Principal Frontage: The principal frontage of a corner lot shall be the shorter of the street frontages.³
 - (x) "Story" as used in this Ordinance shall mean that part of a building between the floor and the floor or roof next above. A mezzanine shall be considered a story if it exceeds 25% of the area of the floor immediately below.³

ARTICLE III DISTRICTS

Section 1.

For the purpose of this Ordinance the Town of Huntington outside of incorporated villages and cities, is hereby divided into classes of districts, which shall be designated as follows:

- (1) Residence A Districts
- (2) Residence B Districts
- (2a) Residence B-1 Districts
- (2c) Residence B-3 Districts
- (3) Residence C Districts
- (3a) Residence C-1 Districts
- (3b) Residence C-2 Districts.⁴
- (4) Residence D Districts
- (5) Residence E Districts
- (6) General Business Districts
- (7) Special Business Districts
- (8) Planned Shopping Center Districts.⁴
- (9) Light Industry Districts
- (10) General Industry Districts.⁴
- (11) Professional District.⁶
- (12) Generating Station District.⁶
- (13) Single-Purpose Office Building Districts.⁶
- (14) Planned Motel District.⁶

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Section 2.

The boundaries of said districts shall be shown upon the map, attached to and made part of this Ordinance, which shall be designated as the "Amended Building Zone Map of the Town of Huntington, Suffolk County, N. Y." The said map and all notations, references and other things shown thereon shall be as much a part of this Ordinance as if matters and things shown by said map were all fully described herein.

Section 3.

The boundaries between districts are, unless otherwise indicated, either the centre lines of streets or railroad rights of way, or such lines extended or lines parallel thereto. Where figures are shown on the zoning map between a street and a district boundary line, they indicate that the district boundary line runs parallel to the street line at a distance therefrom equivalent to the number of feet so indicated. When the location of a district boundary line is not otherwise determined, it shall be determined by the scale of the map measured from a given line. Where the street layout actually on the ground varies from the street layout as shown on the Amended Building Zone Map, the designation shown on the mapped streets shall apply in such a way as to carry out the intent and the purpose of this Ordinance for the particular area in question.

Section 4.

Where a district boundary line divides a lot in a single ownership at the time of the passage of this Ordinance, the Board of Appeals, as hereinafter provided, may permit the less restricted use to extend to the whole or any part of such lot.

Section 5.

Business Districts extend 150 feet back from the street or streets on which they front. Where the rear lot line is more than 150 feet distant from the street line, the Board of Appeals may permit the business use to extend back such additional distance but not over one-half of the distance to the next parallel street or five hundred feet, whichever is the lesser. Where there is no such parallel street the Board of Appeals shall make such reasonable application of the foregoing rule as the circumstances warrant.⁵

Industrial Districts extend 200 feet back from the street or streets on which they front or from lines of a railroad right of way, but not beyond the limits of a business district or district of other classification fronting on an adjacent parallel street. Where an Industrial District is shown on the Amended Building Zone Map and the property lines of an existing industry extend beyond the 200 foot limit or beyond limits indicated on such Map, it is understood that the full area within these existing property lines may be considered as an Industrial district, providing this is approved by the Board of Appeals.

Section 6. Land under water - filled land.

Streams, lakes, ponds, salt marshes and portions of Long Island Sound and its various bays and estuaries lying within the boundaries of the Town of Huntington, any of which are not indicated on the Building Zone Map as being in a particular use district, shall be considered as being in the most restricted use district abutting thereon, and such zoning classification shall continue regardless of any filling or draining of such lands.⁶

ARTICLE IV

Section 1. Residence District Uses.

In any Residence District no building or premises shall be used, and no building shall be erected or structurally altered which is arranged, intended or de-

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signed to be used, for other than one or more of the uses permitted in the district in which said building or premises is located. The uses permitted in each such residence district shall be as follows:

A. Residence A, B, and B-1 uses.⁷

- (1) Single family dwelling.
- (2) Farm, Nursery, Truck Garden, Country Estate.
- (3) Churches, Parish Houses, Convents, and Public Schools.⁸⁸
- (4) Golf Course.
- (5) Private club or lodge except a club or lodge the chief activity of which is a service customarily carried on as a business.
- (6) Municipal water supply reservoir, tank or filter bed.
- (7) Town park, playground, athletic field, bathing beach, bath house, boathouse or Town recreational use, none of which uses are maintained or conducted as a commercial project⁸⁹
- (8) Buildings, antennas and subsidiary structures for an amplitude modulation commercial radio broadcasting station on any plot containing not less than thirty (30) acres, provided, however, that such radio broadcasting station shall be licensed by the F. C. C. primarily to service the local needs of this community: that not more than three (3) radio antenna towers shall be erected in connection therewith and not more than one (1) building, of a cottage type construction, occupying a maximum area of fifteen hundred (1500) square feet and one (1) story in height.⁹
- (9) When permitted as a special exception by the Board of Appeals, a hospital, sanitarium, rest home, or convalescent home, other than for the care of the insane or feeble minded, drug addicts or alcoholics, except in Residence A districts.⁸⁹
- (10) Public Parking Field.⁹⁵

B. Residence C and D District Uses.

- (1) A use permitted in a residence A, B or B-1 District.
- (2) Library, public museum, community building.⁸⁸
- (3) When permitted as a special exception by the Board of Appeals, a philanthropic institution, other than a penal or correctional institution. When permitted as a special exception by the Board of Appeals, a hospital or sanitarium, other than for the care of the insane or feeble minded and other than for liquor or drug addicts.¹⁰
- (4) Fire Station.
- (5) Telephone exchange, provided that no public business office and no repair or storage facilities are maintained.

C. Residence E District Uses.

- (1) A use permitted in a Residence A, B, B-1, C or D District.
- (2) Two family dwelling provided the plot on which such dwelling is to be erected shall contain not less than 10,000 square feet and shall have a minimum average width of not less than 100 feet. The front, side and rear yard requirements of a residence C district shall be applied.¹⁰⁰
- (3) (Deleted).⁸⁷
- (4) Boarding and lodging houses and hotels when permitted as a special exception by the Board of Appeals.
- (5) Professional offices, either as a principal or an accessory use provided

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the Board of Appeals shall find:

- (a) That the nearest portion of the property to be so used is not more than 500 feet from the boundaries of a General Business District, or from the plot on which the main building of the Huntington Hospital is located, provided that, if so located, the plot on which such professional offices are located shall contain not less than 80,000 square feet; provided further, that in the case of medical or dental offices such distance from the boundaries of a General Business District or from the plot on which the main building of the Huntington Hospital is located may be up to 1,000 feet;⁸⁷
- (b) that on-site parking at the rate of not less than 2 spaces for each professional person occupying such offices is provided;
- (c) that such use, and the building or buildings in which it is to be housed are in character with the neighborhood and hence will not tend to depreciate property values therein;
- (d) and that the proposed use will not create undue fire and traffic hazards.^{12 88}

D. Residence B-3 Uses. ¹³

- (1) All uses permitted in A, B and B-1 Districts.
- (2) (Deleted).⁸⁷

E. Residence C-1 Uses.¹⁵

- (1) All uses permitted in Residence C districts.
- (2) (Deleted).⁸⁷

F. Except when used wholly or in part for multiple family dwellings, property lying within a "B-3" district shall conform to the requirements of a "B-1" district, and except when used wholly or in part for multiple family dwellings property lying within a "C-1" district shall conform to the requirements of "C" districts, except as otherwise provided in Art. XII of the Building Zone Ordinance.¹⁶

G. Residence C-2 Uses.

- (1) All uses permitted in a Res. C District.⁸⁶

Section 2. Accessory Uses in Residence Districts

In any residence districts the following uses shall be permitted provided they are accessory to an authorized use:

- (1) The sale at retail of farm, garden or nursery products produced on the premises or of animals raised on the premises, but no stand for the display or sale of such products shall be kept or maintained within thirty (30) feet of any street or highway upon which such property may front except with the consent of the Board of Appeals under appropriate restrictions and regulations.
- (2) Dwellings for servants or other employees employed on the premises or for non-paying guests.
- (3) Garages, subject to the limitations of subdivision A of Article V.
- (4) An announcement sign, as accessory to the following uses only and subject to the following limitations:
 - (a) In connection with an authorized professional or customary home occupation there may be displayed a small name plate with a simple statement of the profession or of the nature of the occupation.
 - (b) In connection with the sale of farm, garden or nursery products or of animals there may be displayed one sign, not to exceed 12 square feet in area, on each road frontage.

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- (c) In connection with the sale, renting or improvement of real estate there may be displayed one sign, not to exceed 24 square feet in area, on each road frontage.
- (d) In connection with a church, school, golf course, club, college, library, hotel, museum, community building, hospital or institution there may be displayed one sign, not to exceed 20 square feet in area, on each road frontage.
- (5) A temporary sales office as an accessory to a real estate subdivision or development.
- (6) Office of a physician, surgeon, dentist or other professional person provided such office is located in the dwelling or apartment used by such professional person as a private residence.
- (7) Any customary home occupation provided the same is carried on in the dwelling or apartment occupied as a private residence by the person carrying on such home occupation.
- (8) A restaurant, public dining room or other service customary to a hotel or apartment house, where the same is located in such hotel or apartment house and is incidental to its residential use.
- (9) Any use or building clearly accessory to an authorized use, provided that no use enumerated in Articles VI and VII shall be allowed as an accessory use except those specifically provided for in the preceding paragraphs of this subdivision. No poultry house, yard or barn or stable shall be erected within 65 feet of any street or road except with the approval of the Board of Appeals.¹⁷

Section 3. Height Regulations.

A. Height Limits. No building shall be erected to a height in excess of the following:

- (1) In a Residence A, B, or B-1 district—50 feet.
- (2) In a Residence C, C-1, C-2 or D district—35 feet.¹⁷
- (3) In a Residence E district—45 feet.

B. Exceptions.

- (1) In any district any portion of a building may be erected to a height in excess of the foregoing limits provided that such portion of such building is set back from all street, lot and required yard lines one foot for each one foot of such additional height.
- (2) The provisions of this section shall not apply to restrict the height of a church spire, tower or belfry, or of a flagpole, monument, chimney or water tank.
- (3) Nothing in these regulations shall apply to prevent the erection above the height limit of a parapet wall or cornice for ornament and without windows extending above such height limit not more than 5 feet.

Section 4. Lot and Yard Regulations—Housing Density.

A. Area of lot.

For buildings hereafter erected, the minimum lot area for each building together with the accessory buildings appurtenant thereto shall be as follows:

- (1) In a residence A district—2 acres.
- (2) In a residence B district—1 acre.
- (2a) In a residence B-1 district—20,000 square feet.
- (3) In a residence C district—10,000 square feet.
- (3a) In a residence C-2 district—15,000 square feet.¹⁸

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- (4) In a residence D district—7,500 square feet.
- (5) In a residence E district—5,000 square feet, except for apartment houses.

B. Width of lot.

For buildings hereafter erected, the minimum average width of lot for each building together with the accessory buildings appurtenant thereto shall be as follows:

- (1) In a residence A district—150 feet.
- (2) In a residence B district—125 feet.¹⁸
- (2a) In a residence B-1 district—100 feet.
- (3) In a residence C or C-2 district—100 feet.¹⁹
- (4) In a residence D district—75 feet.
- (5) In a residence E district—50 feet. Except that for a two-family dwelling or apartment house, telephone exchange, hospital or sanitarium, such required minimum width shall be 60 feet.

C. Open Space

In any district for every building hereafter erected for residence use on the first floor, there shall be an open space equal to at least 60 percent of the area of the lot provided such building is not more than three stories in height and for a building more than three stories in height there shall be one square foot of open space for each two square feet of gross floor area of such building, except floor area of basements or attics not used for residence purposes. Required yards may be included as part of such open space.

D. Courts.

In any district every living or sleeping room in a dwelling or apartment house shall have at least one window opening directly, either upon a street, a front yard, a rear yard, a side yard, or a court. The width and area of such courts shall comply with the requirements of the Building Code of the Town of Huntington, as set forth in Article III Sec. 2G. (c) 1 & 2 thereof. Such court shall be open and unobstructed to the sky except for the ordinary projections of window-sills, belt courses and other ornamental features to the extent of not more than 4 inches.¹⁸

E. Exception.

On any lot with an average width of not less than 40 feet in separate ownership or under contract of purchase at the time of the passage of this Ordinance any use permitted in the district in which said lot is located shall be permitted even though the lot does not conform to the lot area and lot width requirements of this section, and the front, rear, and side yard restrictions of the nearest lot area classification shall apply.

F. Exception.

On any lot with an average width of not less than 40 feet in separate ownership or under contract of purchase at the time of the passage heretofore or hereafter of any amendment to this Ordinance, increasing the restrictions as to lot area, lot width, and front, rear and side yard requirements of the district in which such lot is located, any use permitted in said district after such amendment shall be permitted as to such lot even though the lot is too small to permit conformity to the lot area, lot width, and front, rear and side yard requirements of such amendment, and there shall be applied to such lot the lot area, lot width, and front, rear and side yard requirements of the highest classification that can be applied to such lot consistent with its adaptability to the uses permitted in such district after

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such amendment.¹⁹

C. Minimum Street Frontage.

For buildings hereafter erected, the minimum street frontage measured at the dividing line between the street and the lot for each building together with the accessory buildings, appurtenant thereto shall be 25 feet in all residence districts.¹⁰²

Section 5. Front yards.

A. General.

Along all frontages in residential districts there shall be a front yard of the following minimum depth:

- (1) In a residence A, B, or B-1 district—50 feet.²⁰
- (2) In a residence C or C-2 district—30 feet.⁶⁰
- (3) In a residence D district—25 feet.
- (4) In a residence E district—20 feet.

B. Exception.

In a block in a residence C, D or E district in which 25 per cent of the frontage on one side of the street is improved with buildings, the front yard of a building hereafter erected shall extend at least to the alignment of existing buildings, provided that no building hereafter erected in such residence district shall have a front yard less than 10 feet in depth or need have a front yard of greater depth than 40 feet.

C. Corner lots.

A corner lot shall have a front yard along its principal frontage of the depth required by the preceding subdivisions of this section. A corner lot shall also have a front yard along its side street frontage of a minimum depth.

- (1) In a residence A, B, or B-1 district—30 feet.
- (2) In a residence C or C-2 district—20 feet.⁶¹
- (3) In a residence D or E district—15 feet.

D. Through lots.

A through lot shall have a front yard on each frontage.

E. Permitted structures in front yard.

The space in a front yard shall be open and unobstructed except that in a residence district cornices or eaves on the main building may project not more than 2 feet into the front yard and that on any lot having an area of 2 acres or more, not to exceed 600 square feet of a front yard may be occupied by a gate house not over 20 feet in height.

F. Vision clearance.

On any corner lot on which a front yard is required by this Ordinance no wall, fence or other structure shall be erected and no hedge, tree, shrub or other growth shall be maintained in such location within such required front yard space as to cause danger to traffic by obstructing the view.

Section 6. Rear and Side yards.

A. Rear Yards.

In a residence district every building hereafter erected shall have a rear yard the minimum depth of which shall be as follows:

- (a) In a residence A, B or B-1 district—50 feet.
- (b) In a residence C, C-2, D or E district—25 feet; and not less than the height of the building but need not exceed 35 feet in any case.⁶²

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B. Side Yards.

In a residence district every building hereafter erected shall have a side yard along each lot line, other than a street line or rear line, the minimum width of which shall be as follows:

- (a) In a residence A or B district—25 feet.
- (b) In a residence B-1 district—20 feet.²¹
- (c) In a residence C or C-2 district—12 feet.⁶³
- (d) In a residence D district—7 feet, and the sum of the width of the side yards shall not be less than 15 feet.
- (e) In a residence E district, including 40 foot lots, described in subdivision E of Section 4, 5 feet, and the sum of the widths of the side yards shall not be less than 13 feet, except in the case of apartment houses.
- (f) On any lot where the street frontage is less than the minimum average width required for the zone in which such lot is located, the side yard requirement shall be reduced by six inches on each side for every foot by which the street frontage is less than such required minimum average width, except that such side yard shall in no case be less than five feet wide in an "E" zone, seven feet wide in a "D" zone, or twelve feet wide in all other residence zones.²²

C. Exceptions.

The space in a side yard or rear yard shall be open and unobstructed except for the ordinary projections of window-sills, belt-courses, cornices and other ornamental features of the extent of not more than 4 inches, except that if the building is not over 2½ stories in height the cornices or eaves may project not more than 18 inches into such yard. A building and any accessory building erected on the same lot shall for the purpose of side and rear yard requirements be considered as a single building, except as follows: a garage or other accessory building not over 30 feet in height in a residence A, B or B-1 district, not over 20 feet in height in a residence C district and not over 16 feet in height in a residence D or E district, may occupy not to exceed 40 per cent of the rear yard area. Provided, however, that:

- (1) Every garage or other accessory building shall be located at least 65 feet from the front line of the lot in any residence district, and at least the following distances from the rear and side lines of the lot—in a residence A district—20 feet; in a residence B, C-2 or B-1 district—10 feet; in a residence C, D or E district—2 feet.⁶⁴
- (2) In case of a corner lot having frontage on two streets, every garage and/or accessory building shall be located on the innermost corner of the lot and at least the following distances from the rear and side lines thereof:—in a residence A district—20 feet; in a residence B, C-2 or B-1 district—15 feet; and in a residence C, D or E district—2 feet; except that, in case of a corner lot, 100 feet or more in width, such garage or accessory building may be located not less than 30 feet from that side line of the lot which abuts upon a street.⁶⁵

Section 7. Exemptions.²³

The provisions of Section 5 and 6, other than side yard restrictions and regulations therein contained, shall not apply to the following indicated lots in sections of the Map of Huntington Beach as follows:

Section One: Lots 1 to 80 inclusive, 435 to 492 inclusive, 330 to 371 inclusive,

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390 to 417 inclusive.

Section Two: Lots 1 to 129 inclusive, 130 to 191 inclusive, 234 to 289 inclusive, 290 to 403 inclusive.

Section Three: Lots 150 to 159 inclusive, 133 to 149 inclusive, 65 to 67 inclusive, 68 to 70 inclusive, 110 to 113 inclusive, 23 to 25 inclusive.

Section Four: Lots 1 to 45 inclusive, 133 to 225 inclusive.

Section Five: Lots 1 to 4 inclusive, 152 to 156 inclusive, 291 to 342 inclusive, 352 to 366 inclusive.

Section Six: Lots 46 to 91 inclusive, 92 to 132 inclusive, 226 to 247 inclusive.

Section Seven: Lots 1 to 94 inclusive, 241 to 286 inclusive.

Section Eight: Lots 160 to 184 inclusive, 95 to 132 inclusive, 199 to 224 inclusive, 267 to 318 inclusive, 165 to 167 inclusive.

Section Nine: Lots 45 and 46, 47 and 48, 56 and 57, 61 and 62, 63 and 64, 347 and 348, 37 to 39 inclusive, 71 to 73 inclusive, 79 and 80, 92 to 100 inclusive, 120 to 123 inclusive, 145 to 238 inclusive, 250 to 254 inclusive, 118 and 119, 292 to 301 inclusive.

excepting that no dwelling may be built upon any of said lots above mentioned in locations nearer than thirteen (13) feet to the dwelling built upon the lot adjoining, or less than 5 feet from the lot line.

ARTICLE V

Section I. Garages, Filling Stations, Storage Tanks and Motor Vehicle Repair Shops.

A. Garages as Accessory Uses in Residence Districts.

(1) The number of motor vehicle for which space may be provided as accessory to an authorized use in a residence district shall be as follows:

(a) In any residence district, 2 motor vehicles; and for each 4000 square feet by which the area of the lot exceeds 4000 square feet, space for one additional motor vehicle may be provided.

(b) For a two family or multiple family dwelling or apartment house, garage space may be provided for one motor vehicle for each family for which such dwelling or apartment house is arranged.

(2) Not in excess of 160 square feet of the floor area for each motor vehicle authorized in the preceding paragraph shall be provided, but floor area so located with respect to walls, doors, or permanent obstructions that it cannot be used for the storage of motor vehicles shall not be included.

(3) Space in a garage accessory to a multiple family dwelling or an apartment house or hotel shall be rented only to occupants of the premises. One or more attendants may be employed. Such attendants may make minor adjustments to cars kept therein and may wash cars, change tires or perform similar services for tenants, provided that such work is done entirely within the building and no machinery of any kind, other than an air pump, is employed.

B. Garages and Automobile Service Station.²⁴

(1) Automobile Service Stations.

In a General Business, Light Industry or General Industry District, and in no others, Automobile Service Stations may be permitted by the Board of Appeals provided the Board shall find that:

(a) The use will not cause undue traffic or fire hazards.

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(b) The use will not impair the character of the neighborhood or adversely affect property values.

(c) The premises will have a frontage along the street line of a minimum of one hundred (100) feet.

(d) The use will not adversely affect the public health, safety or welfare.²⁵

(2) Garages.

In a General Business, Light Industry or General Industry District a Public Garage may be permitted by the Board of Appeals, provided the Board shall find that:

(a) The use will not cause undue traffic or fire hazards.

(b) The use will not cause undue congestion on narrow streets or heavily travelled streets.

(c) That the proposed building or buildings are reasonably in keeping with the neighborhood and with neighboring structures.

(3) As a condition of granting such permits the Board of Appeals may require such changes in plans in relation to yards, location of pumps and buildings, construction of buildings and location and capacity of storage tanks as it may deem desirable to insure safety, minimize traffic problems and safeguard adjoining property.

C. Motor Vehicle Repair Shops as Accessory Uses in General Business Districts.²⁵

In a General Business District a motor vehicle repair shop shall not be permitted as an accessory use unless the plans for such accessory use, including the kind of work to be done, the type of machinery to be used and methods of operation to be employed shall have been approved by the Board of Appeals. The Board of Appeals shall not approve plans for any such operations that in its judgment will produce excessive noise or endanger public safety.

D. Storage of Fuel Oil and other inflammable liquids.

In a General Industry District, and in no other, tanks for the storage of Fuel Oil, Gasoline, Kerosene, or other inflammable liquids, may be permitted and installed, provided the Board of Appeals shall find:

1. That no tank exceeds 500,000 gallon capacity;

2. That no tank is greater than 25' in height above the finished grade around it;

3. That all tanks are located at least 25% of the depth of the district from the line of any highway or the bulkhead of any navigable water way and an equal distance from the boundary of any adjacent property but in no event less than 25 feet or greater than 75 feet from the aforesaid lines.

4. That a concrete dike will be erected around each tank which projects above ground, forming a basin, the capacity of which shall at least equal the capacity of the tank;

5. That adequate egress and ingress for oil trucks is provided and that on-site parking space sufficient to accommodate all employees and all loading is provided; In granting a Special Exception under the provisions of this section, the Board of Appeals may require such changes in plans, in relation to yards, location of pumps and buildings, construction of buildings and location and capacity of storage tanks as it may deem desirable to insure safety, minimize traffic problems and safeguard adjoining property.²⁶

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Section 2. Commercial Poultry, Fur-bearing Animal, Dairy and other Animal Farms; Kennels and Catteries.

- (a) The provisions of this section shall be in addition to any other provisions of these Ordinances applicable to accessory or other buildings and land used for the raising of poultry of any kind, and in any manner, for commercial purposes.
- (b) In a residence "B", "B-1", or "C" district, no poultry farm for the raising of fowl, or the sale of eggs or both, fur-bearing animal, dairy and other animal farms, kennels and catteries, for commercial use and profit shall be maintained except upon consent of the Board of Appeals and upon the following conditions:
- (1) The lot shall have a frontage of not less than 100 feet.
 - (2) The lot shall contain three acres or more in area.
 - (3) No building used in connection with such farm shall be erected within 100 feet of any street or road, or within 10 feet of any side or rear line of the lot.
- (c) No commercial poultry, fur-bearing animal, dairy, or other animal farm shall hereafter be established in a Special Business, General Business, General Industry, Residence "D" or Residence "E" district.

Section 3: Summer Camps, etc.

- Summer camps, day camps, health farms and similar institutions may be established and operated in a Residence "A", "B" or "B-1" district provided the Board of Appeals shall find:
- (a) That the following conditions are met, and that the proposed use will not adversely affect property values in the neighborhood.
1. The plot shall comprise at least 10 acres.
 2. Permanent dwelling facilities may be provided solely for the use of the caretaker, and these shall conform fully to the requirements of the Building Code in respect to habitable dwellings.
 3. Camp buildings, other than a dwelling for a caretaker, shall comply with the minimum requirements of the Building Code for accessory buildings in residential districts.
 4. No building shall be located nearer than 100 feet from any front, rear or side lot line.
 5. The approval of the Suffolk County Board of Health must be secured as a prerequisite to the issuance of a Certificate of Occupancy.²⁶

Section 4. Private Schools and Academies.

- Private Schools and Academies including private nursery schools, elementary schools, high schools, colleges, universities or any other type of school may be established and operated in any Residence District, provided the Board of Appeals shall find:
- (a) That the following conditions are met and that the proposed use will not adversely affect property values in the neighborhood.
1. The plot shall comprise at least two acres.
 2. The use will not cause undue traffic hazards.
 3. The proposed building or buildings are reasonably in keeping with the character of the neighborhood and with neighboring structures.
 4. The approval of the Suffolk County Board of Health must be secured as a prerequisite to the issuance of a Certificate of

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Occupancy.²⁸

Section 5. Two Family Dwellings.

In a Residence E District one family dwellings may be converted into two family dwellings when such conversion is permitted by the Board of Appeals and provided the Board shall find that:

- (a) The one family dwelling is at least five years of age.
- (b) The minimum average width of the lot is at least 50 feet.
- (c) The converted building will be reasonably in keeping with the neighborhood and with neighboring structures.
- (d) The owners of the dwelling can show hardships which require that the conversion be permitted.
- (e) The use will not impair the character of the neighborhood or adversely affect surrounding property values.²⁷

Section 6. Places of Amusement.

In a General Business District a theater, bowling alley, skating rink, or other place of amusement may be permitted by the Board of Appeals, provided the Board shall find that:

- (a) The use will not be noxious or offensive by reason of odor, dust, smoke, gas, vibration, noise or outdoor lighting.
- (b) The use will not cause undue traffic or fire hazards.
- (c) On site parking shall be provided, surfaced and maintained adequate for the capacity of the establishment.
- (d) The use will not impair the character of the neighborhood or adversely affect property values.¹⁰⁸

ARTICLE V A - EXCAVATIONS AND REMOVAL OF TOPSOIL.

Section 1. Operations Regulated.

No lands or other premises shall be operated or used as sand and gravel pits, or for the excavation or removal of sand, gravel, stone or other minerals, or for other excavation purposes, or for the stripping or removal of topsoil therefrom without a currently effective permit issued by the Board of Appeals in compliance with the provisions of this Article or unless listed as an exception in Section 2.

Section 2. Exceptions.

The following operations and uses are hereby excepted from the application of this Article and may be performed in any district.

- (a) Excavation or removal of sand, gravel, stone, or other minerals or removal of top soil on premises owned or leased by the Town of Huntington or State of New York;¹⁰⁸
- (b) Excavation or removal of sand, gravel, stone or other minerals incident to highway, sidewalk or driveway construction on the same premises, provided that topsoil shall not be removed from the premises;
- (c) Excavation or removal of sand, gravel, stone or other minerals incident to the construction of a storm water basin, re-charge basin or drainage sump on the same premises; provided that topsoil shall not be removed from the premises and provided further that before commencement of any such operation a fence or suitable barrier shall be erected around the area of excavation in accordance with plans and specifications approved by the Town Engineer as adequate to safeguard the public in the particular circumstances of the terrain and location of the excavation;
- (d) The moving of topsoil or other earth from one part to another of the same premises as an incident to building, farming, or landscaping.
- (e) Removal of excess topsoil or other earth from the area of a subdivision

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plat which is subject to the jurisdiction of the Town Planning Board when authorized by a special order in writing issued by authority of the Town Planning Board.

(f) Removal of topsoil or other earth, incident to the business of operating a nursery.

Section 3. Board of Appeals Permit—Standards

The Board of Appeals may be resolution in a specific case, after public notice and hearing and subject to appropriate conditions and safeguards to be prescribed by such Board in conformity with this Article, issue a permit for the use of land for the excavation and removal of sand, gravel, stone or other minerals or for other excavation purposes or for the stripping or removal of topsoil, where except for such authorization such uses do not conform to the requirements of the Building Zone Ordinance.

Such authorization shall not be granted unless the Board of Appeals finds that: (a) the proposed operations will not interfere with the surface water drainage plan of the area nor endanger any street, road or highway,

(b) the circumstances of the location and the terrain are reasonably adapted to rehabilitation to the end that the premises will not become desert or waste land following completion of operations; and

(c) the circumstances of the location and the terrain, are such that conditions and safeguards may feasibly be imposed to assure that the premises will not constitute an "attractive nuisance" or threat to the safety of children.

(d) the use will not cause undue traffic hazards; and

(e) the use will not cause undue vibration, noise or wind blown dust or sand; and

(f) the use will not change the established character of the neighborhood or depress the value of other lands generally in such neighborhood.

Notice of hearing before the Board of Appeals shall be mailed to the Town Engineer at least fifteen (15) days prior to the date thereof. Before the hearing, the Town Engineer shall investigate the facts and circumstances relating to items (a) and (b) above and submit his professional engineering report thereon in writing to the Board of Appeals which report shall at the Board's discretion be read at the hearing or made available for public inspection during the hearing. Nothing contained herein shall be deemed to limit the powers conferred upon the Board of Appeals by Article 16 of the Town Law including its power to make findings or to proceed if the Town Engineer fails to submit a report within the time as provided, or otherwise.

The issuance of a permit hereunder shall not constitute authorization for washing, screening or processing of excavated materials and the same is prohibited in any district other than a General Industry District.

Section 4. Application for Permit.

Before any excavation is commenced for any purpose other than those excepted in Section 2 of this Article or topsoil, earth, sand, gravel, stone or other minerals are removed from the ground, the owner, lessee or agent of the premises shall obtain a written permit therefor from the Board of Appeals. For that purpose such applicant shall file with the Town Engineer of the Town of Huntington an application in duplicate for such permit, which shall set forth and include:

(a) An application on form prescribed by the Town Engineer containing a detailed statement of the proposed operation, a plan of the area proposed for excavation or for removal of topsoil showing the condition of the plot or premises

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before operations are commenced, and the proposed condition of the said plot or premises after the work is completed; such plan shall be prepared by a duly licensed engineer or land surveyor of the State of New York, shall be drawn to scale and shall show all the streets adjoining the property, the location and dimensions of the premises upon which it is proposed to excavate, and location, size and use of any existing buildings;

(b) A topographic survey of the property prepared by a duly licensed engineer or land surveyor of the State of New York, showing contours at ten foot intervals, using Coast and Geodetic Survey datum.

(c) A duly acknowledged consent in writing of the owner of the premises and mortgagee, if any, including his or their addresses;

(d) Receipted tax bills or a photostatic copy thereof or a letter signed by the Receiver of Taxes of the Town of Huntington or by the Suffolk County Treasurer or by any title insurance, abstract or searching company authorized to do business in Suffolk County, certifying that all taxes and assessments against the property described in the application have been paid;

(e) The names and addresses of all property owners of record within two hundred (200) feet of the outside boundaries of the premises within which operations regulated by this Ordinance are proposed to be performed.

(The following items (f) and (g) shall be supplied unless waived by the Town Board under Section 8 of this Article.)

(f) A proposed comprehensive plan for the rehabilitation of the premises together with a schedule of progress therefor. The proposed plan of rehabilitation shall set forth the ultimate contour and grade of the area upon completion thereof and shall describe the areas to be refilled, topsoiled and seeded, and shall specify the amount and extent thereof to be performed before December 31st of the year for which a permit or renewal of a permit is being applied for;

(g) An estimate prepared by a duly licensed engineer or land surveyor of the State of New York of the total number of cubic yards of material to be removed from the property pursuant to such plan during the permit period or renewal thereof.

An application for a permit for sod farming need not include the information required by subdivisions (a) (b) (d) (f) and (g) above. Such application shall set forth on the form prescribed by the Town Engineer a detailed statement of the proposed sod farming operation, a plan of the area to be used for that purpose showing its existing condition, and the material and information required by subdivisions (c) and (e) above.

Section 5. Regulations.

Compliance with the following regulations shall be a continuing condition of the validity and existence of any permit granted or renewed hereunder.

(a) When required by the Board of Appeals as necessary for the protection of the health, safety and general welfare of the public, for the preservation of property values in the neighborhood or to facilitate the proper drainage of surface water or appropriate use of land, in accordance with the standards prescribed in Section 3, the premises on which operations regulated by this ordinance are performed shall be rehabilitated in accordance with a plan of rehabilitation and schedule of progress therefor approved by the Board of Appeals which plan and schedule shall be filed in the office of the Town Engineer and is hereinafter referred to as the approved plan of rehabilitation. Such plan of rehabilitation may provide for a partial restoration of the property involved, pending the completion of operations regulated by this ordinance, and

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need not include the delineation of streets.

(b) When required by the Board of Appeals as necessary for the protection of the public, barriers consisting of wire fencing of the type known as chain link or cyclone fence, or its equivalent, of such height as shall be specified by the Board of Appeals as necessary for the protection of the public considering the particular circumstances of the terrain and location, substantially erected and with no opening except necessary gates for ingress and egress shall be erected to prevent public access to the top of any pits or steeply graded slopes.

(c) Bank and pit excavations shall not extend nor shall topsoil be stripped or removed within twenty (20) feet of any property line except in a Business District or Industrial District, or when incident to the construction of a cellar, except that in the case of a bank excavation the same may begin at a street or road line. The term bank excavation refers to an excavation which is not carried below the grade of the street or road mentioned in the preceding sentence.

(d) All slopes shall be excavated and maintained during operations at safe angles of repose to prevent erosion thereof and erosion or collapse of upper grade surfaces above such slopes, and final slopes shall not be inclined steeper than one foot vertical on one and one-half feet horizontal. All slopes shall be protected against collapse or erosion by the construction of proper drainage ditches back of the lip or edge thereof.

(e) Dust-down or a similar dust layer shall be spread on access roads and other traveled areas to protect the public and the countryside against wind-blown sand and dust.

(f) Topsoil stripped in connection with operations regulated by this Article shall not be removed from the premises and shall be preserved for use in connection with rehabilitation, provided, however, that any excess topsoil may be removed after rehabilitation has been completed. Excess topsoil is any topsoil in excess of that required to allow a cover of at least 6 inches over any area on which topsoil is required to be respread by this Article.

This paragraph shall not apply to sod farming authorized by permit from the Board of Appeals and performed in conformity with the conditions and safeguards prescribed under this Article.

(g) Topsoil set aside and preserved for use in accordance with subsection (f) of this section shall be spread upon the surface of the land from which topsoil or sand and gravel have been stripped or removed excepting areas which are laid out as streets, parking lots or areas to be occupied by buildings on a subdivision plat approved by the Town Planning Board.

(h) Upon completion of any operation regulated by this Article the excavation area shall be refilled and graded to such reasonable level as may be specified in the approved plan of rehabilitation.

(i) All material used as fill shall be free from garbage, refuse, offal, combustible, or any deleterious or unwholesome matter;

(j) All areas on which topsoil has been respread as required hereinabove shall be prepared for and seeded with grass unless other vegetation or planting with vines or other covering is specified in an approved plan of rehabilitation.

Section 6. Permits and Renewals Thereof
Permits may be issued or renewed by the Board of Appeals upon compliance by the applicant with Section 7 and 8 of this Article. Permits may be issued for a period not exceeding one year and may be renewed by the Board of Appeals for successive periods of one year provided that the regulations prescribed herein have been complied with and upon furnishing the information

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required by Section 4 insofar as applicable to the renewal period, upon payment of any additional fee required by this Article based on material to be removed during the renewal period, and upon furnishing such additional bond of security in an amount approved by the Town Board as sufficient to insure compliance with these regulations during the renewal period including performance of the approved plan of rehabilitation on the areas covered by the renewed permit.

Section 7. Bond or Cash Deposit

(a) Before the issuance of a permit, the applicant and the owner of record of the premises shall execute and file with the Town Clerk, a surety company bond approved by the Town Board as to form and sufficiency, and conditioned upon the faithful and punctual performance of the work required to be performed by the approved plan of rehabilitation on the area covered by the permit and upon compliance with the other regulations contained in this Article, and to indemnify the Town of Huntington and/or the Superintendent of Highways for any damage to town property and for the cost of taking over such performance in case of default. In case of any default or failure to perform the work required to be performed and to furnish the materials required to be furnished by said approved plan of rehabilitation at or before the times specified in the schedule of progress approved in connection therewith, or to do any of the things required to be performed by this Article, such bond shall be forfeit upon written notice of such default or failure being mailed by registered mail to the permittee at the address stated in the application and upon failure by the permittee to cure such default within sixty (60) days after the mailing of such notice. The sixty-day notice of such default or failure of performance may be given at any time after such default or failure of performance, and no default or failure of performance shall be deemed waived or excused by any delay or failure to mail notice thereof or by any subsequent renewal of a permit under this Article.

(b) Said bond shall remain in full force and effect until released or until the original amount thereof is reduced by the Town Board upon issuance of a certificate of completion or of partial completion by the Town Engineer, certifying that all provisions of this Article and conditions of the permit have been fully complied with. Application for such certificate shall be made by the permittee, owner, lessee or his agent on forms to be furnished by the Town Engineer and shall be accompanied by a map drawn to scale showing the affected property, giving elevations thereof at ten (10) foot intervals, prepared by a duly licensed engineer or land surveyor of the State of New York after the completion of the operations who shall also certify as to the amount of topsoil remaining upon ground required to be spread with topsoil by Section 5 hereof, and that such area has been seeded in compliance with this Article, and that the other conditions of the approved plan of rehabilitation have been fulfilled.

(c) In lieu of such bond a cash deposit or deposit of negotiable securities may be made with the Supervisor of the Town subject to the approvals, conditions and forfeitures specified hereinabove in the case of a bond.

Section 8. Power of Waiver Reserved by Town Board

If the Town Board shall determine upon the request of an applicant of a permit that no substantial rehabilitation of the premises will become necessary as a result of the proposed operations, the Town Board may waive the filing of the engineer's estimate, plan of rehabilitation and topographic survey on the application for permit (items (f) and (g) of Section (4), and the bond or

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cash deposit under Section 7 hereinabove. Any request for such waiver shall be filed with the Town Engineer, who shall submit the request with his report and recommendation to the Town Board with respect thereto.

Section 9. Fees

Before a permit shall be issued or renewed, the applicant shall pay to the Town Clerk

(a) \$25.00 if the Town Board determines that no substantial rehabilitation will become necessary as a result of the proposed operation or for sod farming.

(b) In all other cases a fee of one cent per cubic yard of material to be removed during the period of such permit or of any renewal thereof.

Section 10. Public Hearing

No permit authorizing operations regulated by this Article shall be issued for the first time under this Article until after a public hearing by the Board of Appeals in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. Public hearings need not be held on renewals of permits previously issued under this Article provided that the area covered by the renewal does not extend beyond the area of operations previously authorized. At least twenty (20) days' notice of the time and place of such hearing shall be published in the newspaper designated for official town notices and a written notice of any application for a permit shall be mailed to the owners of record of properties within two hundred (200) feet of the outside boundaries of the premises within which operations regulated by this ordinance are proposed to be performed. The Board of Appeals shall in all respects perform its duties and conduct its hearing as provided by Section 287 of the Town Law.

Section 11. Penalties

For any and every violation of the provisions of this Article, the owner, general agent, lessee or tenant of any part of the premises of which said violation or any part thereof has been committed or shall exist, and the general agent, engineer, surveyor, contractor or any other person who knowingly permits, takes part, or assists in any such violation, or who maintains any premises in which any such violation shall exist, shall be guilty of a misdemeanor, punishable by a fine not exceeding \$50.00 or imprisonment not exceeding six months, or both. Each day's continued violation of this Article after written notice thereof shall constitute a separate additional violation. Such fines or penalties shall be collected as like fines are now by law collected.

Section 12. Separability

If any clause, sentence, paragraph or section of this Article shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not impair or invalidate the remainder hereof but such adjudication shall be confined in its operation to the clause, sentence, paragraph or section directly involved in the controversy in which judgment shall have been rendered.

Section 13. Repealer

This Article shall take effect immediately. The Ordinance Relating to Excavations and the Removal of Topsoil adopted by the Town Board January 14, 1947, as amended by resolution adopted September 17, 1953 is hereby repealed.⁹

ARTICLE VI BUSINESS DISTRICTS

Section 1. In a General Business District the following regulations shall apply.²⁷

Section 2. A building may be erected, altered or used, and a lot or premises may be used for any of the following purposes and for no other:

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- (a) Single family or two family detached dwelling, multiple family dwelling, apartment house when such multiple family dwelling or apartment house is used for commercial purposes on the street or first floor,²⁸ and private garage.²⁸
- (b) Club, fraternity house or lodge.
- (c) Hotels, lodging and boarding houses.¹⁰¹
- (d) Government, education, religious or philanthropic use, excluding correctional institutions, and including hospital, sanitarium and dormitory of an educational institution.
- (e) Greenhouse, florists shop, garden mart, Town recreational use, railway passenger station.^{29 70}
- (f) Professional and business offices and office buildings, bank, financial institution, telephone, telegraph, gas or electric business office.⁷¹
- (g) Retail store.⁷²
- (h) (Deleted)¹⁰⁶
- (i) Restaurant, bakery, pastry, candy, confectionery or ice cream store.^{30 78}
- (j) Carpenter, cabinet making, furniture or upholstery shop, electrical shop, metal working, blacksmith, tinsmith, plumbing, gas, steam or hot water fitting shop, paint store and paper banger, lumber yards, building material yards, contractors' equipment storage yards and buildings, lots for the sale of automobiles, trucks, trailers, farm machinery, contractors' equipment, plumbing supplies and building materials, both new and used.⁷⁴
- (k) Laundry, dry cleaning or dyeing; custom tailoring, dress-making, shoe-making and repairing.⁸¹
- (l) Jewelry, watches, clocks or optical goods and musical, professional or scientific instruments stores.⁷⁶
- (m) Newspaper or job printing, bookbinding.
- (n) Undertaking and embalming.
- (o) Buildings, limited to one story in height, for the storage or garaging of automobiles and trucks used in connection with any permitted principal use, or for the storage of goods or merchandise other than explosives or inflammable materials.⁷⁸
- (p) Public garage ~~or~~ an automobile service or gas station, ~~or~~ repair shop when approved by the Board of Appeals, parking lots, whether privately or municipally owned or operated.⁷⁷
- (q) Accessory use on the same premises with, and clearly incidental to any of the above permitted uses. Any accessory building erected in a General Business District shall comply with the front, rear and side yard requirements for accessory buildings in a Residence "E" district, as set forth in Article IV Section C 1 and 2.²²
- (r) Any use of the same general character as any of the uses hereinbefore specifically permitted, when authorized as a special exception by the Board of Appeals as hereinafter provided.
- (s) Research, development and experimental production. All manufacturing and assembly processes are specifically prohibited unless the products so produced are available for purchase at retail on the premises.^{79 82}
- (t) In a General Business District, if a building or premises are used for a single family dwelling or two family dwelling as provided in sub-paragraph (a) above, said building and premises shall comply in all respects to the requirements of Residence "E" districts.⁸⁴

Section 3.

No building may be erected, altered or used, and no lot or premises may be

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used, for any trade or business that is noxious or offensive by reason of odor, dust, smoke, gas, vibration or noise. No internal combustion engine shall be used unless objectional noise and vibration be eliminated and it is equipped and supplied with an effective muffler or silencer.²⁴

Section 4. Height

No building shall exceed four (4) stories in height.²⁵

Section 5. Building Area.

In the case of any building erected, altered or used, in whole or in part as a dwelling, the building area shall not exceed seventy percent (70%) of the lot area.

Section 6. Rear Yard.

If the building on a lot is used in whole or in part as a dwelling, there shall be a rear yard, the depth of which shall be at least fifteen (15) feet. In case of such a building over forty (40) feet high, the depth shall be increased five (5) feet for each twelve (12) feet or portion thereof by which the building exceeds forty (40) feet in height.

Section 7. Density of Population.

No dwelling shall hereafter be erected or altered to accommodate or make provision for more than seventy (70) families on any acre of land or more than a proportional number of families on a fractional part of any acre of land.

Section 8. In a Special Business District the following regulations shall apply.²⁶

A. No building may be erected, altered, or used, nor any lot used for any purpose other than the following:

- (a) Single family or two family detached dwelling.
- (b) Club, fraternity house or lodge.
- (c) Tourist homes, or tea rooms in which seats at tables are provided for all customers.
- (d) Upholstery, drapery, antique, decorators and gift shops.
- (e) Florist, greenhouse, nursery and garden accessory shops in connection therewith.²⁷
- (f) Real estate or professional offices, undertakers, beauty parlors, business offices.¹⁶⁷
- (g) Accessory use on the same lot with, and of a sort customarily incidental to any of the above permitted uses.
- (h) Any use of the same general character as any of the above specifically permitted uses, when permitted as a special exception by the Board of Appeals.
- (i) Any accessory building erected in a Special Business District shall be located at least as far back from the front lot line as the principal building on the lot, at least 2 feet from the rear and side lot lines, and on a corner at least as far back from the side street as the principal building on the lot.²⁸

B. No building may be erected or used and no lot or premises may be used for any trade or business that is obnoxious or offensive by reason of dust, noise, smoke, gas, vibration, radio interference or odor.

C. No building, except greenhouses, shall exceed 2½ stories in height or cover more than 2000 sq. ft. of ground area.

D. No goods or merchandise offered for sale may be displayed out of doors, except for florist and nursery products planted or heeled in on the ground.

E. The following front, rear and side yard requirements shall be in effect:

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Front yard 30 feet.

Side yard, interior lot, 15 feet.

Side yard, corner lot, 30 feet.

Rear yard 35 feet.

F. Buildings may be of frame construction, ordinary construction, semi-fireproof construction or fireproof construction.

G. Parking and loading space shall be provided and maintained, wholly within the boundaries of the lot, sufficient in area, in the estimation of the Building Inspector, to serve adequately the proposed use, and the provision of such parking and loading space shall be a condition of the issuance of a Certificate of Occupancy for the property.

H. No billboards shall be erected or maintained in any Special Business District. Advertising signs shall be limited to one for each business establishment. No sign shall exceed 24 sq. ft. in area. No self-illuminated signs shall be permitted. Free standings signs shall be at least 20 feet from the highway line, and set at least 5 feet from the lot side lines.

I. The following areas are designated as Special Business Districts: An area on the northerly side of East Main Street, Huntington, bounded northerly by a line parallel with the northerly line of East Main Street and 200 feet northerly therefrom measured at right angles thereto; bounded easterly by the westerly line of Washington Drive; and bounded westerly by a line running North 3 degrees 22 minutes 50 seconds West from a point in the northerly line of East Main Street 374.88 feet westerly from the northwesterly corner of East Main Street and Huntington Bay Road; and an area on the southerly side of East Main Street bounded southerly by a line parallel with the southerly line of East Main Street and 200 feet southerly therefrom measured at right angles thereto; bounded westerly by the easterly line of Loma Place; bounded easterly by a line running perpendicular to the southerly line of East Main Street through the point of intersection of the northerly line of East Main Street with the westerly line of Washington Drive.²⁹

Section 9. Planned Shopping Center Districts.

In a Planned Shopping Center District, the following regulations shall apply:

A. No building may be erected, altered or used, nor any lot be used for any purpose other than one or more of the following Permitted Uses:

- (a) Office building, bank, financial institution, public utility office or showroom, post office, bus station or bus shelter for passengers and offices only.
- (b) Food, drug, hardware, house furnishings, candy, shoe, clothing stationery and periodicals, fabrics, and decorators' goods, furniture, bakery, jewelry, musical instrument, sheet music and records, paint and wall paper, household appliance retail stores.
- (c) Barber shops and beauty shops.
- (d) Gift shops, tea rooms, where tables are provided indoors for all customers, restaurants and lunch rooms where all service is provided indoors, taverns and bars, retail liquor stores.
- (e) Laundry and dry cleaning pick up stations, but not processing plants; tailor shops, but the use of inflammable cleaning fluids is prohibited, individual automatic laundries (Laundromats).

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- (f) Any similar use, which, in the opinion of the Board of Appeals, is compatible with the aforementioned list of uses, will not adversely affect property values in the neighborhood nor cause undue traffic congestion or fire hazards.
- B. No building shall exceed one story in height above the highest public entrance level, nor a total height above the lowest public entrance level of 30'.
- C. On-site parking areas shall be provided, surfaced, and maintained at the rate of 300 sq. ft. for each 250 sq. ft. of selling area.
- D. On-site loading and service areas, and space for employee parking at the rate of one car space for each 3 employees, and at the rate of one loading space per retail business establishment in the center shall be provided, surfaced and maintained separate from customer parking.
- E. Planting strips, planted with evergreens, shrubs, or hedges shall be installed and maintained on all sides of the area which abut on residentially zoned property, or face such property across a highway. In lieu of such planting strips, solid walls or fences not less than 6' high may be permitted if, in the opinion of the Planning Board, the area can be adequately screened thereby.
- F. Buildings shall be set back from the boundary of any highway a distance of not less than 50' and from any other lot line a distance of not less than 35'.
- G. No accessory buildings may be erected or maintained in any Planned Shopping Center District.
- H. Advertising signs or lettering showing only the name of the establishment and products or services obtainable therein, not to exceed 180 sq. ft. in area covered, not more than 6' in height and not more than 20' in length, and limited to one such sign or group of letters for each establishment are permitted. Self-illuminated signs or lettering or flood lighted signs are permitted provided they conform in other respects to the requirements set forth in this paragraph, but any form of flashing or intermittent lighting is prohibited.
- I. The minimum size of any plot on which a building may be erected in a Planned Shopping Center District shall be $\frac{1}{4}$ acre, and the minimum size of any detached building erected therein shall be 3000 sq. ft.
- J. Plans for buildings in Planned Shopping Center Districts shall be submitted to the Planning Board before an application for a building permit is made. The Planning Board may approve, modify and approve, or reject such plans. The Planning Board may make any reasonable modification in such plans to secure greater safety, health and general welfare of the community, and no Building Permit may be issued for any building in a Planned Shopping Center District until the plans therefor have been approved by the Planning Board.⁸³

Section 10. Professional District.

In a Professional District, the following regulations shall apply:

- (a) No building may be erected, altered or used, nor any lot be used for any purpose other than as a professional office or offices for a licensed medical doctor or doctors or a licensed dentist or dentists, or a public school official or officials.⁸⁴
- (b) No building to be erected shall exceed one story in height.
- (c) On-site parking areas shall be provided at the rate of five spaces for

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- each professional person occupying the premises.
- (d) Buildings shall be set back from the boundary of any highway a distance of not less than 50' and from any other lot line a distance of not less than 25'.
- (e) The minimum size of any plot on which a building may be erected, altered or used in a Professional District shall be 3 acres.
- (f) No accessory buildings may be erected or maintained in any Professional District.⁸⁵

Section 11. Single-Purpose Office Building Districts.

In a Single-Purpose Office Building District, the following shall apply:

- A. No building may be erected, altered or used nor any lot be used for any purpose other than one or more of the following Permitted Uses:
 - (a) Single-Purpose offices for business and administrative organizations, occupied by one or more persons, firms or companies related to each other by common ownership or control and by common or related business purposes.
 - (b) Research institutions and laboratories for the testing of equipment for public safety, including ancillary laboratories occupied as under (a), where use does not involve heavy machinery or equipment and where no noise, fumes, dirt or dust are transmitted to the exterior of the building or buildings.¹⁰⁵
 - (c) Auxiliary or accessory use on the same lot with and of a sort customarily incidental to any of the above permitted uses, specially including employees' cafeteria, parking, keeping of records and minor and incidental sales, provided that no physical merchandise is actually displayed or delivered to the public on the premises. All storage shall be within the building.
- B. The Minimum size of any lot area on which a building may be erected in a Single-Purpose Office Building District shall be three acres.
- C. The total ground area covered by buildings shall not exceed 25% of the lot area.
- D. No building or structure shall exceed either two stories or thirty feet in height. Elevator housing or small incidental roof construction fixtures, limited to a maximum of twelve feet in height above the roof level of the building and to a total area not exceeding 25% of the roof area, shall not be included within the foregoing height limitations, but shall be permitted in excess thereof.
- E. The following front, rear and side yard requirements shall be in effect for all buildings: Front yard, 75 feet. Side yard, 40 feet. Rear yard, 75 feet.
- F. Parking space shall be provided as follows:
 - (a) A minimum parking area shall be provided, surfaced and maintained, within parking set back lines hereinafter defined, at the rate of 350 square feet for each 300 gross square feet area of building. "Gross square feet" area of building shall include the entire exterior dimensions of the structure at each floor, including basements.
 - (b) All parking areas shall be set back a minimum of five feet from lot boundary lines; provided, however, that parking areas shall

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be set back a minimum of ten feet in the case of any lot boundary line which is contiguous with residential zoned property or with a street.

- (c) Any night lighting of parking areas or signs shall be shaded away from adjoining properties and highways.

C. Notwithstanding the provisions of Article X, advertising signs or lettering, containing only the name or names of the lawful occupants, and their trade marks, shall be permitted provided that the same shall not have letters more than four feet in height and shall be attached to the principal building on not more than two frontages thereof. Self-illuminated signs or lettering, or flood-lighted signs, are permitted provided they conform otherwise hereto, and provided that lights be shaded from adjacent properties and highways, but any form of flashing or intermittent lighting is prohibited. No free standing signs shall be permitted.

H. Building & Site Development Plans for development within a Single-Purpose Office Building District shall be submitted to the Planning Board before an application for a building permit is made. The Planning Board may approve, modify and approve, or reject such plans. The Planning Board may make any reasonable modifications in such plans to secure greater safety, health and general welfare of the community, and no building permit may be issued for any building in a Single-Purpose Office Building District until such plans thereof have been approved by the Planning Board.⁹⁸

Section 12. Planned Motel District.

In a Planned Motel District, the following regulations shall apply:

A. No building may be erected, altered or used nor any parcel of land be used for any purpose other than the following permitted use:

- (a) Motel, with rentable units for overnight lodging only.

B. The parcel of land on which such a planned motel may be erected shall contain not less than three acres, nor have a main street frontage of less than two hundred feet.

C. The total ground area covered by building shall not exceed more than 25% of the total plot area.

D. (a) No building or structure shall exceed one story in height.

- (b) All units shall not have less than 500 cubic feet per occupant nor exceed one unit per 3,000 square feet of total plot area.

(c) Central air conditioning unit shall be restricted to an area away from units and neighboring residences and be installed with sound-absorbing materials.

(d) Principal structure shall contain a lobby, rest rooms, registry desk and a manager's office and also may have rentable units therein. The principal access to all units must be from the lobby of this principal structure by a corridor or covered passageway. Complete control of registry and occupation of units shall be under the strict surveillance of the registry desk and the manager's office.

(e) The following front, rear and side yard requirements shall be in effect for all buildings: Front yard 75 feet. Side yard 50 feet.

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Rear yard 50 feet. Structures shall not be closer than 20 feet from each other unless connected by a common structure such as a roof or wall, covered passageway or corridor.

E. Off-street parking facilities shall be provided as follows:

(a) For each unit not in the principal building but in contiguous separate or grouped structures one space adjacent thereto with a minimum depth of ten feet and a minimum length of twenty feet long shall be provided exclusive of access turning areas and the like.

(b) For each unit in the principal building a reserved space shall be provided and located within 100 feet from such principal building and meeting the requirements as set forth in the above paragraph.

(c) All parking areas shall be set back a minimum of five feet from lot boundary lines; provided, however, that parking areas shall be set back a minimum of ten feet in cases of any lot boundary line which is contiguous with residential zoned property and fifty feet from any street frontage.

(d) Any night lighting of parking areas or signs shall be shaded away from adjoining properties and highways.

F. Landscape and fenced buffer areas must be provided on the property of the plot to protect the adjacent property owners from the activities of the motel.

G. Signs shall be in conformity with the Article X hereof. Self-illuminated signs or lettering, or floodlighted signs are permitted if they conform otherwise hereto and provided that lights be shaded from adjacent properties and highways, but, any form of flashing or intermittent lighting is prohibited.

H. On-site drainage must be provided to take care of storm water runoff.

I. Building and Site Development Plans for development within a Planned Motel District shall be submitted to the Planning Board before an application for a building permit is made. The Planning Board may approve, modify and approve or reject such plans. The Planning Board may make any reasonable modifications in such plans to secure greater safety, health general welfare, preserve the general character of the neighborhood and conserve property values and no such building permit may be issued until such plans thereof have been approved by the Planning Board.

J. A Planned Motel District shall be within the fire limits of the Town of Huntington.⁹⁸

ARTICLE VII. INDUSTRIAL DISTRICTS⁹⁰

Section 1. Light Industry Districts.

(1) In a Light Industry District no building or premises shall be used and no building shall be erected or structurally altered to be used for any other than one or more of the following uses:

A. Private garage accessory to a dwelling, nursery, truck garden, farm accessory building.⁴¹

B. Cold storage plant, creamery, ice cream factory, bottling works, baking plant, food or drink distribution plant, dairy.

C. Candy, cigar and cigarette manufacture.

D. Textile manufacture, including knitting, weaving and spinning

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- E. Cloth finishing and clothing manufacture.
 - F. Luggage, hand bag, leather goods and findings manufacture.
 - G. Publishing, printing and bookbinding.
 - H. Toys, games, novelties manufacture.
 - I. Florists and greenhouses.
 - J. Pharmaceutical preparation and cosmetic manufacture.
 - K. Optical, photographic, scientific and electronics instrument manufacture.
 - L. Lumber yards, furniture and cabinet manufacture, but not general wood working mills.
 - M. When permitted as a special exception by the Board of Appeals—laundries, dry cleaning establishment, dyeing.
 - N. Retail business establishments conducted as part of a permitted industrial use, or otherwise, when permitted as a special exception by the Board of Appeals.
 - O. Any similar industry whose process of manufacture does not in the estimation of the Board of Appeals, emit to the outer air a greater amount of noise, dust, fumes or smoke than those industries permitted by this section, or any other purposes which, in the estimation of the Board of Appeals are not inconsistent with the generally accepted definition of the term "Light Industry," and where, in the estimation of the Board of Appeals the enterprise in question will be beneficial to the town as a whole and to the neighborhood in which it is to be located.
 - P. No building shall be used for residential purposes, except that a room or suite or house may be provided for a custodian and his family, clearly as an accessory use to the permitted principal use. Such house shall conform to the requirements of Residence "D" districts in respect to front, rear and side yards.⁴²
- (2) Notwithstanding other provisions of the Ordinance, in a Light Industry District, buildings and premises for industrial use shall conform to the following limitations:
- A. No building shall be erected to a height in excess of one story or 35 feet.
 - B. The lot area of each individual enterprise shall comprise not less than 1 $\frac{1}{2}$ acres.⁴¹
 - C. Each lot shall have a frontage of at least 100 feet on a street and shall have an average width of not less than 200 feet.
 - D. No industrial building or industrial accessory building shall be erected nearer than 50 feet to any street line or 10 feet to any other property line.
 - E. Not more than 60 percent of the lot area may be covered by buildings or structures, including accessory buildings.
 - F. Provision must be made by each permitted industry or enterprise for all loading, unloading and employee parking to be accommodated within the premises.
 - G. Notwithstanding other height limitations, towers and penthouses to enclose machinery may extend to a height of not more than 50 feet but shall be limited to one for each building or group of buildings constituting a single enterprise, and such towers and pent

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- H. houses shall be limited to 400 square feet of ground area covered. No individual power plant, either steam, gasoline or Diesel operated (except emergency equipment), nor any smoke stack more than 55 feet high will be permitted. No process that emits to the outer air noise, dust, fumes or odors will be permitted even though the industry as a whole may be a permitted use.
- (3) Plans for all buildings intended for industrial use and to be located in a Light Industry District, shall be submitted to the Town Board for their approval, in consultation with the Board of Appeals for Building, as to their structural safety and the effect their presence may have on the neighborhood.
- (4) In place of the limitations set forth in ARTICLE VII Section 1. (2), hereof, the following limitations shall apply to the following Light Industry areas:
1. The area along both sides of New York Avenue, Huntington, bounded by Creek Road and Park Avenue on the north and Prime Avenue on the south.
 - A. No building shall be erected to a height of more than one story or 20 feet.
 - B. The lot area of each individual enterprise shall comprise not less than one quarter acre.
 - C. Each lot shall have a frontage of at least 75 feet on New York Avenue and an average width of not less than 75 feet.
 - D. No industrial building or industrial accessory building shall be erected nearer than 35 feet to any street line or 10 feet to any other property line except that buildings presently under construction shall be permitted to be completed in accordance with building permit under which said construction was authorized.
 - E. Not more than 60% of the lot may be covered by buildings or structures including accessory buildings.
 - F. Provision must be made by each permitted industry or enterprise for all loading, unloading and employee parking within the premises. No part of such parking space shall be within 35 feet of New York Avenue.
 - G. Notwithstanding other height limitations, no towers, penthouses, chimneys or tanks may extend to a height of more than 5 feet above the established building height limit of 20 feet.
 - H. No individual power plants of any sort (except emergency equipment) may be permitted, and no process that emits to the outer air noise, dust, fumes, smoke or odors will be permitted even though the industry as a whole may be a permitted use.
 - J. Except for necessary driveways and foot paths, the entire front yard area shall be suitably landscaped with lawns and shrubbery, and shall be maintained at all times in a suitable manner.⁴³
- Section 2. General Industry Districts.
In a General Industry District a building may be erected, altered or used, and a lot or premise may be used for any lawful purpose, except that no

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person shall erect, alter or use any building or use any premises for any of the following:

(1) Prohibited uses.

- A. Multiple family dwelling, apartment house.
- B. Retail business establishments except those conducted as part of a permitted industrial use or otherwise when permitted as a special exception by the Board of Appeals.
- C. Abattoir.
- D. Gas or chemical works.
- E. Celluloid or plastics manufacture, or any industry whose processes involve the handling of explosive or corrosive materials in bulk.
- F. Disinfectant, creosote, coke or asphalt, manufacturing, processing or mixing with other ingredients, or any operations pertaining thereto.⁸⁴
- G. Processes involving the distillation of bones, coal or wood.
- H. Manufacture of dye stuffs, fire works, glue size, gelatine, fertilizer, emery cloth, sandpaper, oil, oilcloth, linoleum, matches, paint, rubber, soap, stove polish, floor wax, acids, lampblack, salt.
- I. Fat rendering, stock yards, smelters, ore reduction, tallow, grease, lard manufacture or refining, tanning, curing or storage of leather in bulk.
- J. Tar distillation, tar roofing, and water-proofing manufacture.
- K. Yeast manufacture, wool pulling or scouring.
- L. Any use which may, in the opinion of the Board of Appeals be noxious or offensive by reason of the emission to the outside air of odors, dust, fumes, gas, vibration, fly ash or noise.
- M. Automobile wrecking, baling, storage or treatment of junk, iron, bottles, scrap paper, etc., except when permitted as a Special Exception by the Board of Appeals.⁴

(2) Height Limitation.

- A. In a General Industry District no building shall be erected whose height is in excess of 6 stories or 75 feet.
- B. Provision must be made by each permitted industry or enterprise for all loading, unloading and employee parking to be accommodated within the premises.

(3) Yard Restrictions.

- In a General Industry District the following minimum front, rear and side yard requirements shall hereafter be in effect:
- Front yard—one tenth of the depth of the district; but not less than 25 feet nor more than 100 feet.
 - Side yard—25 feet on each side.
 - Rear yard—25 feet.^{82 108}
 - C. No individual power plant, either steam, gasoline or Diesel operated (except emergency equipment), nor any smoke stack more than 55 feet high will be permitted. No process that emits to the outer air noise, dust, fumes, or odors will be permitted even though the industry as a whole may be a permitted use.

Section 3. Residential Use in Industrial Districts.

No building shall be used for residential purposes except that a room or suite or dwelling may be provided for a custodian and his family, clearly

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as an accessory use to the permitted principal use. Such house shall conform to the requirements of Residence "D" districts in respect to front, rear and side yards.⁴⁶

Section 4. Generating Station District.

In a Generating Station District, no building or premises shall be used and no building erected or altered except those used in connection with the generation, transmission and distribution of electrical energy in, among other places, the Town of Huntington by a corporation subject to the Jurisdiction of the Public Service Commission of the State of New York.¹⁰⁴

(A) Area.

The minimum area shall be 50 acres and no more than 50% of the entire area so zoned shall be used for buildings or the storage of fuel, except during construction periods.

(B) Setbacks.

No building except bulkheads and navigational aids shall be erected within 200 feet of the exterior lines thereof, except where a buffer strip zoned for residential purposes is owned by such corporation described aforesaid or by the Town of Huntington or any other municipal corporation, body, agency, authority or special improvement district thereof, the width of such buffer strip shall be included in computing the aforesaid 200 feet setback requirement.¹⁰⁴

(C) Height Limitation.

No building shall be erected in excess of a height of 250 feet except that a chimney stack may be erected in excess of such height.

(D) On-Site Parking.

Provision must be made for all deliveries and employee parking within the premises and such parking area shall be paved and maintained at all times.

(E) Landscaping.

Prior to the issuance of a Building Permit for any building in a Generating Station District, plans must be submitted to the Planning Board showing the manner in which the property will be landscaped upon the completion of construction. The Planning Board may make such reasonable modifications to such proposed plans prior to approval, which modifications may include the designation of planting strips or fences to be installed within the boundaries of the premises.⁸³

ARTICLE VIII APPLICATIONS AND PERMITS.

Section 1.

It shall be the duty of the Building Inspector and he is hereby given the power and authority to enforce the provisions of this Ordinance.

Section 2.

The Building Inspector shall require that the application for a building permit shall contain all the information necessary to enable him to ascertain whether the proposed building complies with the provisions of this Ordinance.

Section 3.

No building permit shall be issued until the Building Inspector has certified that the proposed building or alteration complies with all the provisions of this Ordinance.

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Section 4.

It shall be unlawful for any person to commence work for the erection or alteration of any building until a building permit has been duly issued therefor.

Section 5.

No land shall be occupied or used and no building hereafter erected or altered shall be occupied or used in whole or in part for any purpose whatsoever, except for the alteration of or addition to a dwelling until a certificate of occupancy shall have been issued by the Building Inspector stating that the premises or building complies with all the provision of this Ordinance. No change or extension of use and no alteration shall be made in a nonconforming use or premises without a certificate of occupancy having first been issued by the Building Inspector that such change, extension or alteration is in conformity with the provisions of this Ordinance. A certificate of occupancy shall be applied for at the same time that the building permit is applied for and shall be issued within ten days after the erection or alteration of the building shall have been completed.

A record of all certificates shall be kept on file in the office of the Building Inspector and copies shall be furnished upon request to any person having a proprietary or tenancy interest in the building affected. No permit for excavation shall be issued before application has been made for a certificate of occupancy. No building or premises for which a certificate of occupancy is required may be occupied until such certificate shall have been issued. All applications for a Certificate of Occupancy shall be deemed abandoned after the expiration of 2 years from the date of the Building Permit and thereafter no Certificate of Occupancy shall be issued.⁸⁷

Section 6.

A fee shall be charged for every permit or certificate of occupancy issued. The amount of such fee shall be determined from time to time by the Town Board.

Section 7.

Each and every permit issued by the Building Inspector under the provisions of this section shall expire and become null and void at the expiration of 90 days from the date of issuance, unless, within such period, the foundation has been built and actual erection and/or construction of the building under such permit shall have been commenced, or unless, within such period, an extension of such permit has been duly obtained from the Building Inspector. The provisions of this paragraph shall apply to any such extension.

ARTICLE IX BOARD OF APPEALS

Section 1.

The Town Board shall appoint a Board of Appeals consisting of five members, as provided by the Town Law.

Section 2.

The Board of Appeals may in a specific case after the refusal of the Building Inspector to issue a building permit⁸⁸ after public notice and hearing, and subject to appropriate conditions and safeguards, determine and vary the application of the regulations herein established in harmony with their general purpose and intent as follows:

- A. Grant a permit wherever it is provided in this Ordinance that the approval of the Board of Appeals is required.
- B. Grant a permit for any public utility in any district.
- C. Grant a permit in any case where there are practical difficulties or un-

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necessary hardships in the way of carrying out the strict letter of the provisions of this Ordinance.

- D. Permit in any district such modification of the requirements of these regulations as said board may deem necessary to secure an appropriate development of a lot where adjacent to such lot on two or more sides there are buildings that do not conform to these regulations.
- E. Permit such modification of the yard or open space or lot area or lot width regulations as may be necessary to secure an appropriate improvement of a parcel of land where such parcel was separately owned or under separate contract of purchase at the time of the passage of this Ordinance, and is of such restricted area or exceptional topography that it cannot be appropriately improved without such modification.
- F. Permit the erection in a residence district of a single family dwelling on a lot having an area of not less than 4,000 square feet and an average width of not less than 40 feet when said lot is in a plot of a subdivision recorded with the County Clerk at the time of a passage of this Ordinance showing said area divided into lots having a general width of twenty feet or more. Such authorization may also include a reduction of side yard requirements to those of the residence E district.
- G. Permit the reconstruction of a building occupied by a non-conforming use, or permit the extension of a non-conforming use throughout the building occupied for such use at the time of the passage of this Ordinance.
- H. Determine and establish the true location of district boundaries in any disputed case.
- I. Hear and decide appeals where it is alleged there is error in any requirement, decision or determination made by the Building Inspector in the enforcement of this Ordinance.
- J. Permit, in a General Industry District, automobile wrecking, baling, storage or treatment of junk, bottles, scrap paper, etc., provided that the Board shall find:
 1. That the operation is in the public interest and a desirable adjunct to the continued prosperity of the community.
 2. That no part of the land on which the operation is to be conducted lies within 200 feet of any existing residence.
 3. That suitable safeguards against traffic and fire hazard are provided, and that the entire premises will be surrounded by a solid masonry wall or board fence at least 8 feet high.⁸⁹
- K. Permit, in a Light Industry District, a two-story building provided the Board shall find:
 1. That the height does not exceed 35 feet.⁹⁰
 2. That the second story will not create a fire hazard.
 3. That the second story will not adversely affect surrounding property values.
 4. That adequate parking facilities and approaches be provided taking into consideration the possible additional uses and traffic in connection with such two-story structure.⁹⁰

Section 3.

The Board of Appeals shall make rules as to the manner of filing appeals or applications for special exceptions, or variances from the terms of this

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Ordinance and any other matter requiring action by said Board.

Section 4.

Upon the filing with the Board of Appeals of an appeal or of an application for special exception or variance from the terms of this Ordinance, and upon deposit and payment of the cost of advertising and mailing notice as hereinafter required, the Board of Appeals shall fix a time and place for a public hearing thereon and shall give notice thereof as follows:

- (a) By publishing a notice thereof once a week for two (2) weeks in a newspaper of general circulation published in the town.
- (b) By mailing a notice thereof to the town clerk and to the Supervisor of the Town, and the owners of all adjoining property.
- (c) By mailing a notice thereof to every resident and association of residents of the town in the area affected as determined in Article IX, Section 3, that shall have registered its name and address for this purpose with the Board of Appeals.

Section 5.

The notice required by Section 4 shall state the location of the building or lot and the general nature of the question involved.

Section 6. Standards

The Board of Appeals shall not grant a permit for any special exception unless it shall first determine that:

- A. It is reasonably necessary for the public health or general welfare and interest.
- B. It is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal and similar facilities.
- C. Neighborhood character and surrounding property values are reasonably safeguarded.
- D. Use will not cause undue traffic congestion or create a traffic hazard.⁴⁸

ARTICLE X. ADVERTISING SIGNS OR BILLBOARDS⁴⁹

Section 1.

No advertising sign or billboard shall be erected in any Residence or Business District except as hereinafter provided in Section 8 of this Article.

Section 2.

No billboard shall be erected in an Industrial District:

- (a) Within one hundred (100) feet of the intersection of a highway with another highway or within one hundred (100) feet of any curve, corner, angle or turn of any highway.
- (b) Within two hundred (200) feet of any official traffic signs.
- (c) Within one hundred (100) feet of the outside edge of the right of way of any public road.
- (d) Within three hundred (300) feet of a cemetery, public park, school, playground, church or railroad station.
- (e) At a point where it would obstruct or interfere with the clear view of a train upon an intersecting railway or of another vehicle on the same or intersecting highway or at a point where it will interfere with safety.
- (f) Within three hundred (300) feet of a place of historical interest.
- (g) Exceeds 25 feet in length or 12 feet in height, or is within 100 feet of any other billboard.
- (h) Unless all portions of the base line of the structure are at least 18 inches and not more than 3 feet above the surface of the ground upon which

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said structure is erected.

Section 3.

No advertising sign shall be hereafter erected in any district, except marquees and signs designating a theatre or hotel, unless:

- (1) It is a facial sign or a vertical sign not over six (6) feet in height, and in either case, does not extend out more than 18 inches over a public sidewalk or street, or
- (2) It is a "V" shaped sign, the center point of which does not extend out more than eighteen (18) inches over a public highway or street.

Section 4.

No advertising sign or billboard shall be painted, erected or maintained on the roof of any building, or affixed to or painted or erected upon stones, trees, or other natural objects.

Section 5.

No advertising sign or billboard, except signs permitted by Article IV, Section 2 (4), and signs having an area of one square foot or less of a public utility necessary or convenient for the direction, information of safety of the public, shall be hereafter erected in any district, unless a permit therefor has been obtained from the Building Inspector upon application to him in writing, and payment of a fee of Two Dollars (\$2.00). Forms of application shall be provided by the Building Inspector. It shall be the duty of the Building Inspector, upon the filing of such application to investigate the circumstances thereof before issuing the permit.

Section 6.

Advertising signs now erected or maintained in a Business or an Industrial District, and advertising the nature of the business conducted on the premises and/or the articles sold therein, which do not comply with Sections 2, 3 and 4 of this Article X, may nevertheless be temporarily kept and maintained by the owner thereof, provided he shall, within thirty (30) days after this amendment becomes effective, obtain from the Building Inspector, a permit to maintain such sign. Such permit shall be granted for a period terminating June 30, 1944. Each such permit shall be issued only upon written application to the Building Inspector, on a form provided by him, and on satisfactory proof that the sign is in good state of repair and safely constructed and erected, and on payment of a fee of Five Dollars (\$5.00). This section shall not apply to non-facial signs which do not extend more than one (1) foot over a public sidewalk or street or erected prior to January 1, 1942.

Section 7.

Any advertising sign or billboard which shall violate the regulations of the Ordinance is hereby declared to be a public nuisance and if now erected in a Residential District, shall be removed or made to conform by the owner, tenant or lessee of the land within six months after the passage of this Ordinance, unless such time is extended by the Board of Appeals upon application therefor.

Section 8.

The following advertising signs are permitted:

- (a) In all districts, signs permitted by Article IV, Section 2, Subdivision (4), and signs having an area of one (1) square foot or less of a public utility necessary or convenient for the direction, information of safety of the public.

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- (b) In Business or Industrial Districts, signs for which a permit has been granted, as provided by Section 5, advertising at the place of business the owner of and/or the nature of the business conducted thereon and/or the articles sold therein provided that such signs comply with Sections 3 and 4 of this Article X, and provided further that there shall not be more than two (2) such signs referring to each separately conducted business on any one street front affixed to any one building or parcel of land.
- (c) Danger or cautionary notices relating to the premises; advertisements or notices required by law or in any legal proceedings or put up by public authority.
- (d) Notices of any railroad or other transportation or transmission company, necessary for the direction or information or safety of the public or announcing the name of any station or office of such company, or signs or advertisements or advertising devices maintained and displayed on or in any car of a corporation subject to the provision of the public service commission law.
- (e) Any sign, if intended for permanent use, containing six square feet or less—and if intended for temporary use not exceeding thirty days containing 36 square feet or less—and bearing an announcement by a fire district, incorporated fire company, chamber of commerce, church, library, museum, ecclesiastical, educational, charitable or historical society and advertising its meetings, buildings or attractions, whether maintained at public or private expense.
- (f) Any sign maintained by the Town of Huntington for directional purposes and containing not exceeding 18 square feet, relating to any museum, educational, charitable or historical society, library, church, chamber of commerce, hotel or other local activity or attraction.
- (g) Any sign now existing, constructed and maintained in connection with a theatre or hotel, although not complying with Sections 3 and 4 of this Article X, provided the person responsible for the maintenance thereof files with the Building Inspector within two weeks after this amendment becomes effective and annually thereafter, satisfactory written proof on a form to be provided by the Building Inspector, that such sign is being maintained in good condition and safely constructed and erected, and pays to the Building Inspector a fee of Five Dollars (\$5.00) annually.
- (h) In Business or Industrial District, a non-facial sign erected prior to January 1, 1942, which does not extend more than 1 (one) foot over a public sidewalk or street, and signs painted on awnings or glass windows or interior signs.

Section 9.

The Building Inspector may remove any advertising sign or billboard which shall violate any provision of this Ordinance. Before doing so he shall notify the owner, tenant or lessee of the land upon which such sign or billboard is erected, personally or by mail if such person cannot with reasonable diligence be found, of his intention to remove said sign or billboard. If such owner, tenant or lessee shall thereupon and within ten days serve upon the Building Inspector objection in writing to such removal, the said sign or billboard shall not be removed until forty days after the service of said objections.

Article X XI

Section 10, Definitions.

The term "advertising sign" or "sign" as used in this Ordinance means any outdoor advertising sign, advertising medium, structure, device or anything which advertises or calls attention to any business conducted on, or to articles sold on the premises, to which the sign is affixed, but shall not include signs painted on awnings, glass windows or attached to the interior of any building. The term "facial sign" shall mean a sign whose base line is substantially parallel to the street or curb line and the back of which is flat against the structure to which it is affixed.

The term "vertical sign" shall mean a sign whose edge is parallel to the face of the structure to which it is affixed, and whose face is at right angles thereto. The term "billboard" as used in this Ordinance shall mean any outdoor advertising sign, advertising medium, structure, device, or anything which advertises or calls attention to any business not conducted on or to articles not sold on the premises, to which the sign is affixed.

Section 11. Marquees, theatre and hotel signs.

No marquees or sign constructed and maintained in connection with a theatre or hotel shall be hereafter erected which extends more than eighteen (18) inches over a public sidewalk or street, except by special permission of the Zoning Board of Appeals.

Section 12.

No permit issued under this Article X shall be construed or used as evidence of the safety of any advertising sign, billboard or marquee device described therein or relieve the owner or advertiser from liability for negligence in the erection or maintenance thereof.

ARTICLE XI AMENDMENTS

Section 1.

The Town Board may from time to time amend, supplement, change, modify or repeal (hereinafter referred to as "amend") this Ordinance, including the Building Zone Map, by proceeding in the following manner.

Section 2.

The Town Board by resolution adopted at a stated meeting shall fix the time and place of a public hearing on the proposed amendment and cause notice thereof to be given as follows:

(a) By publishing a notice thereof, as required by law.

(b) By posting a printed copy of such notice on the sign board maintained by the Town Clerk pursuant to subdivision 6 of Sec. 30 of the Town Law.

(c) The notices shall state the general nature of the proposed amendment.⁶⁰

Section 3.

Should a property owner desire to "amend" this Ordinance including the map or the regulations pertaining thereto, the Board of Appeals, on the written request of the Town Board or the property owner, shall determine the area affected by such desired amendment. Whenever the owners of fifty per centum (50%) or more of the area so determined and fifty per centum (50%) of the total number of owners in such affected area shall present to the Town Board a petition duly signed and acknowledged requesting such amendment, the Town Board shall call a public hearing thereon and cause notice thereof to be given in the manner prescribed in Section 2 of this article.

Section 4.

At a public hearing full opportunity to be heard shall be given to any citizen

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and all parties in interest.

Section 5.

The Town Board shall not be required to call a public hearing or consider any proposed amendment to this Ordinance or the Building Zone Map upon its own motion or pursuant to Section 3 above until the applicant or petitioner desiring the change has paid the sum of Fifty (\$50.00) Dollars to the Town Clerk as a filing fee.^{51 107}

Section 6.

Each applicant or petitioner desiring an amendment of the Building Zone Map of the Town of Huntington, prior to a consideration thereof by the Town Board, must present the Town Clerk with the original and three copies of a survey of the area proposed to be changed prepared by a duly licensed land surveyor or professional engineer, crosshatched in accordance with the legend on the Building Zone Map of the Town of Huntington to show the proposed change and the zoning of adjacent parcels. The original survey must be prepared on tracing cloth (pencil-ink) sheets measuring 8 1/2" x 11". The bottom 5" of each sheet must remain blank for insertion of a written description of the amendment by the Town Clerk. A written description of the proposed change must accompany each application or petition.⁵¹

ARTICLE XII GENERAL PROVISIONS

Section 1.

No building shall exceed eighty-five feet in height, except towers and/or antennas for an amplitude modulation broadcasting station.⁵¹

Section 2.

No lot area shall be so reduced that the dimensions of any of the open spaces shall be smaller than herein prescribed.

Section 3.

In any district no public garage for more than three (3) motor vehicles and no gasoline vending station shall be erected within two hundred (200) feet of the lot line of any premises used for a school, public library, church, hospital or orphanage, except with the approval of the Board of Appeals after a public hearing thereon. In any district, no theater, motion picture theater, pool or billiard room, bowling alley or roller skating rinks shall be erected within two hundred (200) feet of the lot line of any premises owned and occupied on or before the effective date of this Ordinance by a school having at least seventy-five (75) full-time students, a public library, church, hospital or orphanage, except with the approval of the Board of Appeals after a public hearing thereon.⁵²

Section 4.

On any corner lot, no wall, fence, or other structure shall be erected or altered, and no hedge, tree, shrub or other growth shall be maintained, which may cause danger to traffic on a street by obscuring the view.

Section 5. Non-conforming uses.

The lawful use of land or a building or structure existing at the time of passage of this Ordinance may be continued, although such use does not conform with the provisions of this Ordinance, and such use may be extended throughout the building or structure, but not the land, lawfully acquired previous to the said date, except that billboards and other advertising media may not be continued to be used more than six months, if in a Residence District, after this Ordinance, as hereby amended, takes effect except with permission of the

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Board of Appeals. A non-conforming use may be changed to a use of higher classification according to the provisions of this Ordinance. Whenever a district shall hereafter be changed, any then existing non-conforming use in such changed district may be continued or changed to a use of a similar or higher classification, provided all other regulations governing the new use are complied with. Whenever a non-conforming use of a building has been discontinued or changed to a higher classification or to a conforming use, such use shall not thereafter be changed to a use of a lower classification. No building which has been damaged by fire or other cause shall be repaired, altered or rebuilt for any other non-conforming use, and such building when repaired, altered or rebuilt, shall not exceed the original building in height or lot area covered.

Section 6. Validity.

Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decisions shall not affect the validity of the Ordinance as a whole or any other part thereof.

Section 7. Interpretation, Purpose and Conflict.

In interpreting and applying the provisions of this Ordinance they shall be held to be the minimum requirements for the promotion of the health, safety, morals or the general welfare of the public. It is not intended by this Ordinance to interfere with or abrogate or annul any town Building Code or any rules and regulations adopted or issued thereunder, or the rules and regulations of the Board of Health of the Town of Huntington, and not in conflict with any of the provisions of this Ordinance; provided, however, that where this Ordinance imposes a greater restriction upon the use of buildings or premises or upon the height of the building, or requires larger open spaces than are imposed or required by such Ordinances, rules and regulations, the provisions of this Ordinance shall control.

Section 8. Remedies.

In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained, or any building, structure or land is used in violation of this Ordinance or of any regulation made pursuant thereto, in addition to other remedies provided by law any appropriate action or proceeding, whether by legal process or otherwise, may be instituted or taken to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, to restrain, correct or abate such violation, to prevent the occupancy of said building, structure, or land or to prevent any illegal act, conduct, business or use in or about such premises.

Section 9. Penalties

For any and every violation of the Provisions of this Ordinance the owner, general agent or contractor of a building or premises where such violation has been committed or shall exist, and the lessee or tenant of an entire building or entire premises where such violation has been committed or shall exist, and the owner, general agent, contractor, lessee or tenant of any part of a building or premises in which part such violation has been committed or shall exist, and the general agent, architect, building contractor or any other person who knowingly commits, takes part or assists in any such violation or who maintains any building or premises in which any such violation shall exist, shall be liable on conviction thereof to a fine or penalty not exceeding twenty-five dollars (\$25.00) for each and every offense, and whenever such persons shall have

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been notified by the Inspector or by the service of a summons in a prosecution or in any other way that he is committing such violation of this Ordinance, each day that he shall continue such violation after such notification shall constitute a separate offense punishable by a like fine or penalty. Such fines or penalties shall be collected as like fines or penalties are now by law collected.

Section 10.

This Ordinance shall become effective immediately.

ADDENDA I
CHANGES OF A SPECIAL NATURE

(In conjunction with certain amendments to the Building Zone Ordinance the Town Board passed two resolutions or amendments which did not change the text of the Ordinance yet went further than a mere change in classification of property. These changes are here printed in full. The dates given are the dates on which the resolutions were passed and the resolutions will be found in the Town Board minutes of those dates.)

(1) June 30, 1937

BE IT FURTHER RESOLVED AND ORDAINED that each and every of the lots and plots hereinafter set forth situate in "Shorewood" at Centerport in the Town of Huntington, County of Suffolk, New York, be excepted from the provisions of Article IV, Section 4, Subdivision B (paragraph 5) so as to permit each and every of said lots and plots to be built upon as they now exist and in accordance with their present respective widths as shown by Map No. 1080 filed in the Office of the Clerk of the County of Suffolk on May 25, 1932, Map No. 818 filed in the Office of the Clerk of the County of Suffolk on September 10, 1926, Map No. 88 filed in the Office of the Clerk of the County of Suffolk on September 9, 1927 and Map No. 197 filed in the Office of the Clerk of the County of Suffolk on December 11, 1928;

On Map 1080, filed in Suffolk County Clerk's Office on May 25, 1932: 47, 48, 83, 86, 89, 90, 96, 98, 109, 110, 114B, 128, 136, 140, 150, 153, 164, 165, 167, 169, 171, 180, 181, 183, to 189 inclusive, 193, 195, to 198, inclusive, 202, 211 to 216 inclusive, 218, 220, 222, 225, 247, 250 to 252 inclusive, 254, 256, 259, 265, 277, 291, 292, 295A, 296, 298 to 300 inclusive, 307A, 310.

On Map 818, filed in Suffolk County Clerk's Office on September 10, 1926: 1 to 4 inclusive, 8 to 15 inclusive, 18 to 21 inclusive, 24, 25, SE 1-2 of 30, 31, 33.

On Map 88, filed in Suffolk County Clerk's Office on September 9, 1927:

Block A

6 to 8 inclusive, 10 to 19 inclusive, 24 to 26 inclusive, 28, 29.

Block B

1, 6 to 8 inclusive, 17 to 25 inclusive, 30.

Block C

2, 5, 8 to 17 inclusive, 20 to 26 inclusive.

Block D

1 to 4 inclusive, 6 to 8 inclusive, 12 to 27 inclusive.

Block E

3 to 5 inclusive, 9, 10.

Block F

1 to 7 inclusive, 9, 11.

On Map 197, filed in Suffolk County Clerk's Office on December 11, 1928:

Block A

14, 22, 41, 42.

Block C

1, 2, 4, 6 to 11 inclusive.

Block D

2 to 8 inclusive, 13 to 15 inclusive, 18, 19.

Block E

9 to 13 inclusive, 15 to 17 inclusive, 22, 23.

Block F

1 to 10 inclusive, 12 to 30 inclusive, 32.

Block G

1, 3, 4, 8 to 12 inclusive, 14 to 28 inclusive.

Block H

1 to 25 inclusive.

(2) September 23, 1947

BE IT RESOLVED that the Town Board of the Town of Huntington does hereby amend the Building Zone Ordinance and Building Zone Map of the Town of Huntington in the following manner:

By changing from Res. "E" to Res. "D" all that property lying within the boundaries of the filed maps of "Denton Hills," bounded on the north by Washington Drive and Centerport Road, on the east by the filed map on "Shorewood," on the south by Route 25-A, on the west by land of or formerly Vellor and Washington Drive, EXCEPT THAT ALL LOTS WITHIN THIS AREA THAT ARE UNBUILT UPON AT THE EFFECTIVE DATE OF THIS AMENDMENT SHALL BE EXEMPTED FROM THIS AREA, WIDTH AND SIDE YARD REQUIREMENTS OF RES. "D" ZONE BUT SHALL CONTINUE TO COMPLY WITH THE AREA, WIDTH AND SIDE YARD REQUIREMENTS OF RES. "E" ZONE.

By changing from Res. "D" and "C" to Res. "B" an area bounded on the north by Long Island Sound; on the east by the Smithtown town line; on the south by Middleville Rd.; and on the west by a line 150 feet east of Fort Salonga Rd. (Route 25A), an existing Res. "E" area and the Northport and Asharoken Beach Village boundaries, except that all Res. "E" areas and "Business" areas lying within said boundaries shall be exempt from such proposed change and shall remain as at present constituted and EXCEPT THAT ALL LOTS ON FILED MAPS WITHIN THE AREA, WHICH FAIL TO COMPLY WITH THE REQUIREMENTS OF RES. "B" ZONE AS TO AREA, WIDTH, SHALL BE EXEMPT FROM SUCH REQUIREMENTS, BUT SHALL BE SUBJECT TO THE REQUIREMENTS OF RES. "C" ZONE AS AT PRESENT and except that the area east of Bread and Cheese Hollow Road between Brookfield Road and Fort Salonga Road shall be exempt from such proposed change and shall remain as at present constituted.

(3) June 10, 1947

BE IT RESOLVED that the Town Board of the Town of Huntington does hereby amend the Building Zone Ordinance and Building Zone Map of the Town of Huntington in the following manner:

By Changing from Res. "E" to Res. "D" all land lying within the boundaries of the filed map of "Shorewood Sec. 1 to 4" inclusive, EXCEPT THAT ALL LOTS WITHIN THIS AREA THAT ARE UNBUILT UPON ON

THE EFFECTIVE DATE OF THIS AMENDMENT SHALL BE EXEMPTED FROM THE AREA, WIDTH AND SIDE YARD REQUIREMENTS OF SAID RES. "D" ZONE, BUT SHALL CONTINUE TO COMPLY WITH THE AREA, WIDTH AND SIDE YARD REQUIREMENTS OF RES. "E" ZONE.

- 1 Amended Nov. 13, 1951
- 2 Added Sept. 10, 1940
- 3 Added June 17, 1952
- 4 Amended Nov. 13, 1951; Sept. 10, 1940; April 29, 1947; Sept. 23, 1947
- 5 Amended April 29, 1947
- 6 Added April 13, 1948
- 7 B-1 Dist. added Sept. 10, 1940
- 8 Amended Sept. 10, 1940
- 9 Added April 3, 1951
- 10 Amended Sept. 10, 1940
- 11 Amended June 13, 1952
- 12 Added June 13, 1952
- 13 Added April 23, 1947
- 14 Amended June 13, 1952
- 15 Added April 29, 1947
- 16 Added April 29, 1947
- 17 Amended May 22, 1935; Sept. 10, 1940
- 18 Amended Sept. 23, 1947
- 19 Added July 8, 1941
- 20 B-1 Dist. added Sept. 10, 1940
- 21 Amended March 28, 1950
- 22 Added March 28, 1950
- 23 Amended Sept. 10, 1940 (for other excepted properties see ADDENDA)
- 24 Amended June 17, 1952
- 25 Amended Nov. 13, 1951, Amended April 29, 1947.
- 26 Sec. 2 added Feb. 5, 1937, amended June 17, 1952; Sec. 3 added June 17, 1952
- 27 Amended Nov. 13, 1951
- 28 Amended April 29, 1947
- 29 Amended June 17, 1952; Sept. 10, 1940
- 30 Amended April 29, 1947
- 31 Amended Sept. 11, 1951
- 32 Added June 17, 1952
- 33 Amended Sept. 11, 1951
- 34 Amended June 17, 1952
- 35 Amended April 29, 1947
- 36 Added March 13, 1951
- 37 Amended Nov. 13, 1951
- 38 Added June 17, 1952
- 39 Added Sept. 11, 1951
- 40 Art. VII completely rewritten Sept. 23, 1947
- 41 Amended June 17, 1952
- 42 Added June 17, 1952
- 43 Added Sept. 11, 1951
- 44 Added Nov. 13, 1951
- 45 Added June 17, 1952
- 46 Amended June 17, 1952

- 47 Added June 17, 1952
- 48 Added Nov. 13, 1951
- 49 Art. X rewritten May 26, 1942
- 50 Amended Nov. 13, 1951
- 51 Amended April 3, 1951
- 52 Amended May 22, 1935; Nov. 26, 1948 (Second sentence declared invalid by Supreme Court, Queens County, Special Term Part I, Westneck Realty Co. Inc. vs Fusbender (N Y L J Jan. 11, 1949, p. 126))
- 53 Deleted May 18, 1954
- 54 Amended Feb. 17, 1953
- 55 Amended March 17, 1953
- 56 Amended March 17, 1953
- 57 Amended March 17, 1953
- 58 Amended March 17, 1953
- 59 Amended March 17, 1953
- 60 Amended March 17, 1954
- 61 Amended March 17, 1953
- 62 Amended March 17, 1953
- 63 Amended March 17, 1953
- 64 Amended March 17, 1953
- 65 Amended March 17, 1953
- 66 Rewritten March 11, 1953
- 67 Amended March 17, 1953
- 68 Amended May 18, 1954
- 69 Amended May 18, 1954
- 70 Amended May 18, 1954
- 71 Amended May 18, 1954
- 72 Amended May 18, 1954
- 73 Amended May 18, 1954
- 74 Amended May 18, 1954
- 75 Amended May 18, 1954
- 76 Rewritten May 18, 1954
- 77 Amended May 18, 1954
- 78 Rewritten May 18, 1954
- 79 Amended May 18, 1954
- 80 Added May 18, 1954
- 81 Amended September 23, 1954
- 82 Added December 16, 1952
- 83 Added February 17, 1953
- 84 Amended March 15, 1955
- 85 Amended April 19, 1955
- 86 Amended May 3, 1955
- 87 Amended May 17, 1955
- 88 Added or amended June 7, 1955
- 89 Amended June 7, 1955
- 90 Added January 31, 1956
- 91 Amended and added March 6, 1956
- 92 Added March 10, 1956
- 93 Added March 20, 1956
- 94 Amended April 17, 1956
- 95 Added and amended June 5, 1956

- 96 Added September 4, 1956
- 97 Amended September 18, 1956
- 98 Added March 10, 1957
- 99 Added June 7, 1955
- 100 Amended May 22, 1957
- 101 Amended June 4, 1957
- 102 Added June 18, 1957
- 103 Amended June 18, 1957
- 104 Amended April 2, 1957
- 105 Amended September 17, 1957
- 106 Added December 17, 1957
- 107 Amended March 5, 1958
- 108 Amended May 7, 1958