

# ORDINANCE 1975-8

## ORDINANCE SETTING MINIMUM LAND SPACE FOR BUILDING AND LAND USE

BE IT ORDAINED BY THE TOWN BOARD OF ELSINORE TOWN:

SECTION 1: AN AREA OF NOT LESS THAN TWELVE THOUSAND (12,000) SQUARE FEET SHALL BE REQUIRED AND PROVIDED FOR EACH BUILDING. A BUILDING SHALL INCLUDE ANY PERMANENT STRUCTURES OR TEMPORARY STRUCTURES HAVING SIX HUNDRED (600) SQUARE FEET OF FLOOR SPACE, WHETHER SAID UNIT IS PERMANENTLY ATTACHED TO THE LAND OR SITUATED IN A MOBILE-TYPE UNIT WHICH CAN BE MOVED FROM PLACE TO PLACE. MOBILE HOMES WILL REQUIRE A PERMANENT FIRE PROOF FOUNDATION ENCLOSURE WHEN PLACED UPON LOTS WITHIN ELSINORE TOWN. NO PERMITS FOR BUILDING STRUCTURES HAVING LESS THAN SIX HUNDRED (600) SQUARE FEET OF FLOOR SPACE SHALL BE ISSUED.

SECTION 2: THE MINIMUM LAND SPACE FOR MULTIPLE BUILDING UNITS CONTAINED IN ONE STRUCTURE SHALL BE TWELVE THOUSAND (12,000) SQUARE FEET FOR EACH ADDITIONAL BUILDING UNIT CONSTRUCTED THEREWITH.

SECTION 3: YARD REQUIREMENTS:

- A. SIDE YARD- FOR ANY BUILDING STRUCTURE SHALL NOT BE LESS THAN 10 FEET AND A TOTAL WIDTH OF TWO REQUIRED SIDE YARDS NOT BE LESS THAN 25 FEET.
- B. FRONT YARD- THE MINIMUM SET BACK FROM THE MAIN BUILDING SHALL BE 30 FEET OR AN AVERAGE OF THE MAIN BUILDINGS EXISTING ON ABUTTING LOTS AND WITHIN 60 FEET.
- C. REAR YARD- THE MINIMUM REAR YARD FOR ANY DWELLING SHALL BE NOT LESS THAN 30 FEET.

SECTION 4: THE BOARD OR TRUSTEES OF ELSINORE TOWN SHALL ADMINISTER THE PROVISIONS OF THIS ORDINANCE. THE TOWN PRESIDENT SHALL BE EMPOWERED TO ISSUE BUILDING PERMITS, PARKING OR LOCATION PERMITS TO PERSONS INTENDING TO CONSTRUCT IMPROVEMENT UNITS OR LOCATE OR PARK FAMILY DWELLING UNITS IN ELSINORE TOWN UPON THE EXPRESS APPROVAL AND AUTHORIZATION OF THE BOARD OF TRUSTEES. THE TOWN PRESIDENT SHALL FURTHER BE AUTHORIZED TO APPOINT A BUILDING INSPECTOR TO INVESTIGATE AND ISSUE BUILDING PERMITS AFTER THEY HAVE BEEN AUTHORIZED BY THE BOARD OF TRUSTEES, SHOULD HE ELECT TO DO SO.

SECTION 5: ALL APPLICATIONS FROM PERSONS INTENDING TO CONSTRUCT BUILDINGS, LOCATE OR PARK STRUCTURES OR MOBILE UNITS UPON PROPERTY IN ELSINORE TOWN SHALL BE FILED WITH THE TOWN PRESIDENT OR THE DESIGNATED BUILDING INSPECTOR FOR REVIEW AND FOR SUBMISSION TO THE BOARD OF TRUSTEES.

SECTION 6: ALL PERSONS LOCATING, SITUATING, OR CONSTRUCTING DWELLING UNITS UPON PROPERTY IN ELSINORE TOWN SHALL MAKE ADEQUATE PROVISION FOR SEWERAGE DISPOSAL, INCLUDING ADEQUATE SEPTIC TANKS IN SUCH MANNER AS TO MEET ALL COUNTY AND STATE HEALTH REQUIREMENTS AND NO PERMIT TO CONSTRUCT, SITUATE OR LOCATE UPON LAND IN ELSINORE TOWN SHALL BE ISSUED OR NO WATER HOOKUP

PERMITTED TO THE TOWN WATER SYSTEM UNTIL ADEQUATE PROOF HAS BEEN MADE THAT THE APPLICANT HAS COMPLIED WITH THIS REQUIREMENT.

SECTION 7: APPLICATION FOR WATER CONNECTIONS MUST BE MADE TO THE TOWN PRESIDENT OR TO THE DESIGNATED BUILDING INSPECTOR FOR ALL UNITS CONSTRUCTED OR SITUATED IN ELSINORE TOWN AND SUCH UNIT SHALL BE REQUIRED TO HAVE AN INDIVIDUAL METER.

SECTION 8: NO PERSONS SHALL CONSTRUCT ANY BUILDING OR IMPROVEMENTS WITHOUT FIRST OBTAINING A BUILDING PERMIT SO TO DO. ANY PERSON OR PERSONS CONSTRUCTING, BUILDING, PARKING OR SITUATING DWELLING UNITS ON LOTS IN ELSINORE TOWN WHICH DO NOT COMPLY WITH THE PROVISIONS OF THIS ORDINANCE SHALL NOT BE ALLOWED TO CONNECT TO THE CITY WATER WORKS SYSTEM.

SECTION 9: PENALTY: ANY PERSON WHO VIOLATES, DISOBEYS OR NEGLECTS OR REFUSES TO COMPLY WITH ANY OF THE PROVISIONS OF THIS ORDINANCE SHALL BE DEEMED GUILTY OF A MISDEMEANOR, AND UPON CONVICTION THEREOF, SHALL BE PUNISHED BY A FINE OF NOT MORE THAN \$299.00, OR BY IMPRISONMENT; AND BY OMISSION OR NEGLECT TO THE REQUIREMENTS DEMANDED TO BE PERFORMED AND EVERY CONTINUANCE OF ANY ACT OR THING PROHIBITED BY THIS ORDINANCE SHALL BE DEEMED TO BE A SEPARATE OFFENSE COMMITTED AND SHALL BE PUNISHABLE ACCORDINGLY.

SECTION 10: EMERGENCY DECLARED: IN THE OPINION OF THE TOWN BOARD, IT IS NECESSARY FOR THE PEACE, HEALTH AND SAFETY OF THE INHABITANTS OF ELSINORE TOWN THAT THIS ORDINANCE BECOME EFFECTIVE IMMEDIATELY.

SECTION 11: EFFECTIVE DATE: THIS ORDINANCE SHALL TAKE EFFECT ONE (1) DAY AFTER POSTING.

PASSED AND ADOPTED BY THE TOWN BOARD OF ELSINORE TOWN ON THIS 3RD DAY OF SEPTEMBER, A.D., 1975