BILL 2 of 2013

EMERGENCY PERMANENT GENERATORS

**Section 176-235 Terms defined.**

BOARD-The Board of Trustees of the Village of Port Washington North

PERMANENT EMERGENCY GENERATORS –an outdoor device to be used as a temporary generator of electricity for a dwelling when the electricity being furnished to that dwelling by an off-site utility company is temporarily disrupted for reasons other than non-payment.

ACCESSORY STRUCTURE-An electric generator shall be deemed a permitted accessory structure to a dwelling subject to the provisions of this section.

**Section 176-236. Permit for permanent emergency generators required.**

No permanent emergency generator shall be placed or erected without first obtaining a permit from the building inspector of the Village of Port Washington North.

**Section 176-237. Standards for issuance of permits for permanent emergency generators .**

The building inspector may issue permits for permanent emergency generator on residential or non-residential properties, as provided in this article, subject to such terms and conditions as the building inspector may deem necessary to safeguard adjoining properties and the health, safety and general welfare of the community. In the consideration and determination of applications for permanent emergency generators , the building inspector shall consider the following standards as applied to the specific application, as well as any other criteria which the building inspector may deem relevant to the safety and well-being of the adjoining property owners and the community and which are relevant to the specific application.

1. All generators shall be installed and maintained in compliance with all federal, state, county and local laws, including the New York State Uniform Fire Prevention and Building Code. All applicants shall first obtain permits from all other governmental entities as required before applying for a permit from the Village of Port Washington North. l
2. All generators installed shall not be invisible from the street, unless the generator is screened by a full evergreen landscaped buffer as approved by the building inspector.
3. All generators must be certified by their manufacturer not to produce a continuous airborne sound level in excess of 60 dBA.
4. No more than one generator, permanent or portable may be permitted on a residential property.
5. A permanent emergency generator and a portable generator may not be lit up by lights.
6. All generators shall be used only during electrical power outages and as required by the manufacturer for maintenance purposes. Maintenance operation shall only take place during the hours between 9:00 a.m. and 5:00 p.m. not to exceed once a week for a maximum period of 45 minutes.

**Section 176-238. Location of Permanent Emergency Generators**

1. Permanent emergency generators may be located in the rear yard immediately adjacent to the rear wall of the main building, provided the generator is no closer than as recommended by the manufacturer or as required by NFPA 37. Additionally, all generators must be at least 3 feet from any lot line and dwelling.
2. Permanent emergency generators may be located in a side yard provided the generator is at least 3 feet from the lot line and set back at least 10 feet from the front of the main building. Additionally, full evergreen landscaped buffer shall be maintained for so long as any generator remains in the side yard.

**Section 176-239. Filing Fees.**

The filing fees on the applications to the Village of Port Washington North shall be pursuant to fee schedule and as prescribed from time to time by the Board of Trustees.

**Section 176-240. Enforcement.**

The provisions herein described shall be enforceable by the Village of Port Washington North, and failure of the Village to enforce any and all said regulations or provisions shall in no event be deemed a waiver of the right to do so.

Effective date of this local law shall take effect upon filing with the Secretary of State.