

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one.)

of Hewlett Harbor

Local Law No. 8 of the year 2025

A local law Chapter 145, Sect. 38-45 Tennis Courts and Pickleball Courts
(Insert Title)

Be it enacted by the _____ of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of Hewlett Harbor _____ as follows:

See attached 3 pages

(If additional space is needed, attach pages the same size as this sheet, and number each.)

LOCAL LAW

TO AMEND THE CODE OF THE VILLAGE OF HEWLETT HARBOR

LOCAL LAW # 8 OF 2025

SECTION 1.

Chapter 145. Zoning

Article V. Tennis Courts and Pickleball Courts

§ 145-38 Permitted accessory use.

Tennis courts and pickleball courts complying with the provisions of this Article shall only be permitted in a residential district as an accessory use to a dwelling located on the same lot for the residents of such dwelling and their guests.

§ 145-39 Definitions.

For the purpose of this article, the following terms shall have the meanings indicated:

TENNIS COURT

The entire surface, both inside and outside of any marked court area, where the game of tennis is played, and shall also include the central net and any adjacent fencing, walls, screening or other surface which limits the movement of tennis balls. No tennis court as above defined shall be constructed having dimensions of less than 60 feet in width and 110 feet in length.

PICKLEBALL

The entire surface, both inside and outside of any marked court area, where the game of pickleball is played, and shall also include the central net and any adjacent fencing, walls, screening or other surface which limits the movement of balls. No pickleball court as above defined shall be constructed having dimensions of less than 35 feet in width and 60 feet in length.

§ 145-40 Building permit required.

No tennis court or pickleball court shall be constructed, or converted from tennis to pickleball or vice versa, unless a building permit shall be issued by the Building Inspector. Every application for a permit shall be accompanied by a dimensional site plan, drawn to scale and showing locations of all details, duly certified by a licensed professional engineer or architect. No tennis court or pickleball court shall be used unless a certificate of occupancy has been issued therefor.

§ 145-41 Location.

- A. Tennis courts shall be located only in the rear or side yards and courts shall conform to the setback requirements for accessory buildings as set forth in § 145-25. No tennis courts shall be located in any front yard.
- B. Pickleball courts shall be located only in the rear or side yards and courts shall conform to 150% of the setback requirements for accessory buildings as set forth in Section 145-25. No pickleball courts shall be located in any front yard.

§ 145-42 Fencing and hedging required.

- A. Every tennis court shall have fencing of not less than five feet nor more than 10 feet in height on three sides of the tennis court, which shall not include the side facing the dwelling, which fencing shall be located along the perimeter of the playing surface, but in no event shall any fencing encroach into any required yards or setbacks.
- B. Every pickleball court shall have fencing of not less than six feet nor more than 10 feet in height on three sides of the pickleball court, which shall not include the side facing the dwelling, which fencing shall be located along the perimeter of the playing surface, but in no event shall any fencing encroach into any required yards or setbacks. Such fencing shall be constructed of a minimum of $\frac{3}{4}$ inch solid boards, and with the middle section of the wall on the courtside closest to the nearest adjoining property line.
- C. At the discretion of the Superintendent of Buildings, AcoustiFence or a similar product with at least the same dbA noise reduction impact may be used in lieu of the solid fencing required above.

§ 145-43 Balls not to cross property lines.

No tennis court or pickleball court shall be used in a manner that permits balls to cross the property lines of the property on which the court is located.

§ 145-44 Covers and enclosures not permitted.

No cover or enclosure of any kind shall be permitted over a tennis or pickleball court.

§ 145-45 Height of surface; drainage.

- A. The height of the playing surface of a tennis court or pickleball court shall not be above the existing mean level of the ground immediately surrounding the court area prior to construction of the court.

- B. No tennis court or Pickleball court shall be constructed or maintained so as to permit any drainage water to flow onto adjoining properties or the public streets.
- C. The Village may, at the discretion of the superintendent of buildings, require an applicant for a pickleball court or tennis court, to conduct stormwater runoff testing, soil absorption testing, percolation testing and/or similar testing regarding drainage water.

§ 145-46 **Use regulations.**

- A. All lighting shall be of a type and so located as not to cause light rays to project across any property line.
- B. No tennis courts or pickleball courts may be used between the hours of 11:00 p.m. and 7:00 a.m.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 8 of 20²⁵ of the (County)(City)(Town)(Village) of Hewlett Harbor was duly passed by the Hewlett Harbor Village Board on August 14 20²⁵, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 20^{□□}, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. *(Elective Chief Executive Officer*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law. *(Elective Chief Executive Officer*)*

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.



Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 11-5-2025

(Seal)